

PLANNING COMMISSION AGENDA FEBRUARY 27, 2020



MEDFORD
OREGON

Commission Members

David Culbertson

Joe Foley

David Jordan

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Jared Pulver

Jeff Thomas

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

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380

PLANNING COMMISSION AGENDA



MEDFORD
OREGON

February 27, 2020

5:30 P.M.

Medford City Hall, Council Chambers

411 West 8th Street, Medford, Oregon

10. Roll Call

20. Consent Calendar / Written Communications (voice vote).

20.1 LDS-19-076 Final Order of tentative plat approval for the Medford Center, a proposed commercial pad-lot subdivision in order to separate 11 buildings on their own legal tracts of land. The property is located on a single 24.42-acre parcel located east of Biddle Road between Stevens and E Jackson Street in the C-R (Regional Commercial) zoning district (371W19CD 1000); Applicant, LBG Medford, LLC; Agent, Neathamer Surveying, Inc.; Planner, Steffen Roennfeldt.

20.2 Written Communication: City of Medford Planning Commission Rules of Order

30. Approval or Correction of the Minutes from February 13, 2020 hearing.

40. Oral Requests and Communications from the Audience

COMMENTS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR ORGANIZATION. **PLEASE SIGN IN.**

50. Public Hearings

COMMENTS ARE LIMITED TO A TOTAL OF 10 MINUTES FOR APPLICANTS AND/OR THEIR REPRESENTATIVES. YOU MAY REQUEST A 5-MINUTE REBUTTAL TIME. ALL OTHERS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR ORGANIZATION. **PLEASE SIGN IN.**

Old Business

50.1 LDS-19-070 Consideration of tentative plat approval for Stewart Meadows Village – Phases 1-6, a proposed 39-lot subdivision on a 110-acre site bounded generally by Stewart Meadows to the north, Highway 99 to the east, Myers Lane to the west, and Garfield Avenue to the south; and an approximate 30-acre tract on the south side of Garfield. The site is zoned Community Commercial (C-C), General Industrial (I-G), Light Industrial (I-L), and SFR-10 (Single-Family residential, ten dwelling units per gross acre). (371W31A TL 2802, 2000, 2190, 2200, 2300, 4000, 3900; 371W31D TL 200, 1001, 2500, 1000, 2501, 2800, 900, 2900, 3000; 371W32C TL 5503, 5400); Applicant, KOGAP Enterprises, Inc.; Agent, Maize & Associates Inc.; Planner, Dustin Severs.

New Business

50.2 TF-19-001 The City proposes to improve Foothill Road between Delta Waters Rd. and McAndrews Rd. to regional arterial standards which include: four travel lanes, bike lanes, sidewalks, medians, and planter strips where feasible. Applicant, City of Medford Public Works; Planner, Seth Adams

50.3 TF-20-015 The City proposes to construct a new segment of South Stage Road from North Phoenix Road to 1,000 feet west. The new segment is proposed to be constructed as a minor arterial with two travel lanes (one each way), separated bike lanes, sidewalks, median, planter strips, landscaping, and street lighting. Applicant, City of Medford Public Works; Planner, Seth Adams

60. Reports

- 60.1 Site Plan and Architectural Commission
- 60.2 Transportation Commission
- 60.3 Planning Department

70. Messages and Papers from the Chair

80. City Attorney Remarks

90. Propositions and Remarks from the Commission

100. Adjournment



PLANNING COMMISSION REPORT

for a Type-III quasi-judicial decision: **Land Division**

Project The Village Center Subdivision
Applicant: LBG Medford LLC; Agent: Neathamer Surveying

File no. LDS-19-076

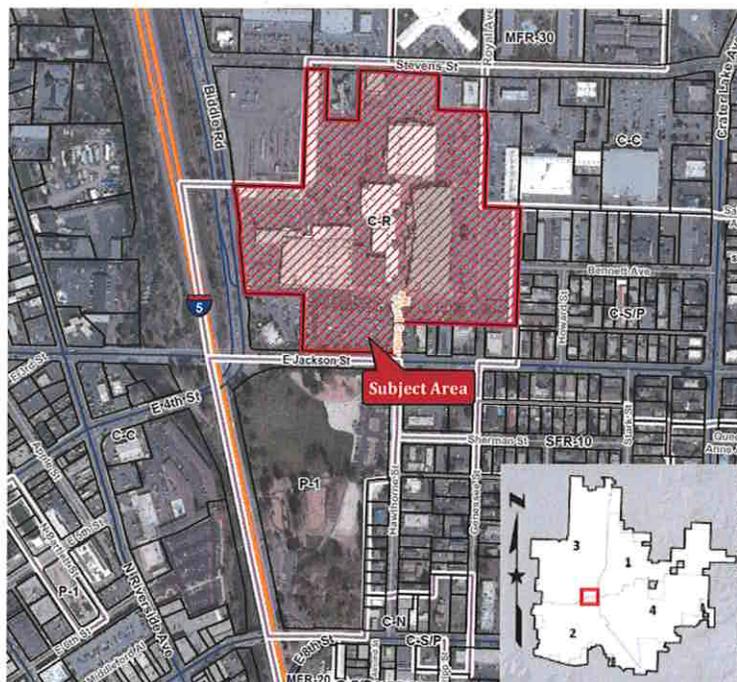
Date February 13, 2020

BACKGROUND

Proposal

Consideration of tentative plat approval for the Medford Center, a proposed commercial pad-lot subdivision in order to separate 11 existing structures on their own legal tracts of land. The property is located on a single 24.42-acre parcel located east of Biddle Road between Stevens Street and E Jackson Street in the C-R (Regional Commercial) zoning district. (371W19CD 1000)

Vicinity Map



Subject Site Characteristics

GLUP	CM	Commercial
Zoning	C-R	Regional Commercial
Overlay	Airport Area of Concern	
Use	Various Commercial Uses	

Surrounding Site Characteristics

<i>North</i>	Zone:	C-C (Community Commercial) & MFR-30 (Multiple Family Residential, 20 to 30 dwelling units per gross acre)
	Use:	Commercial & Residential
<i>South</i>	Zone:	C-R & P-1 (Public Park)
	Use:	Commercial & Hawthorne Park
<i>East</i>	Zone:	C-C & C-S/P (Service Commercial and Professional Offices)
	Use:	Commercial
<i>West</i>	Zone:	C-C
	Use:	Public right-of-way

Related Projects

PLA-16-097	Property Line Adjustment
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Applicable Criteria

MLDC 10.202(E) Land Division Criteria

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

(1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, 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

Cogency Global Inc. is the Registered Agent for LBG Medford, LLC, a Delaware Limited Liability Company according to the Oregon Secretary of State Business Registry. David Goldman, Leslie Lundin and Douglas T. Biswenger are listed as Managers.

ISSUES AND ANALYSIS

Background

The overall size of the parent parcel is 24.42 acres. The subject property, commonly known as 'Medford Center', is a fully built out commercial development including several businesses such as a movie theater, a number of restaurants, a fitness studio and other businesses. The site contains multiple buildings along with shared parking lots, driveways, landscaping as well as surface and underground utilities.



Project Summary

The applicant is proposing to subdivide the existing 24-acre parcel into 11 pad lots plus the parent parcel, ranging in size from approximately 7,000 square feet to over 80,000 square feet. The parent parcel ('common area') will be approximately 20 acres in size. As the site is fully developed, no additional development for vertical construction is proposed as part of this application.

Development Standards

Pursuant to MLDC 10.703(B), Pad Lot Subdivisions for Non-residential Uses, all lot lines created within the common area shall be located along a common or exterior building wall, or within four feet of an exterior building wall, unless the approving authority (Planning Commission) allows a greater distance for special purposes. Additionally, the parent parcel shall meet the site development standards established in Section 10.721.

Site Development Table - Parent Parcel

C-R Zone	Lot Area (Square Feet)	Minimum Lot Width	Minimum Lot Depth	Minimum Front & Street Side Yard Setback	Minimum Side and Rear Setback
Required	15,000 (0.34 Acres)	70 feet	100 feet	10 feet	None
Shown	24.42 acres	Approx. 1,200 feet	Approx. 1,200 feet	10+ feet	10+ feet

As can be seen in the Site Development Table above, the parent parcel does meet all applicable site development standards as set forth in Section 10.721 of the Medford Land Development Code.

The applicant is requesting relief from Section 10.703(B)(2), specifically the requirement of having the proposed lot lines within four feet of an exterior building wall. The proposed lot lines between parcels 8, 9 & 10 and 3, 4, 5 & 6 partially follow interior walls which are separating interior uses. In other areas, the new lines will include awnings or loading docks within the new lot layout. As a result, there are several instances in which the distance from an exterior building wall exceeds four feet. Staff believes that the Planning Commission can allow for the requested deviations as the pad lot lines will still follow architectural elements that can be considered to be part of the building.

In other areas, where certain improvements extend from the common area into a pad lot or from one pad lot into another, easements will be required to address those encroachments.

Access and Circulation

As part of this application, the property owner will address existing circulation concerns within the site as required per MLDC 10.550(3)(C)(2) which states:

(2) Redevelopment: Redevelopment as used in this section means that a parcel(s) has existing legal access and physical improvements and the property owner is seeking Type III use review for new development permits. In the case of redevelopment, the approving authority may require the provision of cross-access easements and geometric/physical improvements to any and all accesses in accordance with current standards. Redevelopment applications shall propose changes to the number and/or centerline location(s) of existing driveway(s), and shall demonstrate that the proposed changes will bring the parcel into, or at a minimum, closer to compliance with existing standards.

Also proposed are changes to the parking lot layout, landscaping and drive aisles (see Exhibit E) to satisfy MLDC 10.426(C)(1), Block and Perimeter Length Standards. The modifications will allow for a direct connection from Genesee Street to Stevens Street including public access easements.

Agency Comments

Per the agency comments submitted to staff (Exhibits F to L), it can be found that there are adequate facilities to serve the development. Conditions of approval are included.

Committee Comments

No comments were received from a committee, such as BPAC.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit C & D) and recommends the Commission adopt the findings as presented.

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare the final order for approval of LDS-19-076 per the Planning Commission Report dated February 13, 2020, including Exhibits A through M.

EXHIBITS

- A Conditions of Approval, dated November 7, 2019
- B Tentative Plat, received September 11, 2019
- C Findings of Fact and Conclusions of Law, received September 11, 2019
- D Supplemental Findings of Fact, received February 4, 2020
- E Parking Lot Modifications Plan, received February 4, 2020
- F-1 Public Works Department Staff Report, revised February 12, 2020**
- G Board of Water Commissioners Staff Memo, dated October 23, 2019
- H Medford Building Safety Memorandum, dated October 23, 2019
- I Medford Fire-Rescue Land Development Report, dated October 21, 2019
- J Medford Public Works Memorandum re: Addressing, dated October 22, 2019
- K E-Mail from ODOT, received October 17, 2019
- L Jackson County Rods Memorandum, received October 15, 2019
- M Sample Building Maintenance Agreement, received January 29, 2020
Vicinity map

PLANNING COMMISSION AGENDA:

NOVEMBER 14, 2019
DECEMBER 12, 2019
JANUARY 9, 2020
FEBRUARY 13, 2020
FEBRUARY 27, 2020



PUBLIC WORKS DEPARTMENT STAFF REPORT

The Village Center Subdivision (TL 1000)

11 Pad-Lots

Project: Consideration of tentative plat approval for the Medford Center, a proposed commercial pad-lot subdivision in order to separate 11 buildings on their own legal tracts of land.

Location: The property is located on a single 24.42-acre parcel located east of Biddle Road between Stevens and E Jackson Street in the C-R (Regional Commercial) zoning district (371W19CD 1000).

Applicant: Applicant, LBG Medford, LLC; Agent, Neathamer Surveying, Inc.; Planner, Steffen Roennfeldt.

The following items shall be completed and accepted prior to the respective events under which they are listed:

- Approval of Final Plat:
 - Right-of-way, construction and/or assurance of the public improvements in accordance with Medford Land Development Code (MLDC), Section 10.666 & 10.667 (Items A, B & C)
- Issuance of first building permit for vertical construction:
 - Construction of public improvements (Items A through E)

A. STREETS

1. Dedications

Biddle Road, East Jackson Street and Stevens Streets are considered Legacy Streets per Medford Land Development Code (MLDC) 10.427(D). Proposed conditions of approval for land use actions which contain legacy streets shall be subject to review and recommendation by the City Engineer. If a deviation from the City Engineer's

recommendation is requested by the applicant, the applicant shall provide written findings (see criteria under MLDC 10.427(D)(1)(a-e).

Biddle Road classified as a Major Arterial Street. The Developer shall dedicate for public right-of-way or a public pedestrian easement, sufficient width of land along the necessary portions of the frontage of this development to provide the minimum ADA clearance along the existing sidewalks. **The Developer's surveyor shall verify the amount of additional dedications, if required.**

East Jackson Street classified as a Major Arterial Street. The Developer shall dedicate for public right-of-way or a public pedestrian easement, sufficient width of land along the necessary portions of the frontage of this development to provide the minimum ADA clearance along the existing sidewalks. **The Developer's surveyor shall verify the amount of additional dedications, if required.**

Stevens Street classified as a Major Collector Street. The Developer shall dedicate for public right-of-way or a public pedestrian easement, sufficient width of land along the necessary portions of the frontage of this development to provide the minimum ADA clearance along the existing sidewalks. **The Developer's surveyor shall verify the amount of additional dedications, if required.**

Public Utility Easements (PUE), 10-feet in width, shall be dedicated along the street frontage of all the Lots within this development (MLDC 10.471).

The right-of-way and easement dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the right-of-way and easement dedication, including an exhibit map; 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

Biddle Road – All street section improvements have been completed in close conformance with current standards, including pavement, curb and gutter, street lights, and sidewalks. **No additional improvements are required.**

East Jackson Street – All street section improvements have been completed in close conformance with current standards, including pavement, curb and gutter, street lights,

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and sidewalks. **No additional improvements are required, aside from what is outlined under "Access and Circulation".**

Stevens Street – All street section improvements have been completed in close conformance with current standards, including pavement, curb and gutter, street lights, and sidewalks. **No additional improvements are required.**

b. Street Lights and Signing

No additional street lights or signs are required.

The Developer shall be responsible for the preservation and re-installation of all signs removed during demolition and site preparation work. The Developer's contractor shall coordinate with the City of Medford Public Works, Maintenance and Operations Division to remove any existing signs and place new signs provided by Medford Public Works Department and paid for by Developer.

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along this developments respective frontages.

d. Access and Circulation

The existing block and block perimeter lengths exceed the maximums allowed per MLDC 10.426. The parcel also sits at the end of two public streets that are not extended into the site (Genessee Street and Bennet Avenue). The existing site does include drive aisles and pedestrian walkways that are close to the requirements for an Interior Access Road in MLDC 10.426. Public Works has reviewed the applicant's supplemental findings dated February 4, 2020 and agrees that the proposed modifications will bring the development into compliance with MLDC 10.426 to the maximum extent feasible with the following conditions:

1. Applicant shall complete the modifications shown in Exhibit A prior to the issuance of the first building permits for vertical construction and;
2. Applicant shall record public access easements, in a form acceptable to the city, prior to approval of final plat.

In accordance with MLDC 10.550.3.c.2, the driveway at the signalized intersection of East Jackson Street and Hawthorne Street shall be reconstructed with a radius approach. This condition shall be considered fulfilled once the applicant has signed a cost sharing agreement with the City, deposited \$25,000 to the City, and provided temporary construction easements to City, at no cost, for the construction of said improvements.

In accordance with MLDC 10.550, the applicant shall grant, or provide evidence of, cross-access easements to all contiguous parcels or tracts that do not abut a street of a lower order than an Arterial or Collector Street.

e. Easements

All public sanitary sewer or storm drain mains shall be located in paved public streets or within easements. A 12-foot wide paved access shall be provided to any public manholes or other structures which are not constructed within the street section, in these locations the paved access shall be located within a 15-foot easement.

Easements shall be shown on the final plat and the public improvement plans for all sanitary sewer and storm drain mains or laterals which cross lots, including any common area, other than those being served by said lateral. The City requires that easement(s) do not run down the middle of two tax lot lines, but rather are fully contained within one tax lot.

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

(1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or

(2) a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking.

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, emergency services and pedestrians. Further,

these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and storm drains to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

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

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

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

Biddle Road, East Jackson Street & Stevens Street

The additional right-of-way or Public Pedestrian Easements will provide the needed width for future sidewalk modifications to allow minimum ADA clearance along Biddle Road, East Jackson Street and Stevens Street. Biddle Road is a 35 mile per hour facility, which currently carries approximately 16,300 vehicles per day. East Jackson Street is a 30 mile per hour facility, which currently carries approximately 14,100 vehicles per day. Stevens Street is a 30 mile per hour facility, which currently carries approximately 7,500 vehicles per day. Biddle Road, East Jackson Street and Stevens Street will be the primary routes for pedestrians traveling to and from this development.

The City assesses System Development Charges (SDCs) to help pay for acquisition of right-of-way and construction of additional Arterial & Collector Street capacity required as a result of new development. Because a mechanism exists in the form of SDC credit for right-of-way dedication in accordance with Medford Municipal Code (MMC) 3.815 and other applicable parts of the Code, to fairly compensate the applicant, the conditions of MLDC, Section 10.668 are satisfied.

Dedication of Public Pedestrian Easements will benefit development by providing a location for the existing public sidewalks to be improved in the future to accommodate the minimum ADA clearance requirements.

Dedication of the Public Utility Easements (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served.

B. SANITARY SEWERS

The proposed development is situated within the Medford sewer service area. The Developer needs to provide a private sanitary sewer lateral (from a public main) to each tax lot prior to approval of the Final Plat.

C. STORM DRAINAGE

Developer should consider recording a joint use maintenance agreement for the private storm drainage system to assign responsibility for future repairs.

D. SURVEY MONUMENTATION

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

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 professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. 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 governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit.

The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

3. Phasing

The proposed plans do not show any phasing.

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. Construction and Inspection

Contractors proposing to do work on public streets (including street lights), 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.

For City of Medford facilities, the 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.

Where applicable, 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: Jodi K Cope
Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL
The Village Center Subdivision (TL 1000)
11 Pad-Lots

LDS-19-076

A. Streets

1. Street Dedications to the Public:

- Biddle Road, East Jackson Street & Stevens Street – Dedicate additional right-of-way or a public pedestrian easement, to provide the minimum ADA clearance along the existing sidewalks.
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- Biddle Road, East Jackson Street & Stevens Street – No improvements are required, aside from what is outlined under “Access and Circulation”.

Lighting and Signing

- No additional street lights or signage are required.

Access and Circulation

- Applicant shall complete the modifications shown in Exhibit A prior to the issuance of the first building permits for vertical construction and;
- Applicant shall record public access easements, in a form acceptable to the city, prior to approval of final plat.
- In accordance with MLDC 10.550.3.c.2, the driveway at the signalized intersection of East Jackson Street and Hawthorne Street shall be reconstructed with a radius approach. This condition shall be considered fulfilled once the applicant has signed a cost sharing agreement with the City, deposited \$25,000 to the City, and provided temporary construction easements to City, at no cost, for the construction of said improvements.
- In accordance with MLDC 10.550, the applicant shall grant, or provide evidence of, cross-access easements to all contiguous parcels or tracts that do not abut a street of a lower order than an Arterial or Collector Street.

Other

- No pavement moratoriums are currently in effect along this developments respective frontages.

B. Sanitary Sewer:

- Developer needs to provide a private sanitary sewer lateral (from a public main) to each tax lot.
- Provide easements as necessary.

C. Storm Drainage:

- Developer should consider recording a joint use maintenance agreement for the private storm drainage system to assign responsibility for future repairs.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

- Provide public improvement plans and drafts of the final plat.
 - = City Code Requirement
 - = Discretionary recommendations/comments

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.

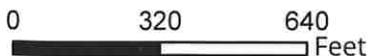


Project Name:

Village Center

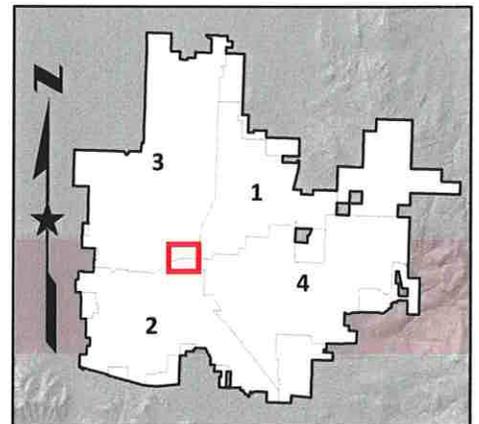
Map/Taxlot:

371W19CD TL 1000



Legend

-  Subject Area
-  Tax Lots
-  Zoning Districts



**CITY OF MEDFORD PLANNING COMMISSION
RULES OF ORDER**

Roberts Rules of Order Principles: The right of the majority to rule, the right of the minority to be heard, and the right of the individual to participate in the decision making process.

The City of Medford Planning Commission authority to adopt Rules of Order is found in *MLDC 10.110(G)*.

A. ORGANIZATION

1. Election of Chair and Vice-Chair and Appointment of Commission Representatives
The Commission, at its first regular meeting in February of each year, shall elect a Chair and Vice-Chair. The Chair shall appoint a commission representative to the Site Plan and Architectural Commission and the Transportation Commission. This practice will be followed in making appointments to other *ad hoc* committees.

2. Chair-Duties
 - a. The Chair shall preside at all meetings of the Commission providing general direction for the meetings, assuring proper order of the Commission and public in all proceedings. Such duties shall include:
 - i. announcing the business before the Commission in the order in which it is to be acted upon;
 - ii. receiving and submitting in the proper manner all motions and propositions presented by the members of the Commission;
 - iii. putting to a vote all questions which are properly moved, or necessarily arise in the course of proceedings and to announce the result thereof;
 - iv. informing the Commission, when necessary, or when referred to for that purpose, on any point of order or practice. In the course of discharge of this duty, the Chair shall have the right to call upon Legal Counsel for advice;
 - v. maintaining order at the meetings of the Commission;
 - vi. moving the agenda along, holding down redundancy, referencing handouts and procedures in a sensitive way during meetings;
 - vii. receiving documents or other physical evidence as part of the record;
 - viii. recognizing speakers and members of the Commission prior to receiving comments and presentations of physical evidence; i.e., plans and pictures; and
 - ix. the Chair may rule out of order any testimony or comment, which is irrelevant, personal, or not pertinent to the matter being heard.
 - b. It shall be the duty of the Chair to authenticate by signature when necessary, or when directed by the Commission, all of the acts, orders and proceedings of the Commission.

3. Duties of the Vice-Chair
The Vice-Chair, during the absence of the Chair, shall have and perform all the duties and functions of the Chair of the Commission.
4. Temporary Chair
In the event of the absence of, or disability of both the Chair and Vice-Chair, the Secretary calls the meeting to order, calls the role, and the Commission shall elect a temporary Chair to serve until the Chair or Vice-Chair so absent or disabled shall return. In such event, the temporary Chair shall have all the powers and perform the functions and duties herein assigned to the Chair of the Commission.
5. Secretary-Duties
A Planning Department staff member shall serve as secretary of the Commission. The secretary shall have the following duties:
 - a. give notice of all Commission meetings as hereinafter provided; attend every meeting of the Commission, call the role and record for the record all members in attendance;
 - b. keep the minutes of the proceedings of the Commission and record the same;
 - c. keep and maintain a permanent record file of all documents and papers pertaining to the work of the Commission; and
 - d. perform such other duties as may be required by these rules.

B. CONDUCT OF MEMBERS OF THE COMMISSION

1. Addressing Members
Commission members shall be addressed as "Commissioner" or by Mr. or Ms. and their last name.
2. Preparation
Members of the Commission shall take such time as necessary to prepare themselves for hearings and meetings. If members visit a site or have familiarity with a site they shall disclose any observations.
3. Members shall attend Meetings
Every member of the Commission shall attend the meetings of the Commission unless duly excused or unless unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the secretary. The secretary shall disclose the same to the attention of the Chair. If a member of the Planning Commission is absent from three consecutive regular meetings or four regular meetings within a calendar year without being excused by the Chair, the Chair may recommend to the City Council officers that the member be removed from the Commission for nonperformance of duty. *MLDC 10.110(F)(5)*.

4. Abstentions, Conflict of Interest and Challenges MLDC 10.130(E)(2)
 - (1) All members shall comply with ORS 244.120 and 244.130 regarding actual or potential conflicts of interest. Any member who is disqualified or wishes to abstain from participation in the hearing on a proposal shall identify the reasons for the record and shall not thereafter participate in the discussion as a member or vote on the proposal. Any challenges to the impartiality shall also be decided at this time.
 - (2) Disclosure of Potential Conflict of Interest. Whether or not he/she is disqualified, a public official shall disclose any potential conflict of interest as required by state law.
 - (3) Ex Parte Contacts. Planning Commission members shall reveal any pre-hearing or ex parte contacts with regard to any matter at the commencement of the public meeting on the matter. If such contacts have impaired the member's impartiality or ability to vote on the matter, the member shall so state and shall abstain.
 - (4) Planning Commission Members Wishing to Give Testimony. A member who desires to give testimony at a meeting may do so only by abstaining from voting on the proposal, vacating the seat and physically joining the audience, and declaring an intent to testify. Before testifying, the Commission member shall make full disclosure of his or her status and position at the time of addressing the Planning Commission and disclose that the person is testifying as an interested member of the public and not in his/her capacity as a member of the Commission.

C. MEETINGS

1. Place

Meetings of the Commission shall be held in the City Council Chambers on the third floor of the City Hall, Medford, Oregon, or at such other place in the city of Medford as the Commission may designate. A meeting having been convened at the place designated, may be adjourned by the Commission to any other place within the city of Medford for the sole purpose of investigating some particular matter of business which may be more conveniently investigated at such other place.
2. Regular Meetings

Regular meetings of the commission shall be held on the second and fourth Thursdays of each month at the hour of 5:30 p.m. At 10:00 p.m. the Planning Commission will consider finishing the item presently being considered, and no additional items will be heard after that time unless a motion is made by a member of the Commission and approved by a majority of those present requesting to continue the agenda. All items remaining to be heard will be forwarded to the next agenda for consideration.
3. Special Meetings-Call

A special meeting may be called at any time by the Chair or by a majority vote of the Commission at any regular meeting of the Commission. Notice shall be given to each Commission member of the time and purpose of every special meeting of the Commission at least twenty-four (24) hours prior to such meeting. Such notice shall be delivered to each member of the Commission personally, or may be given by

telephone to the member of the Commission. Such notice may also be given by United States Mail, directed to the member of the Commission at the member's residence and mailed not less than four business days prior to the time fixed for such special meeting. It is specifically provided, however, that any member may, in writing, waive prior notice of the time, place and purpose of such meeting; and such waiver, if made, shall be deemed a waiver of prior notice of the time and purpose thereof.

4. Meetings-Matters Considered

Any matter pertaining to the affairs of the City of Medford Planning Commission and falling within the authority and jurisdiction of the Commission may be considered and acted upon at any regular meeting of the Commission without prior notice thereof, unless other notice is required under statute, *MLDC 10.124* or other noticing policies of the Commission. At special meetings, a matter not included within the notice may not be considered or acted upon without the unanimous consent of all Commission members present.

5. Quorum

Five members of the Commission shall constitute a quorum thereof for the transaction of all business. An abstaining or disqualified member of the Planning Commission shall be counted if present for purposes of forming a quorum. Except, as otherwise specifically provided in these Rules, a majority vote of the Commission members voting shall be required and shall be sufficient to transact any business before the Commission. If all members of the Planning Commission abstain or are disqualified, all members present after stating their reasons for abstention or disqualification shall by doing so be re-qualified and proceed to resolve the issues. If a quorum is not present, the Chair shall call the meeting to order, announce the lack of a quorum, and adjourn the meeting.

6. Study Sessions

Regular study sessions of the Commission shall be held on the second and fourth Mondays of each month at the hour of 12 noon. Study sessions may be held as part of a regular Commission meeting or called in the same manner as a special meeting in order for the Commission to discuss matters at greater length or to obtain additional background information. The Commission shall take no vote during such study session, but may give directions to Staff regarding the presentation of options for future consideration.

7. Oregon Public Meetings Law

All meetings of the Planning Commission shall be noticed in conformance with the requirements of Oregon's Public Meetings Law.

D. PROCEDURE - ORDER OF BUSINESS

1. Roll Call

At all meetings before proceeding to business, the roll of the Commission members shall be taken and the names of those present and those absent shall be entered on the record.

2. Order of Business

The order of business shall be as follows:

- a. Roll call
- b. Consent Calendar/Written Communications
- c. Approval or Correction of the minutes of prior meeting(s)
- d. Oral Requests and Communications from the Audience
- e. Public Hearings
 - i. Counsel reads Legal Statement Governing Quasi-judicial procedure
 - ii. Old Business
 - iii. New Business
- f. Report of the Site Plan and Architectural Commission
- g. Report of the Transportation Commission
- h. Report of the Planning Director
- i. Messages and Papers from Chair
- j. City Attorney Remarks
- k. Propositions and Remarks from the Commission
- l. Chair Adjourns Meeting

3. Agenda for Meetings

The secretary, with the approval of the Planning Director, shall prepare a written agenda for each meeting a minimum of seven days prior to each regular meeting in accordance with *MLDC 10.126*.

4. Special Order of Business

The Commission may suspend the rules as to the order of business, or return to an order already passed, on a motion supported by a two-thirds vote of the members of the Commission present.

E. ORDER AND DECORUM

1. Order of Consideration of Items *MLDC 10.130(E)* The following procedure will normally be observed in a public hearing or other matter before the Commission; however, it may be rearranged by the Chair for individual items, if necessary, for the expeditious conduct of business:
 - a. Chair introduces item;
 - b. Abstentions, conflicts of interest and challenges are entertained and any declaration of conflicts of interest and ex parte contacts;
 - c. Staff makes a presentation on the criteria and standards and recommendations;
 - d. Applicant or applicant's agent presents evidence for the proposal;
 - e. Any opponents and/or proponents may comment;
 - f. Planning Commission members may question staff, applicant, or opponents on all the above;
 - g. Questioning of witnesses shall be done in accordance with *MLDC 10.132*, questions shall be brief and to the point, all questions shall be submitted to the witness through the Chair unless the Chair expressly permits the submission of questions directly to a witness;

- h. Staff summary and recommendations;
- i. Applicant's rebuttal if reserved;
- j. Closing of the public hearing, if applicable;
- k. Motion is made and seconded; the Planning Commission discusses the item and votes. Members are allowed to openly discuss the proposal and may further question any party appearing for or against the proposal as necessary, but generally questions should be asked while the public hearing is open.
- l. Unless there is a continuance, if a participant so requests before the conclusion of the initial evidentiary hearing, the record shall remain open for at least seven days after the hearing. The hearing shall be closed and deliberations postponed until the following meeting.
- m. When the Planning Commission reopens a record to admit new evidence or testimony, any person may raise new issues which relate to the new evidence, testimony or criteria for decision-making which apply to the matter at issue.

2. Public Hearings MLDC 10.130(B)

Nature of Hearing. All parties with standing shall have an opportunity to be heard, to present and rebut evidence before an impartial tribunal, to have the proceedings recorded, and to have a decision rendered in accordance with the facts on record and the law.

The Chair of the Planning Commission shall have authority to:

- (a) Regulate the course and decorum of the meeting.
- (b) Dispose of procedural requests and similar matters.
- (c) Impose reasonable limitations on the number of witnesses heard and set reasonable time limits for oral presentation, questions, and rebuttal testimony.
- (d) Question any person appearing, and allow other members to question any such person.
- (e) Waive, at his/her discretion, the application of any rule herein where the circumstances of the hearing indicate that it would be expedient and proper to do so, provided that such waiver does not act to prejudice or deny any party his/her substantial rights as provided herein or otherwise by law.
- (f) Take such other action as authorized by the Planning Commission to appropriately conduct the hearing.

A ruling of the Chair may be challenged by any member of the Planning Commission present at the hearing. The challenge must be seconded. A ruling may be reversed by a majority of the members present and voting. A tie vote upholds the Chair's decision.

3. Conduct of Persons before the Commission MLDC 10.130(D)

Proceedings shall at all times be orderly and respectful. The Chair may refuse to recognize or exclude from the hearing anyone who:

- (a) Is disorderly, abusive, or disruptive.
- (b) Takes part in or encourages audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive to the hearing.
- (c) Testifies without first receiving recognition from the Chair and stating his full name and residence.
- (d) Presents irrelevant, immaterial, or repetitious evidence.

Persons making presentations or providing comments to the Planning Commission shall address the Commission from the podium or microphone and not from the audience; shall address all comments to the Planning Commission; and may not directly question or interrogate other persons in the audience.

E. PROCEDURE - MOTIONS

1. Making of Motions

Upon review of the full public record on a request and due deliberation among the members of the Planning Commission, any Planning Commissioner may make or second a motion. The motion shall include not only the direction of the motion, but shall also include the recitation of specific findings of fact supporting such motion. A second shall be required for each motion. Other members of the Commission may support the motion by adding compatible findings. A motion shall die in the absence of a second. Discussion of the motion should not take place until it has been seconded and the Chair has stated the motion and called for discussion. The Chair may decline to state the question on any main motion, amendment, or motion to commit, if it is not in writing.

2. Withdrawing a Motion

When a motion has been made but not yet stated by the Chair, whether or not it has been seconded, it can be withdrawn or modified by the mover. The member simply says, "Chair, I withdraw the motion."

If the mover wishes to modify his/her motion, he/she should specify the modification. Any member may suggest that the mover withdraw or modify his/her motion, but only the mover may do so.

If a motion is modified before being stated by the Chair, the second may withdraw his/her second.

After the Chair states a motion, it is the property of the commission. It can be withdrawn or modified at any time before voting by a majority vote to withdraw or modify.

3. Motions in Order During Debate

When a question is under debate, no motion shall be received except:

- a. to fix the time to adjourn;
- b. to adjourn;
- c. to continue, table, or postpone indefinitely or to a specified time;
- d. to amend; to substitute;
- e. refer to committee;
- f. previous question (immediately close debate);
- g. limit or extend limits of debate;
- h. take a recess;
- i. call for orders of the day;
- j. suspension of the rules;
- k. appeal rulings by the Chair;
- l. reconsider an undebatable motion.

4. Motion must be Germane
No motion or proposition on a subject different from that under consideration is in order and no such motion or proposition shall be admitted under color of amendment.
5. Motions to Deny
Where a motion to deny a request has been defeated, a member of the Commission shall make another motion to dispose of the issue.
6. Substitute Motions
A motion to amend by striking out an entire section or paragraph of a main motion and inserting a different section or paragraph is called a motion to substitute. Substitute motions shall supersede the main motion upon receiving the approval of a majority vote.
7. Amendments
All amendments must relate to the same subject as the original motion, resolution, proposition or ordinance. All amendments to the main motion require a second. If any amendment be offered, the question shall be first upon the amendment.
8. Friendly Amendments
A Commissioner may make a friendly amendment without a formal motion with unanimous consent of the members present. Typically such motions are appropriate for clean-up items or an issue discussed but inadvertently neglected by the maker of the motion.

F. PROCEDURE – RECONSIDERATION, RESCINDING & AMEND AFTER ADOPTION MOTIONS

1. Motion to Reconsider
Must be made in the same meeting as the motion that was voted on. Can only be made by a member who voted on the prevailing side. Must be seconded. Any Commission member, regardless of vote on main motion, may second the motion. Is debatable. Can be applied to a vote that was either affirmative or negative, and it proposes no specific change in a decision but simply proposes that the original question be reopened. Requires a majority vote. Cannot be reconsidered.
2. Motion to Rescind
Applies to a final decision on a motion. Can be made by any member of the commission. Must be seconded. Is debatable. Can only be applied to a motion on which the vote was affirmative, and it proposes a specified change in a decision that may have been made at any time previously. Requires a two-thirds vote; or a majority vote when notice of intent to make the motion was made at a previous meeting; or a majority of the entire membership, whichever is the most practical to obtain. A negative vote on this motion may be reconsidered, but not an affirmative

vote.

3. Motion to Amend After Adoption
Its purpose is to modify an adopted main motion. It can be proposed to modify only a part of the wording or text previously adopted, or to substitute a different version. The procedures for such a motion are identical to that of a motion to rescind.
4. Alternative Motion Prior to Final Order Adoption
At the meeting where the Commission considers the final order, but prior to adoption, any Commissioner, may pull the item from the consent agenda and make a new motion. The action of the Commission will supersede any proposed final order that had been on the agenda.

G. PROCEDURE - DEBATE

1. Interruptions and Questions
No member of the Commission shall interrupt or question another Commissioner without obtaining the Commissioner's consent. To obtain such consent, the Chair shall be addressed requesting to interrupt or ask a question; e.g., "Chair (name) I would like to ask Commissioner (name) a question or make a comment." The Commissioner speaking has the discretion to allow an interruption.

H. PROCEDURE - VOTING

1. Roll Call on Final Passage
The vote upon the final passage of all business shall be by yeases and noes given by members of the Commission individually on roll call, except a motion to adjourn, table, common consent, continue, proceed out of order, extend the meeting time, or receive for study may be done by voice vote. No member is allowed to explain his/her vote during the voting process. The names of the members on such roll call shall be called in rotation, except that the Chair shall be called last. In recording votes on roll call, the secretary shall record and report those absent or not voting. The Chair shall announce the result.

Minute Approval. The Chair shall ask the Commission if they have had the opportunity to read the minutes and if there are any additions or corrections. Upon hearing from the Commission the Chair shall declare the minutes approved either as presented or amended. If the Commission has not had an opportunity to review the minutes, approval shall be postponed to the next regular meeting.

2. Changing Vote Before Decision Announced
When a vote is taken on roll call on any question, any member may change his/her vote before the decision of the question has been announced by the Chair.
3. Voting or Changing Vote After Decision Announced
On any such vote no member shall be permitted to vote or to change his/her vote after the decision is announced by the Chair unless the member has the permission of the Planning Commission by general consent or motion if a member objects.

4. Late Voting
A member entering the Chamber after the question is put and before it is decided, may have the question stated, record his/her vote and be counted.

A member absent during the presentation of evidence in a quasi-judicial meeting may not participate in the deliberations or final decision regarding the matter of the meeting unless the member has reviewed all the evidence in the record to date including tapes of prior meetings.
5. Tie Votes
If a motion regarding any matter before the Commission receives an equal number of votes in the affirmative and in the negative the motion fails. The Commission shall continue to make motions until a majority vote is obtained. The option of continuing an item with the possibility that an odd number of members of the Commission would be at a subsequent meeting may be considered.
6. Explaining Vote
After the vote is taken, any member of the Commission desiring to explain his/her vote shall be allowed an opportunity to do so.
7. Not to Vote Unless Present
No member of the Commission shall vote on any question unless the member is present when the vote is taken and when the result is announced. No member shall give his/her proxy to any persons.

I. DOCUMENTS OF THE COMMISSION

Due Process Element 9: Records MLDC 10.138

The secretary to the advisory body/approving authority shall be present at each meeting and shall cause the proceedings to be recorded stenographically or electronically.

(A) Testimony shall be transcribed if required for judicial review or if ordered by the advisory body/approving authority.

(B) The total public record for any legislative or quasi-judicial action includes, but is not limited to: the application; the staff report; the hearing record; the appeal record; the decision or recommendation of all public bodies that considered the matter; and all additional information, correspondence and other items submitted to the City by any party or by the staff prior to the closing of the record. The record shall be deemed closed at the end of the last hearing on the matter, unless kept open to a later date as otherwise provided by law. Items submitted for the record do not have to be formally introduced and admitted at the hearing. The Planning Department shall create and maintain a separate file with a unique file number for each land use action, and all items received by the City for that action shall be placed in the Planning Department file.

(C) The Planning Director shall, where practicable, retain as part of the record each item of physical or documentary evidence presented, including the staff report, and shall have the items marked to show the identity of the person offering the same and whether presented on behalf of a proponent, opponent or staff. Exhibits received into

evidence shall be retained in the file until after the applicable appeal period has expired, at which time the exhibits may be released to the person identified thereon, or disposed of by the Planning Director if not claimed within 60 days of the expiration of any appeal date.

(D) Included in the record shall be a brief statement that explains the criteria and standards considered relevant to the decision, states the facts relied upon in rendering the decision, and explains the justification for the decision based on the criteria, standards and facts set forth.

(E) A person shall have access to the record of the proceedings and the exhibit file during normal working hours. A person shall be entitled to copies of the record at the person's own expense. The custodian of record shall make the copies for a fee equal to the actual cost of reproduction.

J. AMENDMENT

Adopted Rules of Order may be amended at any regular meeting by a vote of the majority of the entire membership; or if the amendment was submitted in writing at the previous meeting, then they may be amended by a two-thirds vote of those voting, a quorum being present.

K. RECORDING OF RULES -- COPIES TO BE FURNISHED

These Rules, and all subsequent amendments thereto, shall be recorded by the secretary in the book kept for the recording of such business and shall be furnished to each member of the Commission a copy thereof in form convenient for reference.

Effective Date: July 25, 2002

Revised: February 7, 2020

Mark McKechnie, Chair
City of Medford Planning Commission



STAFF REPORT

for a type-III quasi-judicial decision: **Land Division**

Project Stewart Meadows Village Subdivision – Phases 1-6
Applicant: KOGAP Enterprises, Inc.
Agent: Maize & Associates Inc.

File no. LDS-19-070

To Planning Commission *for 2/27/2020 hearing*

From Dustin Severs, Planner III

Reviewer Kelly Evans, Assistant Planning Director *h.*

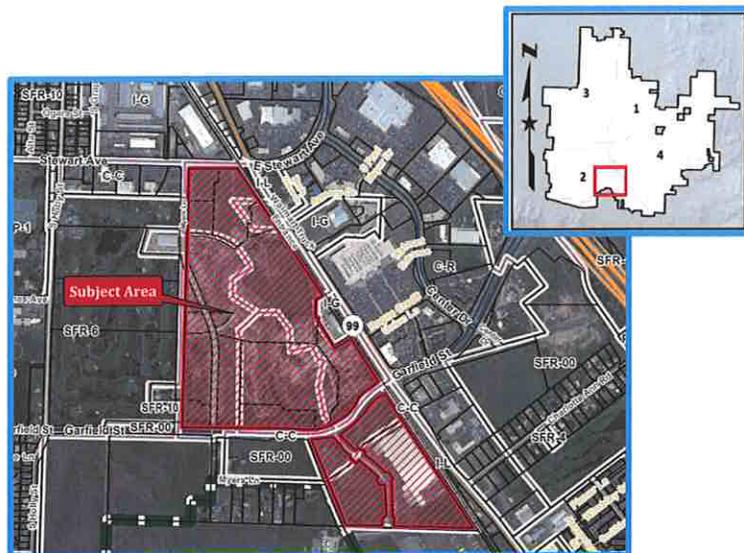
Date February 20, 2020

BACKGROUND

Proposal

Consideration of tentative plat approval for Stewart Meadows Village – Phases 1-6, a proposed 39-lot subdivision on a 110-acre site bounded generally by Stewart Meadows to the north, Highway 99 to the east, Myers Lane to the west, and Garfield Avenue to the south; and an approximate 30-acre tract on the south side of Garfield. The site is zoned Community Commercial (C-C), General Industrial (I-G), Light Industrial (I-L), and SFR-10 (Single-Family residential, ten dwelling units per gross acre), and MFR-30 (Multiple Family Residential – 30 dwelling units per gross acre).

Vicinity Map



Subject Site Characteristics

Zoning	SFR-10	Single Family Residential – 10 dwelling units per gross acre
	MFR-30	Multiple Family Residential – 30 dwelling units per gross acre
	C-C	Community Commercial
	I-L	Light Industrial
	I-G	General Industrial
GLUP	UR	Urban Residential
	UH	Urban High Density Residential
	CM	Commercial
	GI	General Industrial
	HI	Heavy Industrial
Overlay	P/D	Planned Development
	I/00	Limited Industrial
Use(s)	Vacant land / Harry & David building	

Surrounding Site Characteristics

<i>North</i>	Zone: I-G & C-R Uses: Southern Oregon Sales Packing Company.
<i>South</i>	Zone: SFR-00 & Jackson County Exclusive Farm Use (EFU) Use: Harry & David
<i>East</i>	Zone: C-R & I-G Uses: Walmart Supercenter, National Guard Armory, Veterans Memorial Park, Holiday Inn Express, Rogue Credit Union, Hayes Oil Company, Central Oregon and Pacific Railroad.
<i>West</i>	Zone: SFR-6, SFR-00, SFR-10, C-C, & Jackson County EFU Uses: Stewart Meadows Golf Course

Applicable Criteria

MLDC 10.202(E): Land Division Criteria

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

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

Issues and Analysis

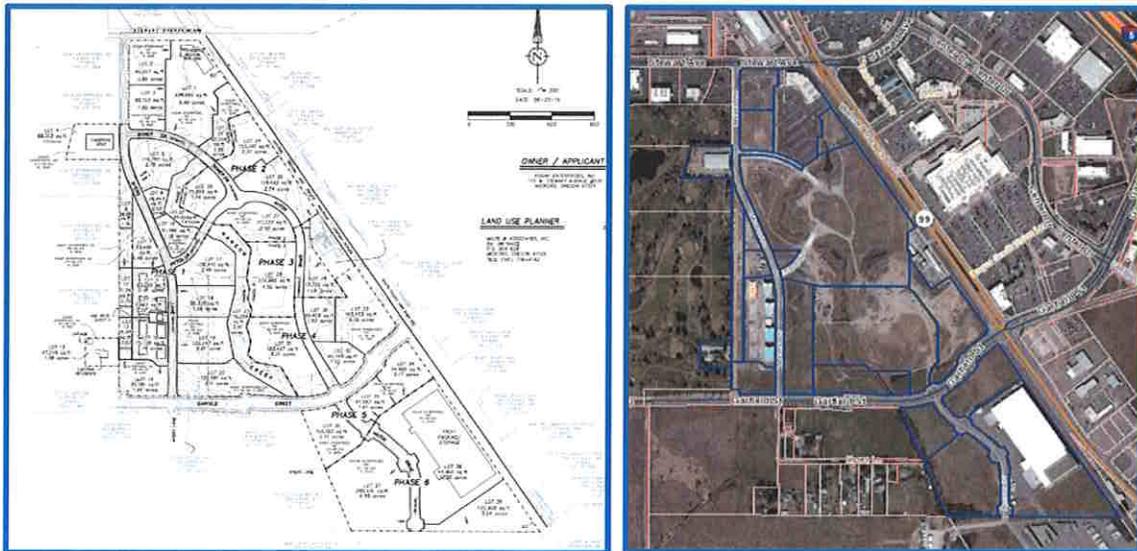
Project Summary

Project history

FILE #	DATE	DESCRIPTION
PUD-06-141 ZC-06-347 LDS-06-348	November 2007	Approval of original preliminary approval of Stewart Meadows Village PUD, including a zone change and a 21-lot tentative subdivision Plat
PUD-06-141 ZC-09-005 LDS-08-161	March 2009	Approval of first PUD revision, including a zone change and a revised tentative plat reducing total lots from the 21 lots approved in 2006 tentative plat to 18 lots
AC-12-012	May 2012	Landscaping approval of Hansen Creek restoration
PUD-06-141	August 2013	Approval of second PUD revision amending design of commercial streets within the project
AC-14-009	April 2014	SPAC approval of design elements of PUD
PUD-16-037	June 2016	Approval of third PUD revision including the incorporation of additional property into the PUD
AC-16-044	June 2016	SPAC approval of 68,000 S.F. medical office building, and approval of revised design guidelines of the PUD
ZC-16-066	August 2016	Zone Change
PUD-17-003 ZC-17-004	April 2017	Approval of fourth PUD revision, including the addition of property, and several changes of zone
AC-17-066	August 2017	SPAC approval for 134 multi-family units
SV-17-069	October 2017	Vacation of Myers Lane
PUD-17-003	July 2018	Final PUD Plan approval for phases 1C, 1D, and 1E

Current Proposal

With the subject request, the applicant is proposing to subdivide the approximate 110-acre Stewart Meadows Village PUD site into 39 individual lots, including three tracts which comprise the Hansen Creek common area. The applicant is seeking to develop the subdivision in six phases, and is requesting the maximum timetable of five years to acquire final plat approval for all phases, as permitted per MLDC 10.202(D)(2).



The tentative plat shows all lots either conforming to the design standards of the underlying zoning district, or with modifications which have been previously approved by the Planning Commission in accordance with MLDC 10.192.

In March of 2009, an earlier tentative plat for the same general development areas approved was approved by the Planning Commission (LDS-08-167), but has since expired.

Development Standards

Site Development Table (MLDC 10.710)

SFR-10 MFR standards	Lot Area	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
Required	15,000 min.	80 feet	90 feet	120 feet	30 feet
Shown	Lot 4: 88,303 Lot 5: 119,787	Lot 4: 250 Lot 5: 325	Lot 4: NA Lot 5: 325	Lot 4: 350 Lot 5: 395	Lot 4: 250 Lot 5: 952

	Lot 6: 26,863	Lot 6: 217	Lot 6: NA	Lot 6: 127	Lot 6: 212
	Lot 7: 63,486	Lot 7: 438	Lot 7: NA	Lot 7: 145	Lot 7: 462
	Lot 8: 58,560	Lot 8: 90	Lot 8: NA	Lot 8: 652	Lot 8: 241
	Lot 9: 83,029	Lot 9: 312	Lot 9: NA	Lot 9: 253	Lot 9: 335
	Lot 10: 75,738	Lot 10: 266	Lot 10: NA	Lot10: 258	Lot 10: 306
	Lot 11: 31,343	Lot 11: 348	Lot 11: NA	<i>Lot 11: 90 *</i>	<i>Lot 11: 0 *</i>
	Lot 14: 81,181	Lot 14: 252	Lot 14: 252	Lot 14: 345	Lot 14: 473
	Lot 16: 51,466	Lot 16: 165	Lot 16: 165	Lot 16: 296	Lot 16: 592

Community Commercial	Lot Area	Minimum Lot Width (Interior)	Minimum Lot Depth	Minimum Lot Frontage
Required	15,000 min.	70 feet	100 feet	70 feet
Shown	Lot 19: 122,247	Lot 19: 327	Lot 19: 376	Lot 19: 327
	Lot 20: 135,681	Lot 20: 230	Lot 20: 589	Lot 20: 1023
	Lot 30: 66,409	Lot 30: 312	Lot 30: 220	Lot 30: 324
	Lot 31: 183,497	Lot 31: 625	Lot 31: 220	Lot 31: 793
	Lot 32: 66,343	Lot 32: 282	Lot 32: 245	Lot 32: 667
	Lot 33: 163,433	Lot 33: 345	Lot 33: 545	Lot 33: 313
	Lot 34: 94,486	Lot 34: 325	Lot 34: 300	Lot 34: 350
	Lot 35: 61,583	Lot 35: 230	Lot 35: 270	Lot 35: 513
	Lot 36: 109,183	Lot 36: 380	Lot 36: 280	Lot 36: 538

Light Industrial	Lot Area	Minimum Lot Width (Interior)	Minimum Lot Depth	Minimum Lot Frontage
Required	20,000 min.	70 feet	100 feet	70 feet
Shown	Lot 1: 238,595	Lot 1: 355	Lot 1: 685	Lot 1: 460
	Lot 2: 86,617	Lot 2: 270	Lot 2: 315	Lot 2: 600

	Lot 3: 82,153	Lot 3: 260	Lot 3: 315	Lot 3: 560
	Lot 17: 108,641	Lot 17: 292	Lot 17: 465	Lot 17: 460
	Lot 18: 86,338	Lot 18: 220	Lot 18: 390	Lot 18: 221
	Lot 24: 103,341	Lot 24: 257	Lot 24: 375	Lot 24: 178
	Lot 25: 75,664	Lot 25: 355	Lot 25: 310	Lot 25: 480
	Lot 26: 119,442	Lot 26: 365	Lot 26: 285	Lot 26: 622
	Lot 27: 111,023	Lot 27: 530	Lot 27: 280	Lot 27: 899
	Lot 28: 73,702	Lot 28: 535	Lot 28: 100	Lot 28: 514
	Lot 29: 174,995	Lot 29: 528	Lot 29: 344	Lot 29: 489
	Lot 37: 285,431	Lot 37: 635	Lot 37: 525	Lot 37: 869
	Lot 38: 446,900	Lot 38: 818	Lot 38: 416	Lot 38: 814
	Lot 39: 150,908	Lot 39: 258	Lot 39: 700	Lot 39: 97

MFR-30	Lot Area	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
Required	8,000 min.	80 feet	90 feet	100 feet	30 feet
Shown	Lot 12: 26,944	Lot 12: 299	Lot 12: NA	Lot 12: 90 *	Lot 12: 0 *

SFR-10 SFR standards	Lot Area	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
Required	3,600 to 8,125	40 feet	50 feet	90 feet	30 feet
Shown	Lot 13: 47,248	Lot 13: 196	Lot 13: NA	Lot 13: 241	Lot 13: 0 *

SFR-10 Duplex standards	Lot Area	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
Required	5,400 to 18,200	60 feet	70 feet	90 feet	30 feet
Shown	Lot 15: 9,662	Lot 15: 71	Lot 15: 137	Lot 15: NA	Lot 15: 71

As shown in the Site Development Tables above, it can be found that the 39 proposed lots as identified on the submitted plat meet all the dimensional standards for lots within their applicable zoning district, as per MLDC 10.721, or were approved for modified standards pursuant to MLDC 10.192(B) of the PUD ordinance (Identified by *).

Modified Standards

Lots 11, 12, 13, 21, 22, and 23, as identified on the tentative plat, were all approved for modified standards pursuant to MLDC 10.192(B) of the PUD ordinance.

In 2009, the Planning Commission approved a modification to the Code standard to allow a lot adjacent to the Stewart Meadows Golf Course—now identified as lot 13, and currently containing an existing residence—to be created without street frontage. A de minimus PUD revision was approved by the Planning Director on April 2019, to allow two additional lots—identified as lots 11 and 12—to be included under the previously approved modifications to the Code standards related to street frontage.

In 2016, a revised Preliminary PUD Plan approval included a modification to the design of the PUD to allow a common open space—identified as lots 21, 22, and 23, located along the corridor of Hanson Creek—to also not include street frontage.

Development Standards

Lot #	Zone	Lot coverage	Front yard setback	Side yard setback	Rear yard setback
		Required/shown	Required/shown	Required/shown	Required/shown
Lot 1	I-L	50% / 9.2%	10 ft. / 20 ft.	13.5 ft. / 70 ft.	13.5 ft. / 475 ft.
Lot 4	SFR-10	50% / 23.6%	15 ft. / 46 ft.	10 ft. / 70 ft.	10 ft. / 100 ft.
Lot 9	SFR-10	50% / 30.4%	15 ft. / 17 ft.	10 ft. / 10 ft.	20 ft. / 47 ft.

Lot 10	SFR-10	50% / 30.0%	15 ft. / 17 ft.	10 ft. / 13 ft.	20 ft. / 47 ft.
Lot 13	SFR-10	50% / 10.6%	15 ft. / 81 ft.	4 ft. / 9 ft.	4 ft. / 10 ft.
Lot 15	SFR-10	50% / 29.5%	15 ft. / 36 ft.	4 ft. / 10 ft.	4 ft. / 55 ft.
Lot 38	I-L	50% / 50%	10 ft. / 22 ft.	13.5 ft./ 81 ft.	13.5 ft./ 65 ft.

As shown in the Site Development Table above, it can be found that the existing buildings identified on the submitted site plan meet the bulk standards for the their applicable zoning district as found in Article V of the Medford Land Development Code.

Myers Lane/Anton Drive Street Connection

On August 28, 2019, Public Works submitted a staff report (Exhibit K), which included a condition requiring the applicant to extend Myers Lane—currently stubbed at the site’s westerly property line—to the existing Anton Drive public right-of-way, identified in Phases 5 & 6 of the Tentative Plat. The extension of Myers lane will complete the connection of Myers Lane from Garfield Street south to Anton Drive.

The extension of Myers Lane would require the applicant to submit a revised tentative plat showing a dedication of public right-of-way—conforming to Commercial Street standards—connecting Anton Drive to Myers Lane. In the staff report, Public Works additionally required that the street section be completed, or a security be provided, prior to the approval of the final plat or the issuance of a building permit for vertical construction, whichever comes first, for any respective phase.



On February 4, 2020, the applicant submitted supplemental findings (Exhibit P) addressing Public Works aforementioned requirements to dedicate and improve Myers Lane. As outlined in their supplemental findings (Exhibit P), the applicant

objects to both the dedication and improvement of said Myers Lane extension, based on four separate findings, summarized below:

- 1.) MLDC 10.426(B)(2) and 10.426(C)(2) do not apply to this application as no streets or blocks are being proposed.
- 2.) Block length and perimeter standards outlined in MLDC 10.462(B)(2) do not apply to this application because of the environmental constraints that exist, including the presence of water—specifically Hansen Creek.
- 3.) The subject Tentative Plat application is an improper application to apply a condition for a new street right-of-way dedication and improvement.
- 4.) The two proposed exactions are a violation of both MLDC 10.668 and of the “taking clause,” pursuant to the Fifth Amendment of the United States Constitution.

On February 20, 2020, Public Works submitted a revised staff report in response to the applicant’s supplemental findings (Exhibit Q). As stated in the report, Public Works is supportive of the applicant improving the subject Myers Lane section as a public street constructed to commercial street standards; or constructing a private street built to city standards; or constructing an interior access road in accordance with MLDC 10.426(A). The revised report also states that the applicant will be required to contribute a proportional share towards the future construction of a bridge to span Hansen Creek, and that this contribution will be in the form of a deferred improvement agreement as outlined in MLDC 10.432.

In addition to the revised staff report, Public Works submitted a memo providing itemized responses to each of the applicant’s supplemental findings (Exhibit R).

Facility Adequacy

Per the agency comments submitted to staff, including the Rogue Valley Sewer Services, it can be found that, with the imposition of the conditions of approval contained in Exhibit A, there are adequate facilities to serve the future development of the site.

Other Agency Comments

Rogue Valley Sewer Services (Exhibit P)

The site is located within the RVSS service area, and currently has a public 18-inch sewer main flowing west to east across the development, as well as various 10 & 8 inch sewer mains which have been accepted by RVSS or are currently under construction.

As a condition of approval, the applicant will be required to comply with all requirements of RVSS.

Parks Department (Exhibit O)

The Parks Department memo provided comments regarding the future shared-use pathway along Hansen Creek, encouraging the applicant to coordinate their improvements with the Parks Department staff.

Committee Comments

No comments were received from a committee, such as BPAC.

FINDINGS AND CONCLUSIONS

Tentative Plat

Staff finds the subdivision plat consistent with the Comprehensive Plan and all applicable design standards set forth in Articles IV and V. Furthermore, the subdivision will not prevent development of the remainder of the property under the same ownership or of adjoining land; bears a name (Stewart Meadows Village), which has been reviewed and approved by the City's Address Technician; the plat includes the creation of public streets, which have been laid out to be consistent with existing and planned streets; and criteria 5 and 6 are inapplicable.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-19-070 per the staff report dated February 20, 2019, including:

- Exhibits A through R.
- Approval for maximum timetable of five years for platting.

EXHIBITS

- A Conditions of Approval, drafted February 20, 2020.
 - B Tentative Plat (4 of 4), received July 12, 2019.
 - C Applicant's tentative plat area, received July 12, 2019.
 - D Applicant's Findings of Fact & Conclusions of Law, received July 12, 2019.
 - E Applicant's spreadsheet showing lot standards, and notes, received July 12, 2019.
 - F Approved PUD plan, received July 12, 2019.
 - G Applicant's zoning map, received July 12, 2019.
 - H Applicant's GLUP map, received July 12, 2019.
 - I Applicant correspondence with ODOT, received July 12, 2019.
 - J Final PUD Plan for Phases 1C, 1D, and 1E, received July 12, 2019.
 - K Public Works Staff Report, received August 28, 2019.
-

- L Medford Water Commission memo & associated map, received August 28, 2019.
- M Medford Fire Department Report, received August 28, 2019.
- N Medford Parks Department report, received August 28, 2019.
- O Rogue Valley Sewer Services (RVSS), received August 20, 2019.
- P Applicant's supplemental Findings and associated exhibits, received February 4, 2020.
- Q Public Works revised staff report, received February 20, 2020.
- R Public Works memo, received February 20, 2020.
Vicinity map

PLANNING COMMISSION AGENDA:

FEBRUARY 27, 2020

EXHIBIT A

Stewart Meadows Village Subdivision
LDS-19-070
Conditions of Approval
February 20, 2020

CODE REQUIRED CONDITIONS

Prior to the approval of the final plat, or as specifically required per each respective department/agency report, the applicant shall:

1. Comply with all conditions stipulated by the Medford Public Works Department (Exhibit Q)
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit L).
3. Comply with all conditions stipulated by the Medford Fire Department (Exhibit M).
4. Comply with all requirements of the Rogue Valley Sewer Services (Exhibit O).
5. Submit a revised plat showing a connection between Anton Drive and Myers Lane—within Phases 5 & 6—either through the dedication of a full-width right-of-way, conforming to Commercial Street standards; or a private street, conforming to the standards of MLDC 10.192(B)(6); or a 20-foot public access easement, conforming to the standards of MLDC 10.426(A).

TENTATIVE PLAT

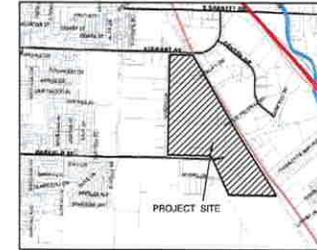
STEWART MEADOWS VILLAGE

A PLANNED COMMUNITY

PHASES 1 THRU 5

LOCATED IN SECTIONS 31 AND 32, TOWNSHIP 37 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, CITY OF MEDFORD, JACKSON COUNTY, OREGON

VICINITY MAP



SCALE: 1" = 300'
DATE: 06-23-19



OWNER / APPLICANT

KOGAP ENTERPRISES, INC.
115 W. STEWART AVENUE #202
MEDFORD, OREGON 97501

LAND USE PLANNER

MAIZE & ASSOCIATES, INC.
By: JIM MAIZE
P.O. BOX 628
MEDFORD, OREGON 97501
TELE: (541) 376-4142

SURVEYOR

TERRASURVEY, INC.
By: FRED FRANTZ
274 FOURTH ST.
ASHLAND, OREGON 97520
TELE: (541) 482-6474

- DIRECTION OF STORM WATER DRAINAGE FLOW
- - - - EXISTING PROPERTY LINES
- - - - EASEMENT LINE
- - - - PHASE BOUNDARY
- - - - EXTERIOR BOUNDARY
- SS - SANITARY SEWER
- W - WATER LINE
- SD - STORM DRAIN
- KOGAP ENTERPRISES, INC. 2019-19-070 (TYPICAL)

NOTES:

1. DRAINAGE AROUND HAYES OIL, PROVIDENCE MEDICAL CENTER, FRUIT PACKING BUILDING AND STEWART MEADOWS VILLAGE (UNDER CONSTRUCTION) WILL BE DESIGNED TO DRAIN AWAY FROM EACH SPECIFIC PROPERTY.
2. THERE ARE NO OTHER BUILDINGS ON THE PROPERTY OTHER THAN THOSE INDICATED.
3. ALL STREET GRADES WILL BE LESS THAN 5%.
4. 15' P.U.E.'S WILL BE CREATED ALONG ALL NEW RIGHT OF WAYS.
5. FOR LOT DISTANCES, AREAS AND UTILITIES SEE SHEETS 2 TO 4.
6. FOR TYPICAL STREET SECTIONS SEE SHEET 4.
7. PROPOSED LOTS 9, 10 AND 15 HAVE MULTI UNIT RESIDENTIAL BUILDINGS UNDER CONSTRUCTION (STEWART MEADOWS VILLAGE RESIDENTIAL-PHASE 1).
8. ASSESSOR'S PARCEL NUMBERS:
371W01A TAX LOTS 2000, 2100, 200, 2802, 3900, 4000
371W01B TAX LOTS 200, 300, 500, 900, 1000, 1001, 2500, 2800, 2900,
371W02C TAX LOTS 5400, 5501.
9. ZONING: O-1, I-1, SFR-10, C-C
10. SCHOOL DISTRICT = 549C
11. IRRIGATION DISTRICT = RRVID.
12. GROSS AREA = 4,778,756 SQ.FT. 109.71 AC.
NET AREA = 4,224,629 SQ.FT. 96.99 AC.
13. FLOOD ZONE DERIVED FROM FEMA PANEL NUMBER 41029C087

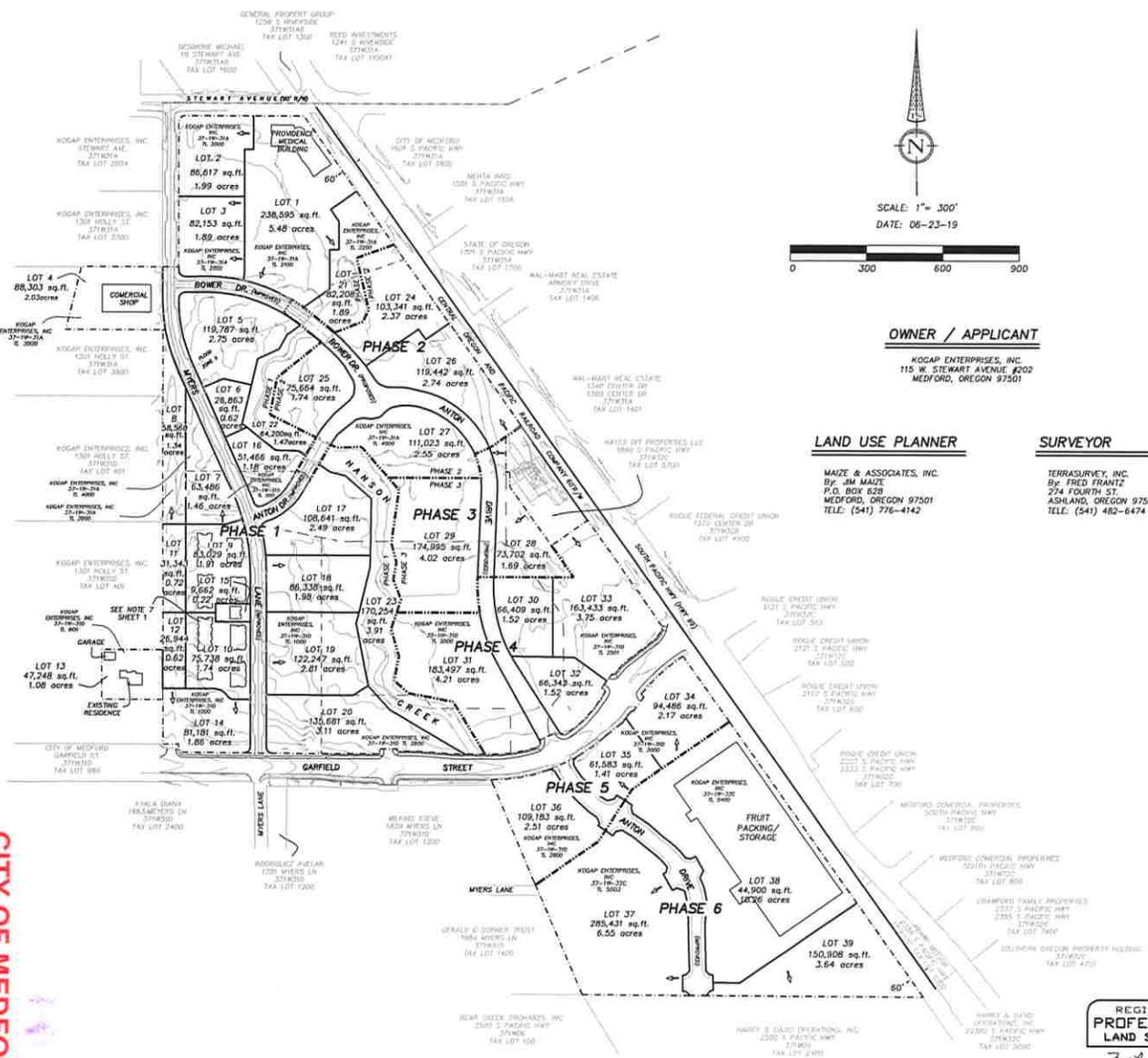
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Fred A. Frantz
FRED A. FRANTZ
No. 50077

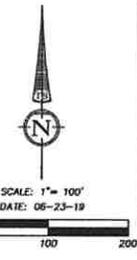
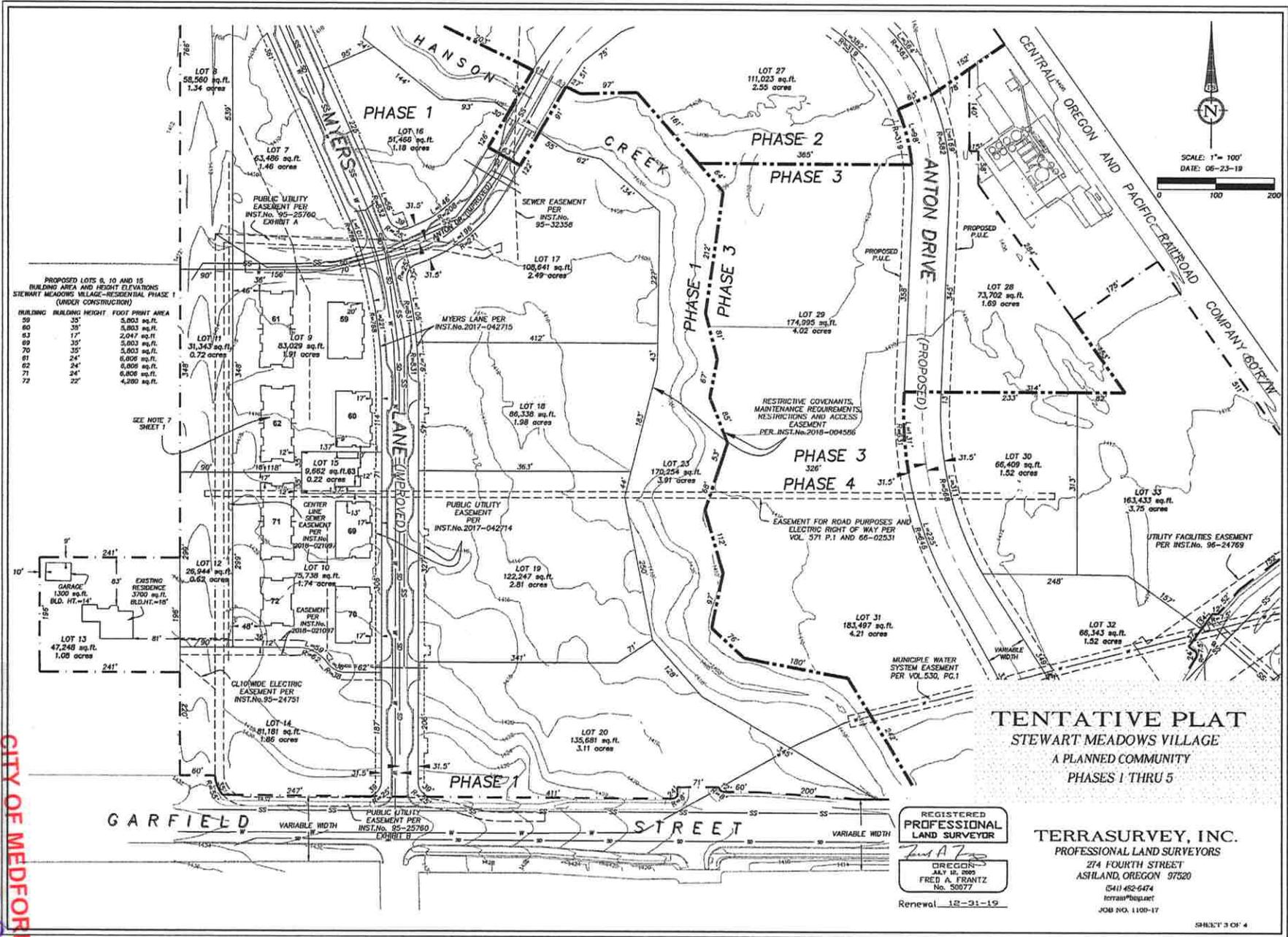
Renewal 12-31-19

TERRASURVEY, INC.
PROFESSIONAL LAND SURVEYORS
274 FOURTH STREET
ASHLAND, OREGON 97520
JOB NO. 1109-17

CITY OF MEDFORD
EXHIBIT # R19197
FILE # LDS-19-070



CITY OF MEDFORD
EXHIBIT # B (3 of 4)
FILE # LDS-19-070

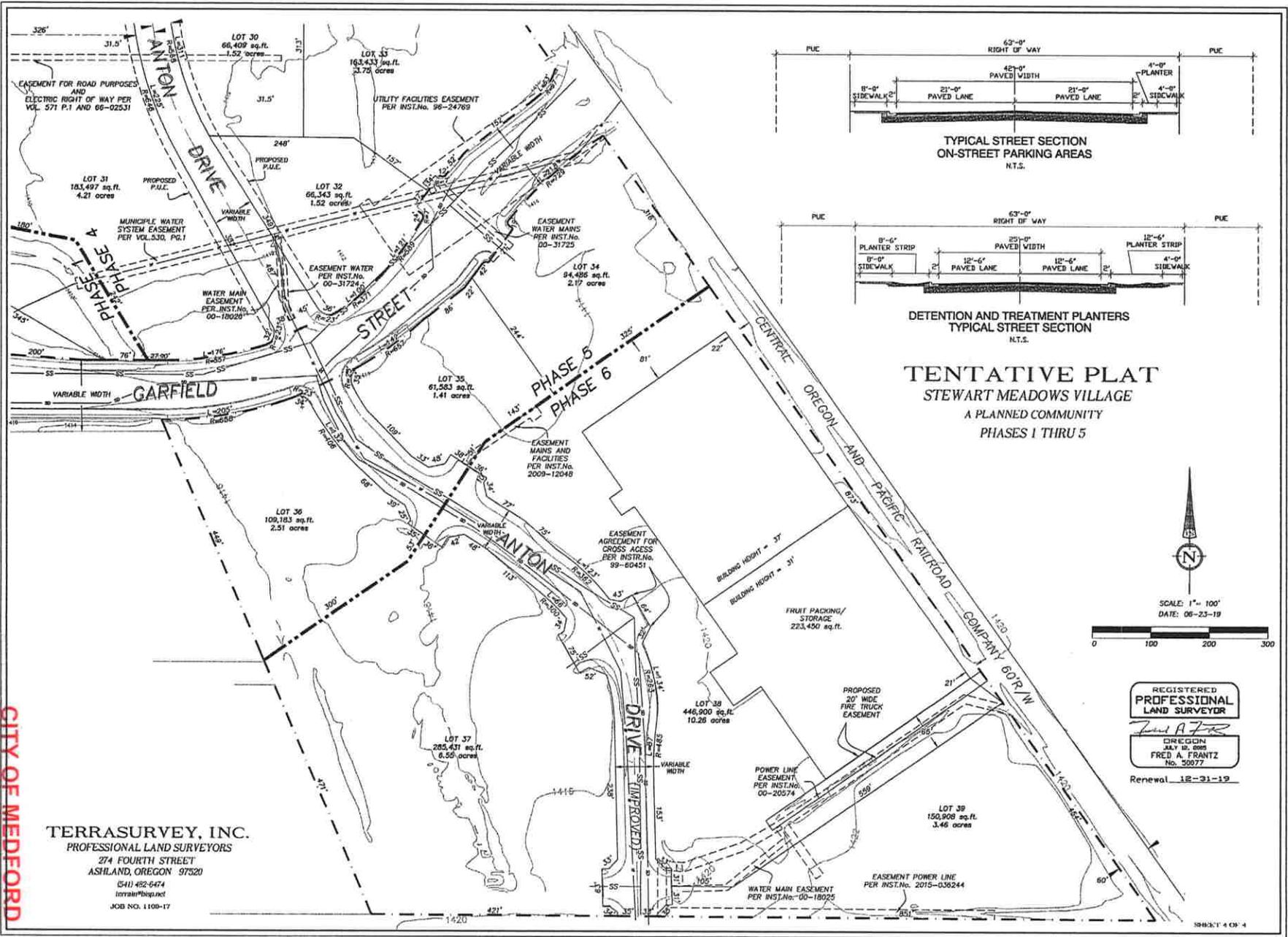


TENTATIVE PLAT
STEWART MEADOWS VILLAGE
 A PLANNED COMMUNITY
 PHASES 1 THRU 5

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Fred A. Frantz
 OREGON
 JULY 18, 2009
 FRED A. FRANTZ
 No. 50077
 Renewal 12-31-19

TERRASURVEY, INC.
 PROFESSIONAL LAND SURVEYORS
 274 FOURTH STREET
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 terran@bq.net
 JOB NO. 1109-17

CITY OF MEDFORD
EXHIBIT # B (4 of 4)
FILE # LDS-19-070



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REGISTERED
PROFESSIONAL
LAND SURVEYOR
Fred A. Frantz
OREGON
JULY 15, 2005
FRED A. FRANTZ
No. 50077
Renewal 12-31-19

SB03:1' 4 0' 4

RECEIVED
JUL 12 2019
PLANNING DEPT.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

TENTATIVE PLAT

BEFORE THE CITY OF MEDFORD
PLANNING COMMISSION

IN THE MATTER OF AN APPLICATION FOR
APPROVAL OF A TENTATIVE PLAT FOR
STEWART MEADOWS VILLAGE PUD.

APPLICANT'S
EXHIBIT 2

APPLICATION: Request for approval of a tentative plat for a 39-lot Planned Unit Development on an approximate 110-acre site, bounded generally by Stewart Avenue on the north, South Pacific Highway (Highway 99) on the east, Myers Lane on the west, and Garfield Avenue on the south, including an approximate 30-acre tract on the south side of Garfield Avenue at Anton Drive.

**APPLICANT/
OWNER**

KOGAP Enterprises, Inc.
115 W. Stewart Avenue, Ste. 202
Medford, OR 97501

AGENT:

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

A. APPLICATION SUMMARY

The Tentative Plat application proposes to divide the approximate 110-acre Stewart Meadows Village PUD into 39 individual lots, including 3 tracts which comprise the Hansen Creek common open area. The subdivision will be Final Platted in 6 phases over the proposed 5-year time period. An earlier tentative plat for the same general development area was approved by the Planning Commission in March, 2009 (file LDS-08-161), which has since expired.

B. BACKGROUND AND PREVIOUS APPROVAL INFORMATION

The majority of the proposed Tentative Plat application area was the former site of the KOGAP Manufacturing timber products company, which ceased its lumber operations in 1993. Seeking to redevelop the property, the property owners have elected to develop the property as a Planned Unit Development (PUD) with a mixed-use developmental plan for the project site consisting of an array of housing types,

and office, retail, and industrial uses, some of which are in mixed-use buildings, as shown on the current Preliminary PUD Plan (Exhibit "4").

The original Preliminary PUD Plan was approved by the Planning Commission in 2007 (files PUD-06-141 and ZC-06-347), with several revisions to that plan having been subsequently approved.

A number of other land use applications on the subject site have been approved by the City since 2007, which are summarized below.

In March 2009, the Planning Commission approved a minor revision to the PUD, (files PUD-06-141 and ZC-09-005), that included the addition of two new tax lots into the development and a reconfiguration of the internal public street system.

A Final PUD Plan for the development and landscaping of the realignment and restoration of Hansen Creek running through the PUD, was approved by the Planning Director in May 2012 (file PUD-06-141), which is now identified as Phase 1A. The Hansen Creek restoration work was completed in 2015.

In 2013, the Planning Commission approved a revision to allow for modifications to the public rights-of-ways within the Stewart Meadows Village PUD (file PUD-06-141), including the widening of the vehicle travel lanes; increasing the width of the public sidewalks; and alternating the on-street parking with the landscaped planter strips. The street-side planter strips have been designed to treat and detain the storm water from the adjacent rights-of-ways.

In June 2014, the Planning Director approved the Final PUD Plan for Phase 1 that contained essentially all of the proposed development west of Hansen Creek (file PUD-06-141), and also included the architectural and landscape guidelines for the project. Work commenced in 2015 for the installation of the Phase 1 public infrastructure, including the realignment and improvement of Myers Lane.

In 2016, a revision was approved to the Preliminary PUD Plan (file PUD-16-037), which included a change to the size, configuration and uses in several buildings; the inclusion of medical office uses within one of the proposed buildings; the addition of two adjoining parcels into the PUD boundary; the allowance of building heights to be regulated by the standards of the Land Development Code; the elimination of Ingmar Drive; the modification of the Stewart Avenue sidewalk and planter strip; the modification of some of the site design guidelines; the inclusion of a pedestrian promenade along South Pacific Highway; and a revision to the phasing plan for the PUD.

Also in 2016, the 68,000-square foot medical office building, located near the Highway 99 and Stewart Avenue intersection, was approved by the Site Plan and

Architectural Commission on proposed Lot 1 (file AC-16-044), and was the first building constructed within the PUD.

Later in 2016, a Zone Change application was approved that modified existing conditions of approval and adjusted the boundary between the I-L and I-G zones within the PUD's boundary (file ZC-16-066).

In April, 2017, the latest revision to the Preliminary PUD Plan and its zoning was approved by the Planning Commission. The revision included the addition of adjoining acreage to the PUD; the addition and modification of several buildings and uses; a sign program; additional Design Guidelines for the PUD; a parking analysis; and the revision of the zoning of several areas within the PUD. That Revised Preliminary PUD Plan is included in the applicant's submittals as Exhibit "4". Exhibits showing the new General Land Use Plan (GLUP) Map designations and zoning districts are shown on Exhibits "6" and "5" respectively.

In August 2017, the Site Plan and Architectural Commission approved the application for 134 dwelling units that will be situated on proposed Lots 7 through 12 (file AC-17-066), some of which are currently under construction.

In October 2017, the Medford City Council adopted an ordinance vacating that portion of the Myers Lane right-of-way south of the proposed Lot 4, and the newly-constructed portion of Myers Lane between Garfield Avenue and proposed Lot 4 was subsequently deeded as public right-of-way. In December 2017, the Jackson County Board of Commissioners adopted a comparable order for the Myers Lane right-of-way vacation.

On June 26, 2018, deeds were recorded for a Property Line Adjustment application approved by the City to reconfigure existing parcels into that reflected on the submitted Tentative Plat (file PA-17-093).

On July 20, 2018, the Medford Planning Director approved the Final PUD Plan for Phases 1C, 1D, and 1E of the Stewart Meadows Village PUD, which includes the 134 multi-family dwelling units and which comprises about 8 acres of the PUD's development.

C. SCOPE AND OVERVIEW OF THE APPLICATION

The applicant proposes to subdivide the subject property into 39 individual lots including 3 tracts for the Hansen Creek open space, that either conform to the design standards of the underlying zoning districts, or for which a modified application of the Land Development Code (LDC) was approved by the Planning Commission in accordance with Section 10.192(B) of the PUD ordinance. The subdivision is proposed to be final platted in six (6) phases.

All aspects of the adequacy of public facilities have been addressed with the previous approvals.

Phasing

The applicant requests and the tentative plat shows that the subdivision consists of six phases, and the applicant anticipates submitting an application for Final Plat approval for Phase 1 following approval of the Tentative Plat approval. The applicant has submitted plans for the public infrastructure and the Public Works Department has approved those plans. The applicant requests to the Planning Commission that because of the large size of the Stewart Meadows Village development, and consequently the length of time before the development can be completed, that in accordance with LDC Section 10.202(D)(2), the Planning Commission allow a 5-year period of time to receive Final Plat approval for the entire development.

D. APPLICANT'S SUBMITTALS

- Exhibit 1 Tentative Plat for Stewart Meadow Village PUD
- Exhibit 2 Findings of Fact and Conclusions of Law
- Exhibit 3 Vicinity Map showing the Subject Area
- Exhibit 4 Stewart Meadows Village Preliminary PUD Plan approved by the Planning Commission in April 2017 (file PUD-17-003)
- Exhibit 5 Current Zoning Map of Stewart Meadows Village PUD
- Exhibit 6 Current GLUP Map of Stewart Meadows Village PUD
- Exhibit 7 Email from Wei (Michael) Wang, ODOT Region 3 Development Review Traffic Engineer, dated October 10, 2018
- Exhibit 8 Final PUD Plan for Phases 1C, 1D and 1E approved in 2018
- Exhibit 9 Spreadsheet showing Lot Standards and Proposed Lot Data

E. RELEVANT APPROVAL CRITERIA

MEDFORD LAND DEVELOPMENT CODE

LAND DIVISION APPROVAL CRITERIA – SECTION 10.202(E)

Section 10.202(E) of the Land Development Code states that the Planning Commission shall not approve any tentative plat unless it first finds that, the proposed land division, together the provisions for its design and improvement:

1. *Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;*
2. *Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;*

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

F. FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

MEDFORD LAND DEVELOPMENT CODE - SECTION 10.202(E)

LAND DIVISION APPROVAL CRITERIA

CRITERION NO. 1

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

Findings of Fact

Comprehensive Plan Consistency

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

There are no Goals or Policies within Medford's Comprehensive Plan that by their language serve as relevant approval criteria for a land division. However, there are several particular plans below that need to be addressed.

General Land Use Plan Map Consistency

The subject site is comprised of five Land Use Designations: HI (Heavy Industrial), GI (General Industrial), CM (Commercial), UHDR (Urban High Density Residential) and UR (Urban Residential), as shown on Exhibit "6". The Zone Change approved by the Planning Commission in 2017 allowed the General Land Use designations and Zoning Districts to be relocated within the PUD in accordance with Section 10.230(D)(8) [now Section 10.192(B)(8)] of the Code, and is illustrated on Exhibit "5".

A comparison of the Tentative Plat and the Zoning Map (Exhibit "6") shows that the proposed Tentative Plat lot lines correspond with the zoning district boundaries, as required by Section 10.302(2).

Neighborhood Circulation Plan Consistency

The subject property is situated adjacent to, but not within the adopted Southwest Medford Circulation Plan. That circulation plan shows that both Stewart Avenue along the north side of the site, and Garfield Avenue along the south side of the site are designated as Major Arterial Streets. Both streets are already fully improved in accordance with their respective street designations.

Wetlands, Riparian Corridor, and Slope Plan Consistency

Medford's Local Wetland Inventory indicates that there are no wetlands existing on the subject property.

Medford's Riparian Inventory Map shows that there were no designated riparian corridors on the subject site when the original Preliminary PUD Plan was approved in 2009. In 2011, the City Council added portions of Crooked Creek to its Riparian Corridor inventory. That inclusion will possibly impact the development of proposed Lot No. 4, but will not affect the proposed Tentative Plat.

Hansen Creek traverses through the subject property, flowing north from the south side of Garfield Avenue to a point south of Stewart Avenue, where it enters the City's stormwater system. Past development plans have included the relocation and restoration of the riparian creek channel with appropriate landscaping to create a major amenity for the development and the City. Approvals were finally granted by all governing agencies and completion of the creek improvement took place in 2015.

A review of the Medford Slope Map shows that there are no areas on the subject site that have a slope of 15 percent or greater. In fact, the site is fairly flat with slopes generally less than 5 percent.

There are no other adopted plans that apply to the subject property and the proposed application.

Consistency with the Applicable Design Standards of Articles IV and V of the Medford Land Development Code

Applicable Lot Design Standard Consistency (see Exhibit "9")

It is important to remember that many of the site details, including the location and design of the public streets, and the general size and location of uses within the PUD, have already been designed and approved by the Planning Commission. The current Preliminary PUD Plan for Stewart Meadows PUD, (Exhibit "4"), was approved by the Planning Commission in 2017, includes the general site plan for the various buildings and their associated design features, uses and sizes of the buildings, the locations of the open areas, and the location and design of the public streets. A review of the Tentative Plat shows that all lots meet the relevant and requisite lot design standards for the relevant zoning district found in Sections articles IV and V of the Land Development Code, with exceptions, which are allowed within a PUD in accordance with Section 10.192(B), discussed below.

The approved Preliminary PUD Plan also includes several modifications to specific standards of the Code, as allowed under Section 10.192(B).

- lot frontage

In 2009, the Planning Commission, approved a modification to the Code standard to allow a lot adjacent to the Stewart Meadows Golf Course to be created without street frontage, specifically Lot 18 (now proposed Lot 13). Also, in its 2016 approval of the revised Preliminary PUD Plan for Stewart Meadows Village (file PUD-16-037), the Planning Commission approved a modification to the design of the PUD to allow for a common open space lot also to not have direct street frontage.

In April 2019, the Planning Director approved a de minimis PUD revision to allow two lots (proposed Lots 11 and 12) to be included under the previously approved modifications to the Code standards related to street frontage.

- lot coverage and setbacks

Proposed Lots 1, 4, 13 and 38 are presently developed with structures. Construction of a portion of the residential buildings has begun on proposed Lots

9 and 10. The Exhibit "9" spreadsheet includes the site design standards, including the proposed lot coverage and setbacks for all lots, including those under or already constructed.

Arterial Street Landscape Plan

Stewart Meadows Village PUD has frontage on both Stewart Avenue and Garfield Street, categorized as Major Arterial Streets. As there are no houses within the PUD that do not face one of the arterial streets, an arterial street landscape plan is not required. The landscape plan for the apartment building located on proposed Lot 14 will be reviewed by the Site Plan and Architectural Commission in conjunction with their review of the building and site design plans.

Conditions from Prior Land Use Approvals with Applicant's Response

PUD-06-141/ZC-09-005 - Exhibit A-1, "Conditions of Approval" from Commission Report, dated March 12, 2009.

PLANNED UNIT DEVELOPMENT

RVTD Conditions - Exhibit "Z"

- *Construct a sidewalk along the south side of the Hwy 99 and Garfield intersection, in length adequate for a bus to clear the intersection. The length should be at least 35 feet. The width of the sidewalk has been confirmed by the City to be built to ODOT standards at 5 feet, which is the maximum width available in ODOT right-of-way.*

Response: The sidewalk will be constructed with the subdivision's Phase 5 improvements.

- *RVTD is also requesting a stop facility/bus pull out that will utilize an existing pocket along Garfield. This stop will not be in service until a west Medford route is extended to serve this fully occupied development. To complete this pocket for a bus pull out, RVTD is requesting a complete curb on the back side and a bus stop shelter pad of 18' by 8'.*

Response: This improvement, including the bus stop shelter pad, has already been completed.

ZONE CHANGE

Public Works Conditions - Exhibit "K-1"

- *The developer will reconfigure the intersection of Stewart Avenue at Myers Lane as right-in, right-out, and left-in only. The reconfiguration shall occur with Phase 1 of the development.*

Response: This improvement was completed as part of the Myers Lane improvements in 2018.

- *The mitigations proposed for the previous approved Stewart Meadows PUD shall remain in full effect.*

Response: Several of those conditions have subsequently been modified or eliminated.

- *For the intersection of Garfield Street and Myers Lane, the developer shall:*
 - Construct the Anton Drive connection as part of Phase 1 construction, or*
 - If the Anton Drive connection is delayed until the future phase construction, the developer shall provide a traffic signal prior to Phase 1 building permit; or*
 - If the Anton Drive connection is delayed until the future phase construction, the developer shall provide a security deposit or bond in the amount of 120 percent of the estimated costs for designing and constructing a traffic signal. The City will monitor the traffic conditions at this intersection to determine if the signal will be needed before the connection of Anton Drive has been constructed. At such time that the Anton Drive connection is built, the City will release the applicant's security for design and construction of the traffic signal if the signal is still not installed.*

Response: The 2016 Zone Change with its Traffic Impact Analysis approved by the Planning Commission, extinguished this condition.

- *The following street lighting and signing installations will be required.*

Street Lighting - Developer Provided & Installed

- *39-100W street lights with a minimum two base mounted cabinets.*
- *9-400W street lights with a base mounted cabinet on South Pacific Hwy. The developer shall install the 9-400W streetlights on South Pacific Highway adjacent to this proposed development, as part of Phase 1 improvements.*

All street lights shall be operating and turned on at the time of the final "walk through" inspection by the Public Works Department, for each phase of the development.

Response: All street lighting required above has been completed and approved.

Public Works Conditions - Exhibit "X"

- *same as conditions 1 - 3 above under Public Works Exhibit "K-1".*

Public Works Conditions - Exhibit "X-1"

Based on the traffic study, Public Works Department recommends the approval with the following conditions. Per municipal code 10.462, the developer needs to either mitigate the failed facilities or stipulate to trip caps. The developer shall coordinate improvements with the City's planned improvements, which may require the developer to post a bond for the improvements. The following stipulations shall be included in the conditions of approval:

- *The developer in order to mitigate traffic impacts shall modify the intersection of Stewart Avenue and Myers Lane to limit access to eastbound right-in, northbound right-out, westbound left-in only. Said modification shall include but not be limited to a raised concrete median designed to AASHTO standards and meeting City standards. This mitigation shall be complete prior to the first phase.*

Response: This improvement was completed as part of the Myers Lane improvements in 2018.

- *Mitigation of traffic impacts at the intersection of Garfield Street at Kings Highway shall be accomplished in two stages. Prior to the construction of the first phase the developer shall up-grade the intersection from two-way stop control (north and southbound) to all-way stop control. Prior to the year 2023 the developer shall construct a traffic signal at this intersection.*

Response: The 2016 Zone Change with its Traffic Impact Analysis approved by the Planning Commission, extinguished this condition.

- *The developer shall construct a traffic signal at the intersection of Garfield Street and Holly Street to mitigate traffic impacts. Said signal shall be constructed prior to construction of the first phase.*

Response: The 2016 Zone Change with its Traffic Impact Analysis approved by the Planning Commission, extinguished this condition.

- *The Public Works Department does not support any additional vehicular accesses on Garfield Street, which is a major arterial street. The City will support the relocation of the north side un-signalized driveway between Myers Lane and Anton Drive if it is kept 200 feet from existing streets or driveways. If the applicant desires an additional access on Myers Lane, the Public Works Department can support it as long as it meets the minimum intersection spacing requirements.*

Response: No additional access is being proposed.

- *The developer shall mitigate traffic impacts at the intersection of OR-99 and Stewart Avenue prior to the year 2023 using one of the two options:*
 - Construct improvements and restripe the eastbound approach to include dual left turn lanes, a through lane and a shared through and right turn lane, or*
 - Construct improvements and restripe the eastbound approach to include dual left turn lanes, a through lane and a dedicated right turn lane with a right turn overlap signal.*

Response: The 2016 Zone Change with its Traffic Impact Analysis approved by the Planning Commission, extinguished this condition.

- *The developer shall comply with any ODOT Conditions of Approval.*

ODOT Conditions - Exhibit "Y"

- *The TIA traffic mitigation for the State Highway Facilities is as follows:*
 - a. *State Hwy. 99 & Stewart Avenue intersection - This intersection has two traffic mitigation options.*
 - *Option 1; Eastbound dual lefts, through, through-right lanes.*
 - *Option 2; Eastbound dual lefts, through, right lanes, right turn overlap.*

Both of these traffic mitigation options have acceptable v/c ratios. ODOT traffic engineers recommend Option 2 be installed to mitigate traffic impacts as shown in the TIA Appendices volume 5 of 5; page R50. The final designed plans shall be reviewed and accepted by ODOT District 8 prior to installation.
 - b. *State Hwy 99 & Garfield Street intersection - This intersection shall have an eastbound right turn lane added and the traffic signals shall operate with a right turn overlap. The final designed plans shall be reviewed and accepted by ODOT District 8 prior to installation. Both of these TIA traffic mitigations shall require a Signal Modification Request Form (SMRF) completed and submitted to the State Traffic Engineer.*

Response: The 2016 Zone Change with its Traffic Impact Analysis approved by the Planning Commission, extinguished this condition.

ODOT Conditions - Exhibit "Y-1"

- *ODOT has no concerns with the proposed Stewart Meadows Village PUD and zone change amendments. ODOT understands the applicant agrees to the original conditions outlined in the city's staff report (ODOT letter of 10/2/07), to "... fund, design, acquire right-of-way and install an eastbound right turn lane and modify the traffic signal to operate with a right turn overlap at the OR 99/Garfield Street intersection ..."*

Response: The 2016 Zone Change with its Traffic Impact Analysis approved by the Planning Commission, extinguished this condition.

- *ODOT supports the RVTD requested bus stop on OR 99, on the south side of the Garfield Avenue, as an alternative transportation mode to service the Stewart Meadows mixed-use development. We recommend a condition to provide a bus stop.*

Response: The sidewalk will be constructed with the subdivision's Phase 5 improvements.

PUD-16-037 - Exhibit A, "Conditions of Approval" from Staff Report, dated June 2, 2016.

Public Works Department Conditions – Exhibit "C"

- *Provide and install:*
 - *30-100W HPS street lights*
 - *2-Base Mounted Cabinets (BMCs)*
 - *6-Street Name Signs*
 - *1-Stop Sign*

- *No additional conditions regarding traffic mitigation*

Response: All items have been installed and completed.

PUD-17-003 and ZC-17-004 Exhibit A-1, "Conditions of Approval" from Commission Report, dated March 23, 2017.

- *Remove the existing driveway on the north side of Garfield Street and replace with continuous curb, gutter, and sidewalk.*

Response: The condition will be completed with the appropriate phase of the subdivision.

- *Extend the existing concrete median in Garfield Street to the west.*

Response: The condition will be completed prior to the approval of the subdivision's Final Plat for Phase 4.

- *Correct the offset driveways on the southern portion of Myers Lane.*

Response: The Final PUD Plan for Phases 1C, 1D and 1E (Exhibit "8"), illustrates that the offset has been eliminated between the two driveways on the southern portion of Myers Lane. All future plans will include that design.

Traffic - Restricted Zoning Overlay

The City of Medford Zoning Map shows a Restricted Zoning Overlay (RZ) on a significant portion of the PUD. That overlay is a result of conditions of approval from the 2009 zone change (file ZC-06-141) related to transportation issues that were part of that Preliminary PUD approval. Those conditions were modified in 2016 by the Planning Commission's approval of a zone change application (ZC-16-066), together with a revision to the Preliminary PUD Plan, resulting in a single transportation-related condition, addressing the intersection of Garfield Street and Center Drive.

That condition was included in the TIA conducted by Sandow Engineering and was adopted as a requirement of the Planning Commission's approval and states that: *"The intersection of Garfield Street at Center Drive does not meet ODOT mobility standards for the PM peak hour. Intersection improvements have been approved for an adjacent property as part of their development approvals. With the proposed and approved improvements, the intersection of Garfield Street at Center Drive operates better than the background no-build conditions under both the 2017 and 2031 PM peak hour build scenarios. The report prepared for ODOT details the analysis and findings. Stewart Meadows Development can build a portion of the site that does not generate more than 935 of trips before the intersection of Garfield at Center Drive v/c is worsened over no-build conditions."*

The City of Medford Transportation Division now states that improvements have recently been made to the intersection¹, and based upon the email from Wei (Michael) Wang, ODOT Region 3 Development Review Traffic Engineer, dated October 10, 2018, the condition has been satisfied and “*The original trip cap of 974 peak hour trips can be removed without additional improvement on state highway system.*”

Conclusions of Law

The Planning Commission concludes that the proposed tentative plat is consistent with all of Medford’s applicable adopted plans, including the Comprehensive Plan and all other plans that are relevant to the land division’s review. The tentative plat also conforms, or will be made to conform through the imposition of standard conditions, with all of the applicable design standards of Articles IV and V, except for those that have already been approved by the Planning Commission as modifications to the strict standards of the LDC, in accordance with Section 10.192(B).

The Planning Commission also concludes that the tentative plat is consistent with all applicable conditions resulting from the prior land use approvals within the PUD.

CRITERION NO. 2

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

Findings of Fact

All of the property within the boundaries of the PUD and the proposed Tentative Plat is owned by KOGAP Enterprises, Inc.

It is important to understand that the master site design of Stewart Meadows Village PUD has been approved by the Planning Commission as its Preliminary PUD Plan (Exhibit “4”), which includes the public street location and design, the relocation and restoration of Hansen Creek, and the conceptual size and location of the PUD’s buildings, parking, and open spaces.

The subject property is generally bounded by Stewart Avenue, Myers Lane, Garfield Avenue, and the Central Oregon and Pacific Railway right-of-way and comprises all of the property within those rights-of-way with the exception of the Hays Oil site (Tax Lot 5700), along the railroad right-of-way. The application also includes an approximate 30-acre tract on the south side of Garfield Street at Anton Drive.

¹ The second southbound left turn lane on Center Drive has been constructed and detection added; a northbound left turn lane has been constructed and detection added; the westbound left turn lane on Garfield Street has been lengthened; and the timing has been modified removing the previous split phase operation.

The application also includes two lots along the west side of the old Myers Lane right-of-way - Tax Lot 3900 (proposed Lot 4), the former site of the Medford Irrigation District and currently being used as a KOGAP shop, and Tax Lot 900 (proposed Lot 13), with a former single-family residence that will contain tri-plexes and duplexes within the development. Both parcels are bounded on the north, south, and west sides by the Stewart Meadows Golf Course.

Access to each of the lots within the Stewart Meadows Village PUD will be from the existing public streets, which bound the development, and from the network of proposed internal streets and driveways. The developed Hays Oil site will continue to take access from an existing driveway onto South Pacific Highway. The design of the PUD's street system allows for a possible future internal vehicular connection to the Hays Oil property, if such connection is desired by both parties.

The Anton Drive right-of-way, southeast of Garfield Street extends to the PUD's southern property line to allow for its possible future extension into the adjoining property.

Property to the west of the subject PUD and tentative plat application is already developed as the Stewart Meadow Golf Course, and is also owned by KOGAP Enterprises, Inc. Access to and the future redevelopment ability of the golf course property can easily be provided from the PUD.

Conclusions of Law

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

CRITERION NO. 3

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

Findings of Fact

The name of the subject subdivision "Stewart Meadows Village – A Planned Community" was originally reviewed and approved by the Medford Planning Commission in 2009, and as part of that review, the Jackson County Surveyor verified that the proposed name is suitable.

The Jackson County Surveyor has recently recertified that determination that there is no other subdivision within the City of Medford with this name.

Conclusions of Law

The Planning Commission concludes that the name of the subdivision, “*Stewart Meadows Village – A Planned Community*” meets the standards of Criterion No. 3.

CRITERION NO. 4

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

Findings of Fact

All proposed development takes place within the boundaries of Stewart Avenue, Myers Lane, Garfield Avenue, and the Central Oregon and Pacific Railway right-of-way, together with two additional parcels on the west side of Myers Lane and four existing parcels southwest of Garfield Street. Access to the Hays Oil property is currently taken from South Pacific Highway.

The relocation of Myers Lane at Garfield Avenue, which now aligns with the existing north/south section of Myers Lane, eliminates an approximate 250-foot offset. There are no other adjacent existing or planned streets and alleys that the development can connect, nor are there any existing plats on adjoining property.

Conclusions of Law

The Planning Commission concludes that the streets within the proposed subdivision are laid out to be consistent with the existing streets of abutting development and the planned streets as shown on the Southwest Medford Circulation Plan.

CRITERION NO. 5

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

Findings of Fact

All streets within and abutting the proposed development are public streets and those not already dedicated will be dedicated with the relevant Final Plats of the proposed subdivision Tentative Plat.

There are no streets or alleys that are proposed to be held for private use.

There are many driveways throughout the development that will provide access from the public streets to buildings and parking areas. Necessary cross-access easements will be provided between platted lots on the Final Plat and any associated documents.

Conclusions of Law

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

CRITERION NO. 6

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

Findings of Fact

The subject property shares an approximate 420-foot long common boundary at its southeast border (south of proposed Lots 37 and 39) with land that is zoned Exclusive Farm Use and owned by Harry and David. As part of the last revision to the PUD (file PUD-17-003), the applicant submitted an Agricultural Impact Analysis Report, addressing the PUD's interface with the EFU land. The Planning Commission concluded that no mitigation was necessary between Stewart Meadows Village and the abutting EFU land.

Conclusions of Law

In accordance with Section 10.801(B), the Planning Commission concludes that the Agricultural Buffering requirement has been previously met and the Land Division Approval Criterion No. 6, therefore, has been met regarding the mitigation of land use conflict between the Stewart Meadows Village PUD and the abutting EFU lands.

G. ULTIMATE CONCLUSION

Based upon the above Findings of Fact and Conclusions of Law, the Planning Commission concludes that the application for the Tentative Plat for Stewart Meadows Village PUD, is consistent with the relevant decisional criteria found in Section 10.202(E) of Medford's Land Development Code. The Planning Commission also concludes, that because of the very large size and scope of the PUD and therefore the length of time needed to complete the subdivision, a five-year period of time to receive Final Plat approval is granted.

Respectively Submitted,



Jim Maize
Maize & Associates, Inc.
agent for applicant, KOGAP Enterprises, Inc.
Dated: June 28, 2019

STEWART MEADOWS VILLAGE SUBDIVISION
CODE STANDARD AND LOT PROPOSAL INFORMATION

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Lot No	Zone	Lot Area (ft ²)	Lot Coverage %	Lot Width (ft)	Lot Depth (ft)	Lot Frontage (ft)	Front/Side St. Setback (ft)	Building Ht. (ft)	Side/Rear Setback (ft)	Side/Rear Setback (ft)
		Code Min.	Code Max.	Code Min.	Code Min.	Code Min.	Code Min.	Code Max	Minimum Required	Proposed Setback
		----- Proposed	----- Proposed	----- Proposed	----- Proposed	----- Proposed	----- Proposed	----- Proposed	----- Calculated	----- Proposed
	I-L	20,000 ft ²	50%	70 ft	100 ft	70 ft	10 ft/10 ft	85 ft	0 ft ^{††} /0 ft ^{††}	
1	I-L	238,595	9.2%	355	685	460	34/20	47	13.5/13.5	70/475
2	I-L	86,617	vacant	270	315	600	-	-	-	-
3	I-L	82,153	"	260	315	560	-	-	-	-
17	I-L	108,641	"	292	465	460	-	-	-	-
18	I-L	86,338	"	220	390	221	-	-	-	-
24	I-L	103,341	"	257	375	178	-	-	-	-
25	I-L	75,664	"	355	310	480	-	-	-	-
26	I-L	119,442	"	365	285	622	-	-	-	-
27	I-L	111,023	"	530	280	899	-	-	-	-
28	I-L	73,702	"	535	100	514	-	-	-	-
29	I-L	174,995	"	528	344	489	-	-	-	-
37	I-L	285,431	"	635	525	869	-	-	-	-
38	I-L	446,900	50.0%	818	416	814	95/-	31 [⊛] 37 [⊛]	5.5/5.5 8.5/8.5	65/22 81/22
39	I-L	150,908	vacant	258	700	97	-	-	-	-
	SFR-10 Multi-Family Stds	15,000 ft²	50%	80 ft	120 ft	30 ft	15 ft/15 ft	35 ft	10 ft/20 ft	
4	SFR-10	88,303	23.6%	250	350	250	46/-	18	10/20	70/100
5	SFR-10	119,787	vacant	325	395	952	-	-	-	-
6	SFR-10	26,863	"	217	127	212	-	-	-	-
7	SFR-10	63,486	"	438	145	462	-	-	-	-
8	SFR-10	58,560	"	90	652	241	-	-	-	-
9	SFR-10	83,029	30.4%	312	253	335	17/-	35	10/20	10/47
10	SFR-10	75,738	30.0%	266	258	306	17/-	35	10/20	13/47
11	SFR-10	31,343	"	348	90	0*	-	-	-	-
14	SFR-10	81,181	"	252	345	473	-	-	-	-
16	SFR-10	51,466	"	165	296	592	-	-	-	-
	SFR-10 Single Family Stds	3,600 ft²	50%	40 ft	90 ft	30 ft	15 ft/10 ft	35	4 ft/4 ft	
13	SFR-10	47,248	10.6%	196	241	0**	81/-	18	4/4	9/10
	SFR-10 Duplex Stds	6,000 ft²	50%	50 ft	90 ft	30 ft	15 ft/10 ft	35 ft	4 ft/4 ft	
15	SFR-10	9,662	29.5%	71	137	71	36/-	17	4/4	10/55
	MFR-30	8,000 ft²	50%	80 ft	100	30 ft	20 ft/10 ft	35 ft	4 ft[†]/4 ft[†]	
12	MFR-30	26,944	vacant	299	90	0*	-	-	-	-
	C-C	15,000 ft²	40%	70 ft	100 ft	70 ft	10 ft/10 ft	85 ft	0 ft^{††}/0 ft^{††}	
19	C-C	122,247	vacant	327	376	327	-	-	-	-
20	C-C	135,681	"	230	586	1023	-	-	-	-
30	C-C	66,409	"	312	220	324	-	-	-	-
31	C-C	183,497	"	625	220	793	-	-	-	-
32	C-C	66,343	"	282	245	667	-	-	-	-
33	C-C	163,433	"	345	545	313	-	-	-	-
34	C-C	94,486	"	325	300	350	-	-	-	-
35	C-C	61,583	"	230	270	513	-	-	-	-
36	C-C	109,183	"	380	280	538	-	-	-	-
COMMON AREA										
21	I-G/I-L	78,585	-	140	458	147	-	-	-	-
22	I-L/SFR-10	64,200	-	95	450	188	-	-	-	-
23	I-L/C-C	170,254	-	145	1120	167	-	-	-	-

* de minimis revision approved by Planning Director April 2019
 ** modification approved in 2009
 ⊛ 31-foot high building
 ⊜ 37-foot high building

† plus ½ ft for each foot in building height over 15 feet
 †† plus ½ ft for each foot in building height over 20 feet

APPLICANT'S
 EXHIBIT
 " 9 "

11

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**SUBMITTAL NOTES - TENTATIVE PLAT APPLICATION
Stewart Meadows Village PUD Subdivision**

1. Map and Tax Lot Numbers of Subject Property

<u>37-1W-31A</u>	<u>37-1W-31D</u>	<u>37-1W-32C</u>
2000	200	5400
2100	400	5503
2190	900	
2200	1000	
2300	1001	
2802	2500	
3900	2501	
4000	2800	
	2900	
	3000	

2. List of Land Use Application File Numbers Associated with Subject Property

PUD-06-141, LDS-08-016, ZC-09-005, AC-12-012, AC-14-009, PUD-16-037, AC-16-044, AC-16-066, PUD-17-003, ZC-17-004, PLA-17-093, VAC-17-069, De Minimis PUD Revision approved May 6, 2019.

3. Existing Zoning and GLUP Map Designations

The applicant has submitted as part of the Tentative Plat application, a map (Exhibit "5") showing the existing zoning, and Exhibit "6" showing the existing GLUP Map designations on the subject property.

4. Hillside Ordinance

As there is no part of the proposed Tentative Plat that has slopes greater than 15 percent, the Hillside Ordinance provisions of the Code do not apply to this application. A *Hillside Development Slope Analysis Form* was submitted to the Planning Department on June 11, 2019.

5. Conceptual Grading Plan

A conceptual grading plan for Stewart Meadows Village PUD was approved by the Planning Commission in 2016. Subsequently, plans for the installation of public utilities have been approved by the City, with the construction of those facilities west of Hansen Creek, essentially completed.

CITY OF MEDFORD
EXHIBIT # _____
File # LDS-19-070

6

6. Conceptual Stormwater Drainage Facility Plan

A conceptual stormwater drainage plan was approved by the Planning Commission in 2016, which illustrates how the storm water will be detained and treated throughout the PUD's development. That plan continues to provide the basic information about how the storm waters within the PUD will be handled.

The applicant consummated an *Operation & Maintenance Agreement for Hansen Creek in Stewart Meadows Village* with the City of Medford in July 2014 to establish the maintenance responsibilities for Hansen Creek within the development. Proposed CC&Rs were also submitted in 2014 as part of the Final Plat approval for Phase 1.

7. Arterial Street Landscape Plan

Stewart Meadows Village PUD has frontage on both Stewart Avenue and Garfield Street, categorized as Major Arterial Streets. As there are no houses within the PUD that do not face one of the arterial streets, an arterial street landscape plan is not required. The landscape plan for the apartment building located on proposed Lot 14 will be reviewed by the Site Plan and Architectural Commission in conjunction with their review of the building and site design plans.

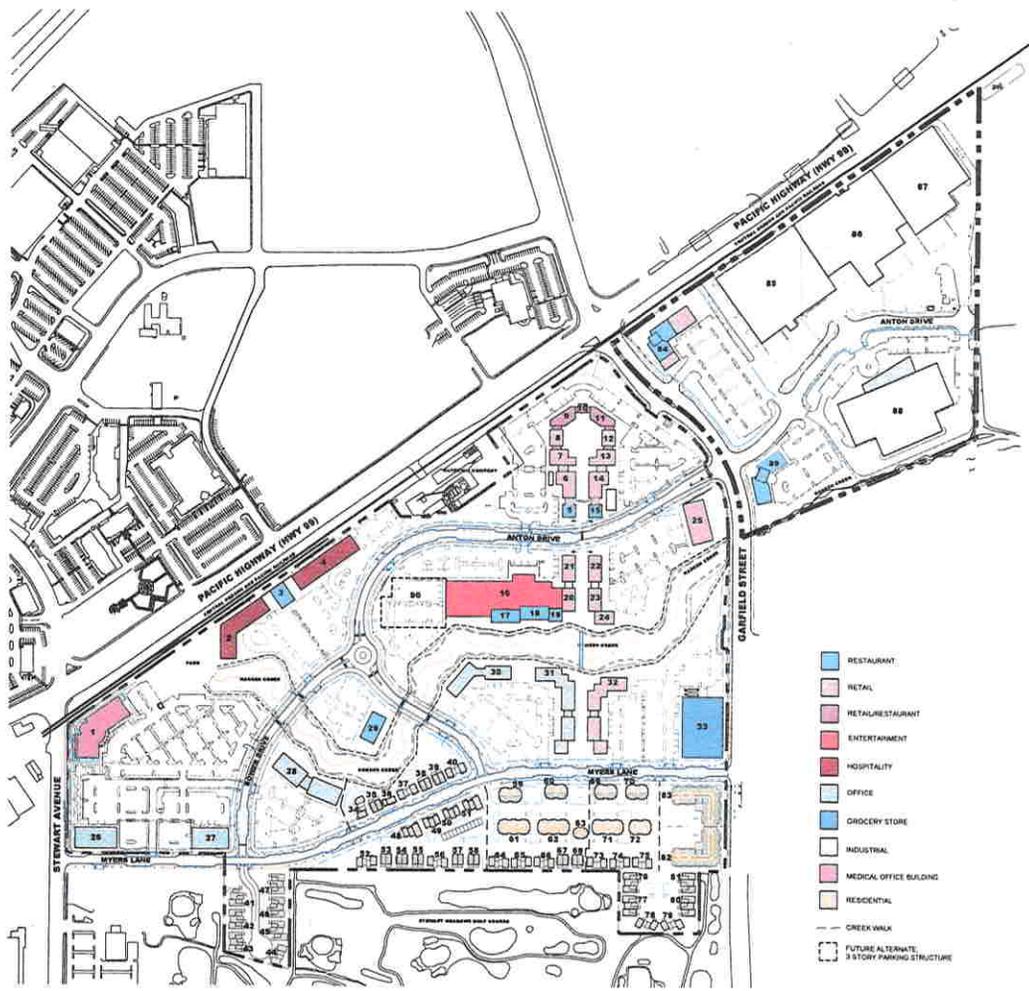
8. Neighborhood Circulation Plan

The subject property is situated adjacent to, but not within the adopted Southwest Medford Circulation Plan. That circulation plan shows that both Stewart Avenue along the north side of the site, and Garfield Avenue along the south side of the site are designated as Major Arterial Streets. Both streets are already fully improved in accordance with their respective street designations.

9. Agricultural Impact Assessment

The subject property shares an approximate 420-foot long common boundary at its southeast border (south of proposed Lots 37 and 39) with land that is zoned Exclusive Farm Use and owned by Harry and David. As part of the last revision to the PUD (file PUD-17-003), the applicant submitted an Agricultural Impact Analysis Report, addressing the PUD's interface with the EFU land. The Planning Commission concluded that no mitigation was necessary between Stewart Meadows Village and the abutting EFU land.

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NON-RESIDENTIAL BUILDING AREA TABULATION

Building	USE	AREAL	AREA	AREA OF	AREA OF
		(SQ FT)	(SQ FT)	(SQ FT)	(SQ FT)
1	RESTAURANT	1,200	1,200	1,200	1,200
2	RETAIL	1,500	1,500	1,500	1,500
3	RETAIL	1,500	1,500	1,500	1,500
4	RETAIL	1,500	1,500	1,500	1,500
5	RETAIL	1,500	1,500	1,500	1,500
6	RETAIL	1,500	1,500	1,500	1,500
7	RETAIL	1,500	1,500	1,500	1,500
8	RETAIL	1,500	1,500	1,500	1,500
9	RETAIL	1,500	1,500	1,500	1,500
10	RETAIL	1,500	1,500	1,500	1,500
11	RETAIL	1,500	1,500	1,500	1,500
12	RETAIL	1,500	1,500	1,500	1,500
13	RETAIL	1,500	1,500	1,500	1,500
14	RETAIL	1,500	1,500	1,500	1,500
15	RETAIL	1,500	1,500	1,500	1,500
16	RETAIL	1,500	1,500	1,500	1,500
17	RETAIL	1,500	1,500	1,500	1,500
18	RETAIL	1,500	1,500	1,500	1,500
19	RETAIL	1,500	1,500	1,500	1,500
20	RETAIL	1,500	1,500	1,500	1,500
21	RETAIL	1,500	1,500	1,500	1,500
22	RETAIL	1,500	1,500	1,500	1,500
23	RETAIL	1,500	1,500	1,500	1,500
24	RETAIL	1,500	1,500	1,500	1,500
25	RETAIL	1,500	1,500	1,500	1,500
26	RETAIL	1,500	1,500	1,500	1,500
27	RETAIL	1,500	1,500	1,500	1,500
28	RETAIL	1,500	1,500	1,500	1,500
29	RETAIL	1,500	1,500	1,500	1,500
30	RETAIL	1,500	1,500	1,500	1,500
31	RETAIL	1,500	1,500	1,500	1,500
32	RETAIL	1,500	1,500	1,500	1,500
33	RETAIL	1,500	1,500	1,500	1,500
34	RETAIL	1,500	1,500	1,500	1,500
35	RETAIL	1,500	1,500	1,500	1,500
36	RETAIL	1,500	1,500	1,500	1,500
37	RETAIL	1,500	1,500	1,500	1,500
38	RETAIL	1,500	1,500	1,500	1,500
39	RETAIL	1,500	1,500	1,500	1,500
40	RETAIL	1,500	1,500	1,500	1,500
41	RETAIL	1,500	1,500	1,500	1,500
42	RETAIL	1,500	1,500	1,500	1,500
43	RETAIL	1,500	1,500	1,500	1,500
44	RETAIL	1,500	1,500	1,500	1,500
45	RETAIL	1,500	1,500	1,500	1,500
46	RETAIL	1,500	1,500	1,500	1,500
47	RETAIL	1,500	1,500	1,500	1,500
48	RETAIL	1,500	1,500	1,500	1,500
49	RETAIL	1,500	1,500	1,500	1,500
50	RETAIL	1,500	1,500	1,500	1,500
51	RETAIL	1,500	1,500	1,500	1,500
52	RETAIL	1,500	1,500	1,500	1,500
53	RETAIL	1,500	1,500	1,500	1,500
54	RETAIL	1,500	1,500	1,500	1,500
55	RETAIL	1,500	1,500	1,500	1,500
56	RETAIL	1,500	1,500	1,500	1,500
57	RETAIL	1,500	1,500	1,500	1,500
58	RETAIL	1,500	1,500	1,500	1,500
59	RETAIL	1,500	1,500	1,500	1,500
60	RETAIL	1,500	1,500	1,500	1,500
61	RETAIL	1,500	1,500	1,500	1,500
62	RETAIL	1,500	1,500	1,500	1,500
63	RETAIL	1,500	1,500	1,500	1,500
64	RETAIL	1,500	1,500	1,500	1,500
65	RETAIL	1,500	1,500	1,500	1,500
66	RETAIL	1,500	1,500	1,500	1,500
67	RETAIL	1,500	1,500	1,500	1,500
68	RETAIL	1,500	1,500	1,500	1,500
69	RETAIL	1,500	1,500	1,500	1,500
70	RETAIL	1,500	1,500	1,500	1,500
71	RETAIL	1,500	1,500	1,500	1,500
72	RETAIL	1,500	1,500	1,500	1,500
73	RETAIL	1,500	1,500	1,500	1,500
74	RETAIL	1,500	1,500	1,500	1,500
75	RETAIL	1,500	1,500	1,500	1,500
76	RETAIL	1,500	1,500	1,500	1,500
77	RETAIL	1,500	1,500	1,500	1,500
78	RETAIL	1,500	1,500	1,500	1,500
79	RETAIL	1,500	1,500	1,500	1,500
80	RETAIL	1,500	1,500	1,500	1,500
81	RETAIL	1,500	1,500	1,500	1,500
82	RETAIL	1,500	1,500	1,500	1,500
83	RETAIL	1,500	1,500	1,500	1,500
84	RETAIL	1,500	1,500	1,500	1,500
85	RETAIL	1,500	1,500	1,500	1,500
86	RETAIL	1,500	1,500	1,500	1,500
87	RETAIL	1,500	1,500	1,500	1,500
88	RETAIL	1,500	1,500	1,500	1,500

NEW ADDED DENSITY OF GARFIELD BUILDING AREA TABULATION

Building	USE	AREAL	AREA	AREA OF	AREA OF
		(SQ FT)	(SQ FT)	(SQ FT)	(SQ FT)
1	RETAIL	1,500	1,500	1,500	1,500
2	RETAIL	1,500	1,500	1,500	1,500
3	RETAIL	1,500	1,500	1,500	1,500
4	RETAIL	1,500	1,500	1,500	1,500
5	RETAIL	1,500	1,500	1,500	1,500
6	RETAIL	1,500	1,500	1,500	1,500
7	RETAIL	1,500	1,500	1,500	1,500
8	RETAIL	1,500	1,500	1,500	1,500
9	RETAIL	1,500	1,500	1,500	1,500
10	RETAIL	1,500	1,500	1,500	1,500
11	RETAIL	1,500	1,500	1,500	1,500
12	RETAIL	1,500	1,500	1,500	1,500
13	RETAIL	1,500	1,500	1,500	1,500
14	RETAIL	1,500	1,500	1,500	1,500
15	RETAIL	1,500	1,500	1,500	1,500
16	RETAIL	1,500	1,500	1,500	1,500
17	RETAIL	1,500	1,500	1,500	1,500
18	RETAIL	1,500	1,500	1,500	1,500
19	RETAIL	1,500	1,500	1,500	1,500
20	RETAIL	1,500	1,500	1,500	1,500
21	RETAIL	1,500	1,500	1,500	1,500
22	RETAIL	1,500	1,500	1,500	1,500
23	RETAIL	1,500	1,500	1,500	1,500
24	RETAIL	1,500	1,500	1,500	1,500
25	RETAIL	1,500	1,500	1,500	1,500
26	RETAIL	1,500	1,500	1,500	1,500
27	RETAIL	1,500	1,500	1,500	1,500
28	RETAIL	1,500	1,500	1,500	1,500
29	RETAIL	1,500	1,500	1,500	1,500
30	RETAIL	1,500	1,500	1,500	1,500
31	RETAIL	1,500	1,500	1,500	1,500
32	RETAIL	1,500	1,500	1,500	1,500
33	RETAIL	1,500	1,500	1,500	1,500
34	RETAIL	1,500	1,500	1,500	1,500
35	RETAIL	1,500	1,500	1,500	1,500
36	RETAIL	1,500	1,500	1,500	1,500
37	RETAIL	1,500	1,500	1,500	1,500
38	RETAIL	1,500	1,500	1,500	1,500
39	RETAIL	1,500	1,500	1,500	1,500
40	RETAIL	1,500	1,500	1,500	1,500
41	RETAIL	1,500	1,500	1,500	1,500
42	RETAIL	1,500	1,500	1,500	1,500
43	RETAIL	1,500	1,500	1,500	1,500
44	RETAIL	1,500	1,500	1,500	1,500
45	RETAIL	1,500	1,500	1,500	1,500
46	RETAIL	1,500	1,500	1,500	1,500
47	RETAIL	1,500	1,500	1,500	1,500
48	RETAIL	1,500	1,500	1,500	1,500
49	RETAIL	1,500	1,500	1,500	1,500
50	RETAIL	1,500	1,500	1,500	1,500
51	RETAIL	1,500	1,500	1,500	1,500
52	RETAIL	1,500	1,500	1,500	1,500
53	RETAIL	1,500	1,500	1,500	1,500
54	RETAIL	1,500	1,500	1,500	1,500
55	RETAIL	1,500	1,500	1,500	1,500
56	RETAIL	1,500	1,500	1,500	1,500
57	RETAIL	1,500	1,500	1,500	1,500
58	RETAIL	1,500	1,500	1,500	1,500
59	RETAIL	1,500	1,500	1,500	1,500
60	RETAIL	1,500	1,500	1,500	1,500
61	RETAIL	1,500	1,500	1,500	1,500
62	RETAIL	1,500	1,500	1,500	1,500
63	RETAIL	1,500	1,500	1,500	1,500
64	RETAIL	1,500	1,500	1,500	1,500
65	RETAIL	1,500	1,500	1,500	1,500
66	RETAIL	1,500	1,500	1,500	1,500
67	RETAIL	1,500	1,500	1,500	1,500
68	RETAIL	1,500	1,500	1,500	1,500
69	RETAIL	1,500	1,500	1,500	1,500
70	RETAIL	1,500	1,500	1,500	1,500
71	RETAIL	1,500	1,500	1,500	1,500
72	RETAIL	1,500	1,500	1,500	1,500
73	RETAIL	1,500	1,500	1,500	1,500
74	RETAIL	1,500	1,500	1,500	1,500
75	RETAIL	1,500	1,500	1,500	1,500
76	RETAIL	1,500	1,500	1,500	1,500
77	RETAIL	1,500	1,500	1,500	1,500
78	RETAIL	1,500	1,500	1,500	1,500
79	RETAIL	1,500	1,500	1,500	1,500
80	RETAIL	1,500	1,500	1,500	1,500
81	RETAIL	1,500	1,500	1,500	1,500
82	RETAIL	1,500	1,500	1,500	1,500
83	RETAIL	1,500	1,500	1,500	1,500
84	RETAIL	1,500	1,500	1,500	1,500
85	RETAIL	1,500	1,500	1,500	1,500
86	RETAIL	1,500	1,500	1,500	1,500
87	RETAIL	1,500	1,500	1,500	1,500
88	RETAIL	1,500	1,500	1,500	1,500

TOTAL P.U.D. MASTER PLAN BUILDING TABULATION

Building	USE	AREAL	AREA	AREA OF	AREA OF
		(SQ FT)	(SQ FT)	(SQ FT)	(SQ FT)
1	RETAIL	1,500	1,500	1,500	1,500
2	RETAIL	1,500	1,500	1,500	1,500
3	RETAIL	1,500	1,500	1,500	1,500
4	RETAIL	1,500	1,500	1,500	1,500
5	RETAIL	1,500	1,500	1,500	1,500
6	RETAIL	1,500	1,500	1,500	1,500
7	RETAIL	1,500	1,500	1,500	1,500
8	RETAIL	1,500	1,500	1,500	1,500
9	RETAIL	1,500	1,500	1,500	1,500
10	RETAIL	1,500	1,500	1,500	1,500
11	RETAIL	1,500	1,500	1,500	1,500
12	RETAIL	1,500	1,500	1,500	1,500
13	RETAIL	1,500	1,500	1,500	1,500
14	RETAIL	1,500	1,500	1,500	1,500
15	RETAIL	1,500	1,500	1,500	1,500
16	RETAIL	1,500	1,500	1,500	1,500
17	RETAIL	1,500	1,500	1,500	1,500
18	RETAIL	1,500	1,500	1,500	1,500
19	RETAIL	1,500	1,500	1,500	1,500
20	RETAIL	1,500	1,500	1,500	1,500
21	RETAIL	1,500	1,500	1,5	

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PLANNING DEPT.

ZONING MAP
of
STEWART MEADOWS VILLAGE PUD
as approved by
PUD-17-003 and ZC-17-004

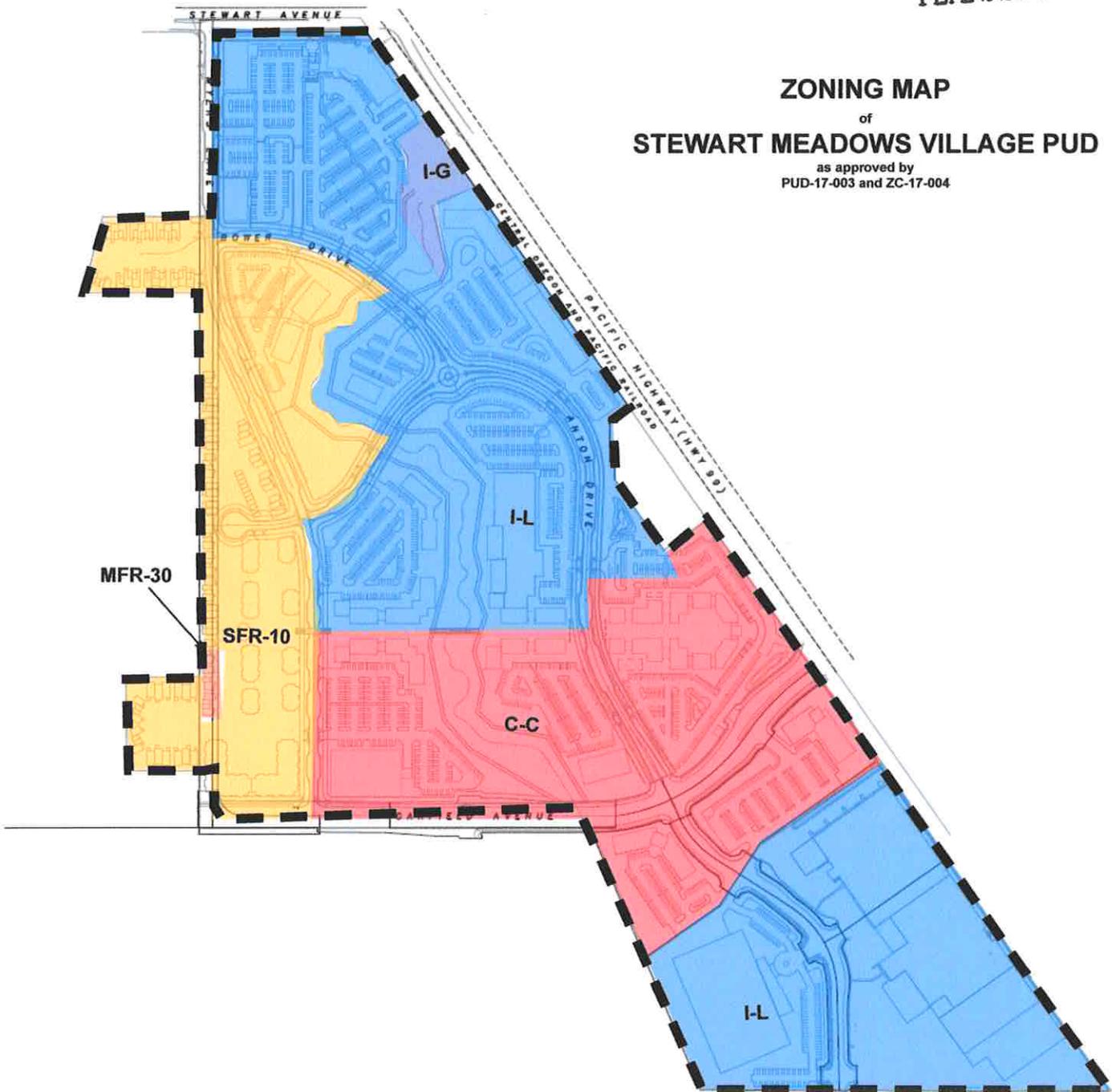
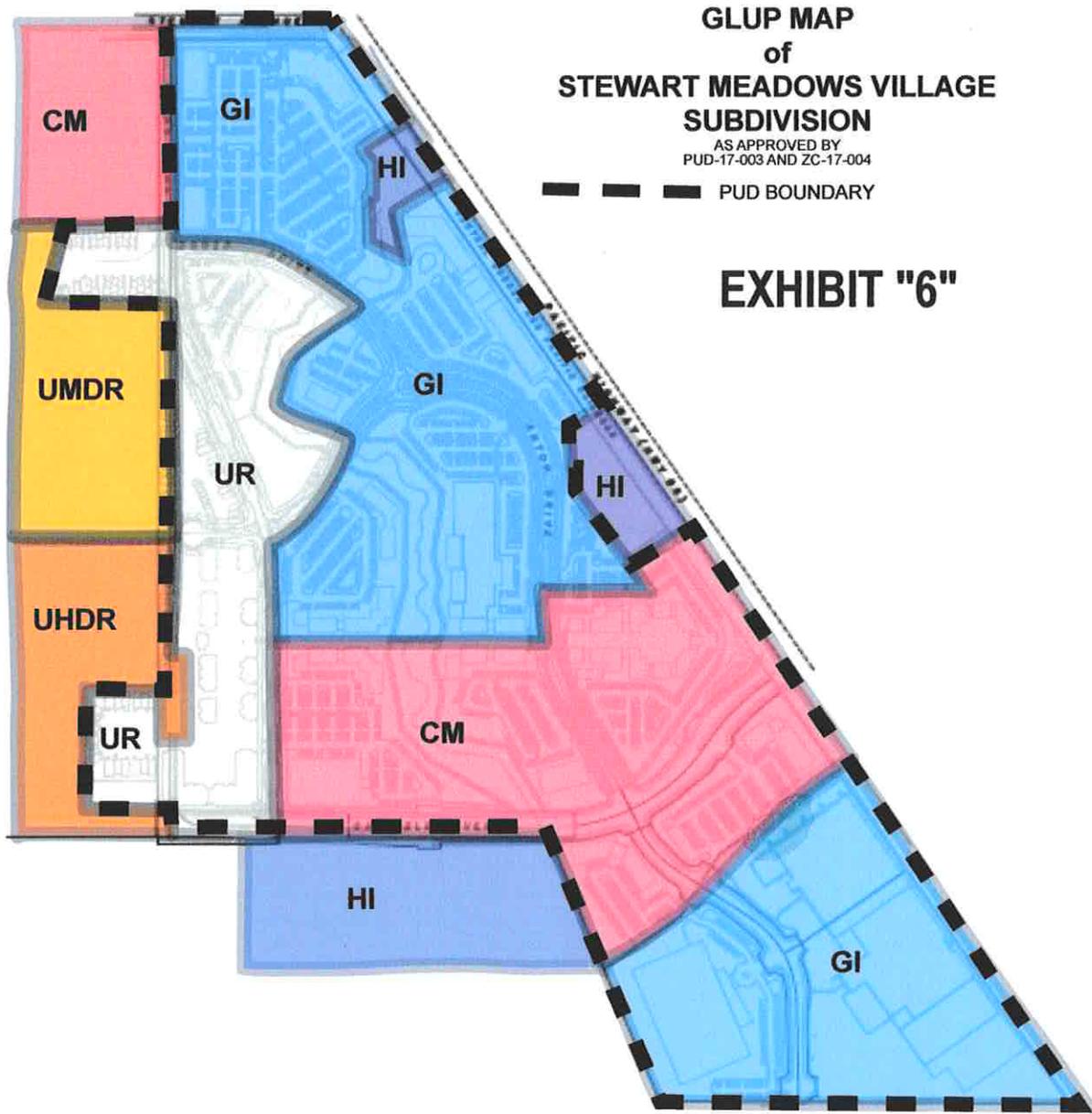


EXHIBIT "5"

12

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MAIZE & ASSOCIATES

PLANNING CONSULTANTS

P.O. Box 628 • Medford, Oregon 97501 • Phone 541.776.4142 • Fax 541.776.4143 • jmaize3145@charter.net

October 1, 2018

Wei (Michael) Wang, P.E. & M.S.
Region 3 Development Review Traffic Engineer
Oregon Department of Transportation
100 Antelope Road
White City, OR 97503

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Subject: Stewart Meadows Village – Intersection Mitigation

Hello Michael,

I represent the developers of Stewart Meadows Village Planned Unit Development (PUD), situated on approximately 121 acres, bounded generally between Garfield Street, Stewart Avenue, Highway 99 and Myers Lane.

In 2017, the PUD site plan for the PUD was revised (Medford files: PUD-17-003 and ZC-17-004) for which a TIA was prepared by Sandow Engineering, dated November 22, 2016. The TIA analyzed several intersections including the intersection of Garfield Street and Center Drive, an ODOT facility. The TIA's Executive Summary conclusion stated that:

"The intersection of Garfield Street at Center Drive does not meet ODOT mobility standards for the PM peak hour. Intersection improvements have been approved for an adjacent property as part of their development approvals. With the proposed and approved improvements, the intersection of Garfield Street at Center Drive operates better than the background no-build conditions under both the 2017 and 2031 PM peak hour build scenarios. The report prepared for ODOT details the analysis and findings. Stewart Meadows Development can build a portion of the site that does not generate more than 935 of trips before the intersection of Garfield at Center Drive v/c is worsened over no-build conditions."

ODOT's response letter to Kelly Sandow of Sandow Engineering, dated February 28, 2017, stated that ODOT concurred with the conclusion stated in the TIA and the response letter.

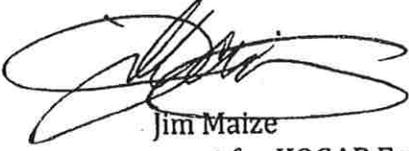
The City of Medford Transportation Division has stated based on the TIA for the South Side Center development that, the second southbound left turn lane on Center Drive has been constructed and detection added; a northbound left turn lane has been constructed and detection added; the westbound left turn lane on Garfield Street has been lengthened; and the timing has been modified removing the previous split phase operation. They have directed me to contact you regarding whether the improvements to the intersection now allow the cap of 935 trips to be removed for as a condition upon Stewart Meadows Village PUD.

CITY OF MEDFORD
EXHIBIT # I
FILE # LDS-19-070

APPLICANT'S
EXHIBIT
" 7 "

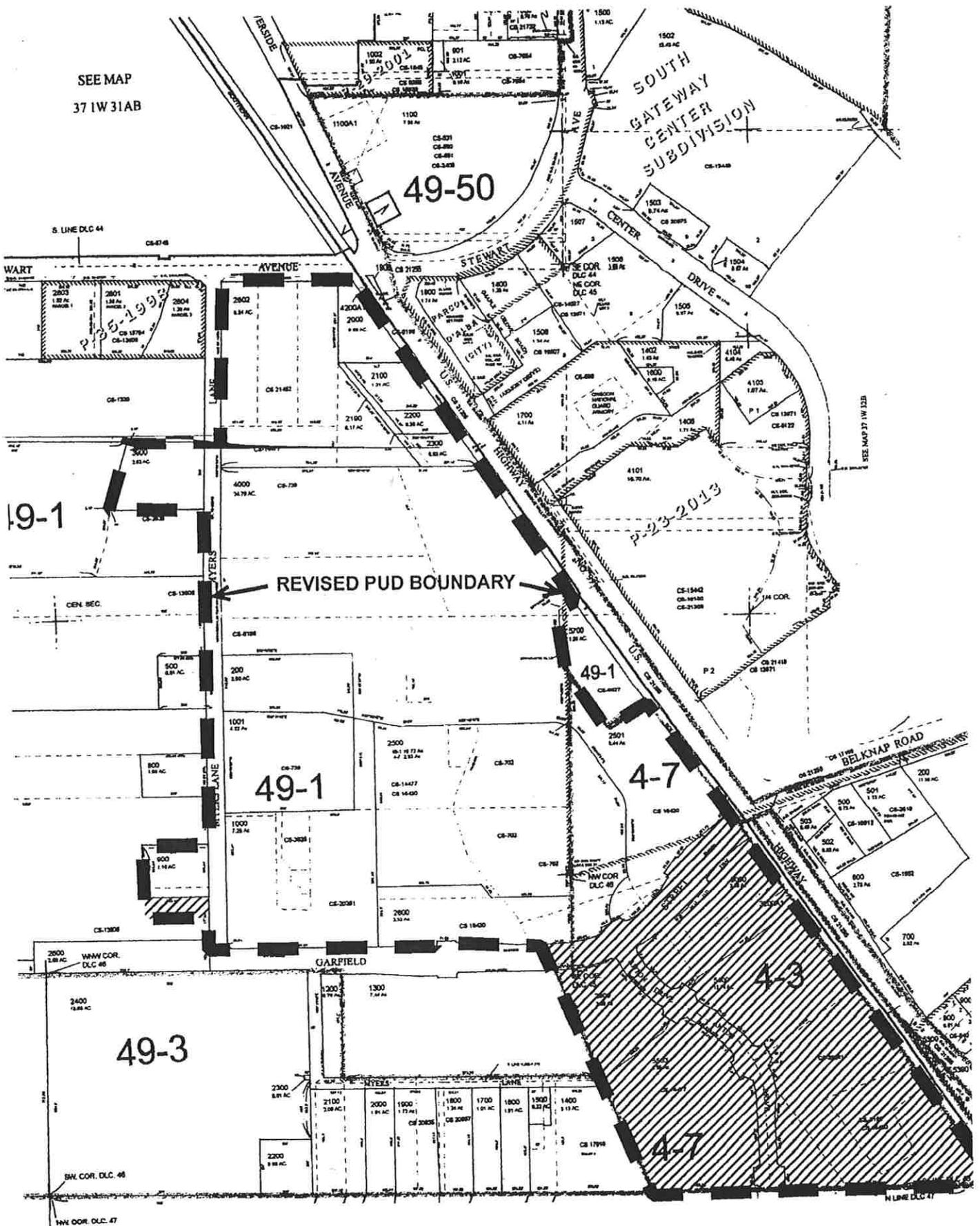
If you could please respond to that question, it would be greatly appreciated. Thank you very much for your assistance. Please let me know if you have any questions or if there is additional information that I can provide.

Sincerely,

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

Jim Maize
agent for KOGAP Enterprises, Inc.

cc Vicinity Map
Executive Summary from Sandow Engineering TIA
ODOT Letter dated February 28, 2017



STEWART MEADOWS VILLAGE PUD
 SHOWING NEW PROPERTY BEING ADDED

EXECUTIVE SUMMARY

This report describes the Traffic Impact Analysis for an addendum to the Stewart Meadows PUD in Medford, Oregon. The site is located west of Highway 99 (Riverside Ave) and is bounded by Highway 99 to the east, Stewart Avenue to the North, Garfield Street to the South and Myers Lane to the west.

Previously the Stewart Meadows PUD had been approved to allow up to 974 PM peak hour vehicle trips conditioned with off-site improvements. The Stewart Meadows PUD was recently modified to include the construction of a 67,000 sf medical office building at the north end of the site. Since the last addendum was approved, the site plan has been modified resulting in an intensification of development and an increase in PM Peak Hour trips to the site. Additionally, the addendum incorporates the portion of Anton Drive PUD that had not been developed previously.

The analysis evaluates the transportation impacts as per the City of Medford TIA criteria. The following findings and recommendations are based on the information and analysis contained within this report.

FINDINGS

The analysis concludes the following findings:

- The increase in PM peak hour trips from the site plan modification will not degrade any of the study intersections included in this report to below acceptable mobility standards.
- The increase in PM peak hour trips from the site plan modification will not substantially increase queuing conditions over the future year background conditions.
- The intersection of Garfield Street at Center Drive does not meet ODOT mobility standards for the PM peak hour. Intersection improvements have been approved for an adjacent property as part of their development approvals. With the proposed and approved improvements, the intersection of Garfield Street at Center Drive operates better than the background no-build conditions under both the 2017 and 2031 PM peak hour build scenarios. The report prepared for ODOT details the analysis and findings.
- Stewart Meadows Development can build a portion of the site that does not generate more than 935 of trips before the intersection of Garfield at Center Drive v/c is worsened over no-build conditions.



Oregon

Kate Brown, Governor

Oregon Department of Transportation
Region 3, District 8
100 Antelope Road
White City, OR 97503
(541) 774-6316
FAX (541) 774-6397

FILE CODE:

Date: February 28, 2017

File:

Address: Kelly Sandow PE
Sandow Engineering
160 Madison Street, Suite A
Eugene, OR 97402

Subject: Final Review Comments for Traffic Impact Analysis:
Stewart Meadows PUD Addendum Two Response to ODOT Comments

ODOT staff have reviewed the TIA and Response letter (dated 2/10/17) for Stewart Meadows PUD Addendum 2. In general, we concur with the conclusion stated in the TIA and the response letter. We have no further comments at this time.

Please contact me directly at 541-774-6316 if you have comments, questions, or require additional information regarding traffic engineering issues.

Sincerely,

Wei (Michael) Wang, P.E. & M.S.
Region 3 Development Review Traffic Engineer

From: **WANG Wei * Michael** Wei.WANG@odot.state.or.us
Subject: RE: Garfield/Center Drive Mitigation
Date: October 10, 2018 at 9:22 AM
To: **Jim Maize** jmaize3145@charter.net
Cc: **HUGHES Ronald H * Ron** Ronald.H.HUGHES@odot.state.or.us



Jim,

ODOT staff have reviewed the attached request letter. We agreed with the summary and conclusion listed in Stewart Meadow PUD Addendum 2 and the response letter. The original trip cap of 974 PM peak hour trips can be removed without additional improvement on state highway system.

Wei (Michael) Wang P.E. & M.S. | Development Review Traffic Engineer
The ODOT Region 3 / District 8 | 100 Antelope Rd. | White City, OR 97503
Phone: (541) 774.6316 | Fax: (541) 774.6349 | Email: Wei.Wang@odot.state.or.us

From: Jim Maize [<mailto:jmaize3145@charter.net>]
Sent: Monday, October 01, 2018 11:41 AM
To: WANG Wei * Michael
Subject: Garfield/Center Drive Mitigation

Hello Michael,

I represent KOGAP Enterprises, Inc., that is developing Stewart Meadows Village PUD. I have attached a letter that I am mailing to you today regarding recent improvements to the Garfield Street/Center Drive intersection. If you have any questions or need additional information, please let me know.

Thank you very much for your assistance.

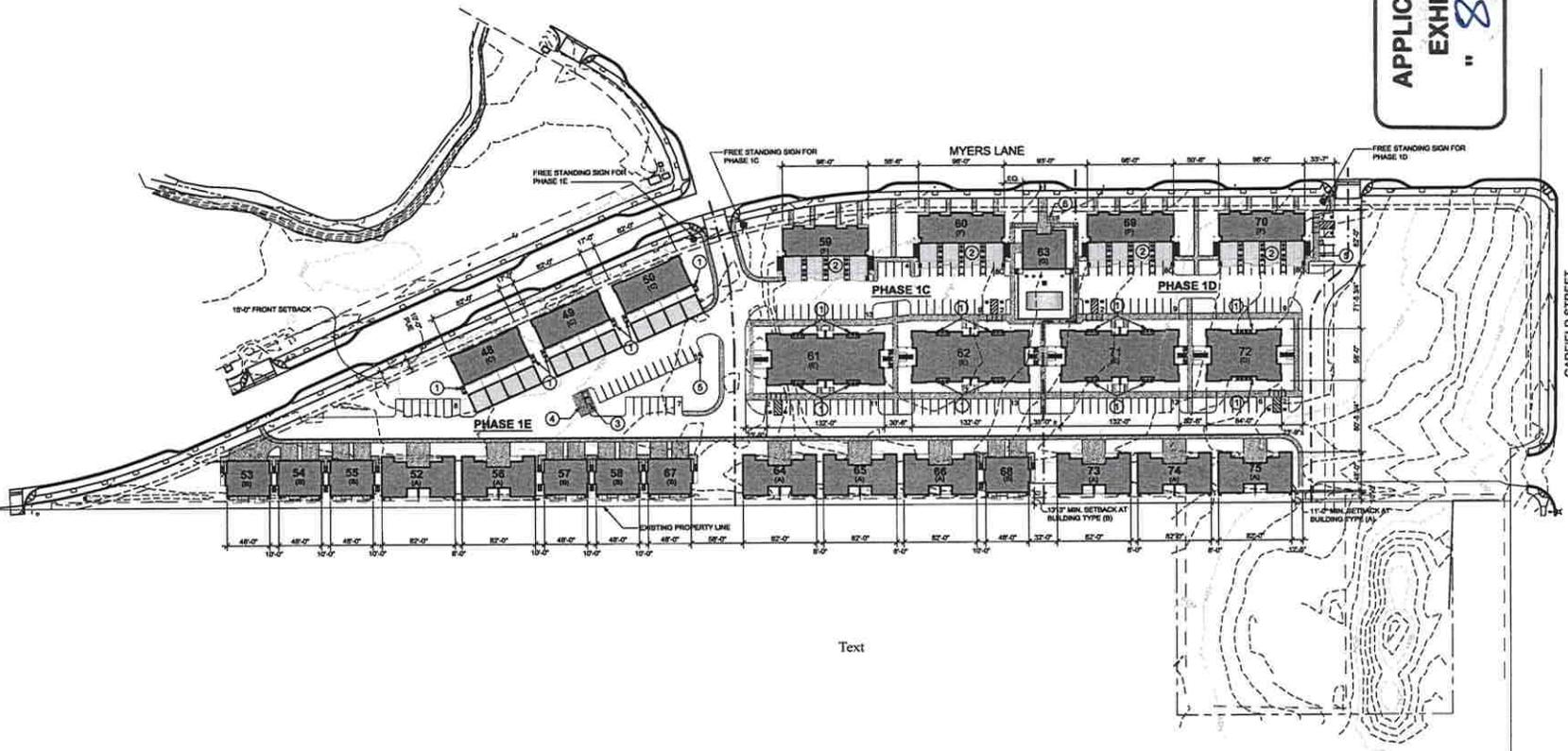
Jim Maize, agent for KOGAP Enterprises, Inc.
(541) 301-1466
MAIZE & ASSOCIATES, INC.

(541) 776-4142
(541) 776-4143 Fax

PO Box 628
Medford, OR 97501

jmaize3145@charter.net

This document is the final and design incorporated herein, as an instrument of professional service, in the property of Kistler+Small+White Architects. For any other project without the written authorization of Kistler+Small+White Architects.



APPLICANT'S
 EXHIBIT
 " 8 "

kistler+
 small
 +white
 ARCHITECTS
 68 WATER STREET
 SUITE 101
 ASHLAND, OR
 97139
 TEL: 541.488.8200

100% CD
 REGISTERED ARCHITECT
 KENNETH J. HOLEY
 310
 10000 NE
 OSAGE STREET
 SEASIDE, OREGON

STEWART MEADOWS VILLAGE
 KOGAP ENTERPRISES, INC.
 115 STEWART AVE # 202, MEDFORD, OR 97501

REVISIONS

SITE PLAN &
 ZONING
 SUMMARY

PROJECT: 17-022
 ISSUE DATE: 08-17-2017
 SHEET:

A0.1

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EXHIBIT # 8
 FILE # LDS-19-070

MEDFORD
 KOGAP ENTERPRISES, INC.

MEDFORD

- SITE PLAN NOTES**
- 1 30" HIGH HVAC EQUIPMENT SCREEN.
 - 2 HVAC EQUIPMENT IN GARAGE.
 - 3 TRASH AND RECYCLE ENCLOSURE.
 - 4 SPLIT FACE CURB WALLS WITH CHARCOAL CORRUGATED METAL SIDING AT GATES.
 - 5 FUTURE CAR CHARGING STATION. SEE ELECT.
 - 6 SHORT TERM BICYCLE PARKING. SEE BUILDING PLANS
 - 7 BICYCLE PARKING LOCATED IN GARAGE FOR BUILDING TYPE A, B & C.
 - 8 BICYCLE PARKING LOCATED INSIDE EACH UNIT FOR BUILDING TYPE D, E & F. (ON WALL MOUNTED BICYCLE RACK)

MULTI FAMILY PARKING

PARKING TYPE	# STALLS	REMARKS
STANDARD	118	
ACCESSIBLE	10	
COMPACT	24	(ONLY 7 IF COUNTY PER PARKING REQUIREMENTS)
CONVERTED	32	
TOTAL	179	

TOWNHOUSES PARKING

PARKING TYPE	# STALLS	REMARKS
GARAGE	88	
DRIVEWAY	44	
TOTAL	132	

BUILDING SCHEDULE

BLDG TYPE	# BLDGS	UNIT# BLDG	UNIT AREA (2 BED)	UNIT AREA (3 BED)	UNIT AREA (1 BED)	GARAGE AREA (STORAGE)	BUILDING AREA	BUILDING TYPE TOTAL AREA	REMARKS
A	8	2	1,524 S.F.	1,200 S.F.		312 S.F.	3,024 S.F.	24,182 S.F.	
B	7	2	1,420 S.F.			576 S.F.	4,200 S.F.	29,400 S.F.	
C	3	4	1,420 S.F.			440 S.F.	7,440 S.F.	22,320 S.F.	
D	1	8		1,080 S.F.				8,080 S.F.	
E	3	4		1,348 S.F.				13,800 S.F.	
F	4	4		1,370 S.F.		175 S.F.		14,178 S.F.	
TOTAL								181,824 S.F.	

Text

FINAL PUD PLAN FOR PHASES 1C, 1D AND 1E
 SHOWING FREE-STANDING SIGN LOCATIONS
 SCALE: 1" = 80'-0" (24 X 36)
 SCALE: 1" = 100'-0" (11 X 17)

1



PUBLIC WORKS DEPARTMENT STAFF REPORT

Stewart Meadows Village (Phases 1 – 6) 39- Lot Subdivision

Project: Consideration of tentative plat approval for Stewart Meadows Village – Phases 1-6, a proposed 39-lot subdivision on a 110-acre site.

Location: Bounded generally by Stewart Meadows to the north, Highway 99 to the east, Myers Lane to the west, and Garfield Avenue to the south; and an approximate 30-acre tract on the south side of Garfield. The site is zoned Community Commercial (C-C), General Industrial (I-G), Light Industrial (I-L), and SFR-10 (Single-Family residential, ten dwelling units per gross acre). (371W31A TL 2802, 2000, 2190, 2200, 2300, 4000, 3900; 371W31D TL 200, 1001, 2500, 1000, 2501, 2800, 900, 2900, 3000; 371W32C TL 5503, 5400).

Applicant: Applicant, KOGAP Enterprises, Inc.; Agent, Maize & Associates Inc.; Planner, Dustin Severs.

Applicability: The Medford Public Works Department’s conditions of Preliminary Plan Approval for Stewart Meadows Village Planned Unit Development (PUD) were adopted by Order of the Medford Planning Commission on November 29, 2007 (PUD-06-141) and received a minor revision on March 26, 2009 by the Planning Commission, to include two new tax lots into the development and reconfigured the internal public street system. A Final PUD Plan for the development and landscaping of the realigned Hansen Creek restoration work, running through the PUD was approved by the Planning Director in May 2012 (Phase 1A). In 2013 the Planning Commission approved a revision to allow for modifications to the public rights-of-ways within the project. In 2014, the Planning Director approved the Final PUD Plan for Phase 1 that included essentially all of the proposed development west of Hansen Creek, which also included the architectural and landscape guidelines for the project. On June 2nd, 2016 the Planning Commission approved a revision to the previously approved Preliminary PUD Plan for Stewart Meadows Village (PUD-16-037) to incorporate additional property into the PUD boundary. The Medford Site Plan and Architectural Commission approved plans (AC-16-044) for a 66,837 square foot Medical Office Building (AC-16-044) on 5.7 acres located in Stewart Meadows Village PUD on July 1st, 2016. Then on April 13th, 2017 the Planning Commission approved a revision to the approved Preliminary PUD Plan for Stewart Meadows Village Planned Unit Development, including the addition of property, located on a resulting approximate 121-acres. **The adopted conditions by each of these actions shall remain in full force as originally adopted except as previously amended and/or added to below.**

The following items shall be completed and accepted prior to the respective events under which they are listed:

- Approval of Final Plat:
Right-of-way, construction and/or assurance of the public improvements in accordance with Medford Land Development Code (MLDC), Section 10.666 & 10.667 (Items A, B & C)
- Issuance of first building permit for residential construction:
Construction of public improvements (Items A through E)
- Issuance of Certificates of Occupancy for individual units:
Sidewalks (Items A2)

A. STREETS

1. Dedications

Garfield Street is classified as a Major Arterial street, and in accordance with Medford Land Development Code (MLDC) Section 10.428, requires a total right-of-way width of 100-feet. **No additional right-of-way is required.**

Stewart Avenue is classified as a Major Arterial street, and in accordance with MLDC Section 10.428, requires a total right-of-way width of 100-feet. **No additional right-of-way is required.**

Anton Drive (*from Garfield Street south approx. 1,150 feet, within Phase 5-6*) is classified as a Commercial street, and in accordance with MLDC Section 10.429, it requires a total right-of-way width of 63-feet. **No additional right-of-way is required.**

Anton Drive (*from Garfield Street north to the connection with Myers Lane, within Phase 1-4*) is classified as a Commercial Street within the MLDC, Section 10.429. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the full width of right-of-way, which is 63-feet.

Myers Lane (*from Stewart Avenue south to Garfield Street, within Phase 1*) is classified as a Commercial Street within the MLDC, Section 10.429. **No additional right-of-way is required.**

Myers Lane (*from Anton Drive west to the project boundary, within Phase 5-6*) is classified as a Commercial Street within the MLDC, Section 10.429. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the full width of right-of-way, which is 63-feet.

Bower Drive (south from right-of-way dedication #2016-037519 to intersection with Anton Drive, within Phase 2) is classified as a Commercial Street within the MLDC, Section 10.429. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the full width of right-of-way, which is 63-feet.

South Pacific Highway (Highway 99) is under the jurisdiction of the Oregon Department of Transportation (ODOT). The Developer shall contact ODOT to see if additional right-of-way is required.

Corner radii shall be provided at the right-of-way lines of all intersecting streets per MLDC 10.445.

Streets, as shown on the Tentative Plat, in which any portion terminates to a boundary line of the Development shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee simple, 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).

Public Utility Easements (PUE), 10-feet in width, shall be dedicated along the street frontage of all the Lots within this development (MLDC 10.471).

The right-of-way and easement dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the right-of-way and easement dedication, including an exhibit map; 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

Garfield Street – All street section improvements have been completed in close conformance with current standards (P1213D), including pavement, curb and gutter, street lights, and sidewalks. Public improvements are required as noted below under Section A(2)(f), Transportation System and as identified on P1813D and P1857D. The improvements for Phase 1, 2, 3 & 4 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first for any respective phase.

Stewart Avenue – All street section improvements have been completed in close conformance with current standards (P985D & P1813D), including pavement, curb and gutter, street lights, and sidewalks. **No additional public improvements are required.**

Anton Drive (*from Garfield Street south approx. 1,150 feet, within Phase 5-6*) – All street section improvements have been completed in close conformance with current standards (P1251D), including pavement, curb and gutter, street lights, and sidewalks. **No additional public improvements are required.**

Anton Drive (*from Garfield Street north to the connection with Myers Lane, within Phase 1-4*) shall be constructed to Commercial street standards, in accordance with Medford Land Development Code (MLDC) 10.429. Street section improvements for Phase 1 (refer to Public Improvement Plans P1813D), including pavement, curb and gutter and sidewalk are near completion. Street section improvements for Phase 2, 3 & 4 (refer to Public Improvement Plans P1857D) are in the early stages of construction. **The improvements for Phase 1, 2, 3 & 4 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first for any respective phase.**

Myers Lane (*from Stewart Avenue south to Garfield Street, within Phase 1*) is classified as a Commercial Street within the MLDC, Section 10.429. Street section improvements near completion (refer to Public Improvement Plans P1813D), including pavement, curb and gutter and sidewalk. **The improvements for Phase 1 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first.**

Myers Lane (*from Anton Drive west to the project boundary, within Phase 5-6*) is classified as a Commercial Street within the MLDC, Section 10.429. **The improvements for Phase 5-6 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first for any respective phase.**

Bower Drive is classified as a Commercial Street within the MLDC, Section 10.429. Street section improvements for Phase 1 (refer to Public Improvement Plans P1813D), including pavement, curb and gutter and sidewalk are near completion. Street section improvements for Phase 2 (refer to Public Improvement Plans P1857D) are in the early stages of construction. **The improvements for Phase 1 & 2 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first.**

Highway 99 is under the jurisdiction of the ODOT. The Developer shall contact ODOT to see if any additional improvements are required.

b. Street Lights and Signing

The Developer shall provide and install in compliance with Section 10.495 of the Medford Municipal Code (MMC).

Any modifications to the already approved Lighting Plan Set will require resubmittal of new plans for review and approval. The Applicant shall consult with ODOT for lighting requirements along Highway 99.

Based on the preliminary plan submitted, the following number of street lights and signage will be required for the improvements to Myers Lane from Anton Drive west to the project boundary, within Phase 5-6:

Street Lighting – Developer Provided & Installed:

- A. 2 – Type R-150 LED

Traffic Signs and Devices – City Installed, paid by the Developer:

- A. 1 – Street Name Signs

Numbers are subject to change if changes are made to the plans. All street lights shall be installed per City standards and be shown on the public improvement plans. Public Works will provide preliminary street light locations upon request. All street lights shall be operating and turned on at the time of the final “walk through” inspection by the Public Works Department.

The Developer shall pay for City installed signage required by the development. City installed signs include, but are not limited to, street name signs, stop signs, speed signs, school signs, dead end signs, and dead end barricades. Sign design and placement shall be per the Manual on Uniform Traffic Control Devices (MUTCD). All signs shall be shown on the public improvement plans and labeled as City installed.

The Developer shall be responsible for the preservation and re-installation of all signs removed during demolition and site preparation work. The Developer’s contractor shall coordinate with the City of Medford Public Works, Maintenance and Operations Division to remove any existing signs and place new signs provided by Medford Public Works Department.

c. Pavement Moratoriums

There are pavement cutting moratoriums currently in effect along:

- Stewart Avenue, which is set to expire July 31st, 2023,
- Myers Lane, which is set to expire October 11th, 2020,

- Garfield Street, which is set to expire July 30th, 2020,
- Bower Drive, which is set to expire October 11th, 2020,
- Anton Drive, which is set to expire October 11th, 2020

The Applicant shall contact ODOT regarding any street cutting moratoriums along Highway 99.

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.

d. Soils Report

The Developer's Engineer shall obtain a soils report to determine if there is shrink-swell potential in the underlying soils in this development. If they are present, they shall be accounted for in the roadway and sidewalk design within this Development. The soils report shall be completed by a licensed Geotechnical Engineer in the state of Oregon.

e. Access and Circulation

Driveway access and circulation to and through the proposed development shall comply with MLDC 10.550 and 10.426. In accordance with MLDC 10.426, the applicant shall extend the portion of Myers Lane that is south of Garfield Street to Anton Drive as a public street.

There shall be no additional driveway access directly onto Garfield Street or Stewart Avenue from this development.

f. Transportation System

The Developer shall be solely responsible for traffic signal loop detection and any other signal modifications required to make Anton Drive a four-way intersection.

Mitigation, consisting of the signalization, of the intersection of Myers Lane and Garfield Street will be required when trips from the site exceed 940 PM peak hour trips, if the connection of Anton Drive to the internal circulation roads is not made. If all the internal

circulation roads are constructed and connected to Anton Drive at Garfield Street, no mitigation will be required.

The Traffic Section requests the following modifications be implemented and/or addressed:

- The existing driveway on the north side of Garfield Street, east of Anton Drive, which is not being used in the revised site plan, shall be removed and replaced with continuous curb, gutter, and sidewalk.
- The existing concrete median in Garfield Street shall be extended to the west so it ends at least 50-feet, preferably 100-feet, from the western curb line of the driveway approach shown on the south side of Garfield Street. The 100-foot criteria shall be used unless the queueing and blocking report in the final TIA shows that this would conflict with westbound left turn queues to Anton Drive.
- The driveways to the grocery store and residential parking lots along Meyers Lane have been offset in the revised site plan. These driveways should be directly opposite each other to increase vehicle and pedestrian safety.

g. Easements

All public sanitary sewer or storm drain mains shall be located in paved public streets or within easements. A 12-foot wide paved access shall be provided to any public manholes or other structures which are not constructed within the street section, in these locations the paved access shall be located within a 15-foot easement.

Easements shall be shown on the final plat and the public improvement plans for all sanitary sewer and storm drain mains or laterals which cross lots, including any common area, other than those being served by said lateral. The City requires that easement(s) do not run down the middle of two tax lot lines, but rather are fully contained within one tax lot.

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

(1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or

(2) a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking.

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, emergency services and pedestrians. Further, these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and storm drains to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

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

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

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

Local street right-of-way dedication and construction requirements identified by the Public Works Department and required by the City are the minimum required to protect the public interest and are necessary for additional or densification of development in the City without detracting from the common good enjoyed by existing properties. Developments are required to provide all internal local streets and half-street improvements to abutting streets, including associated right-of-way dedications, to ensure that new development and density intensification provides the current level of urban services and adequate street circulation is maintained.

Dedication of the Public Utility Easements (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served.

The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

This site lies within the Rogue Valley Sewer Service (RVSS) area. Contact RVSS for sanitary sewer connections.

C. STORM DRAINAGE

1. Hydrology

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

2. Stormwater Detention and Water Quality Treatment

This 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 per MLDC, Section 10.481. For developments over five acres, Section 10.486 requires that the development set a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

Each phase will be required to have its own stormwater detention and water quality treatment. If the Developer desires to do so, a Stormdrain Masterplan may be submitted in lieu of requiring each phase to have separate stormwater detention and water quality treatment. The Stormdrain Masterplan shall be submitted and reviewed with each phase's construction plans and shall be constructed with any phase to be served by the facility.

Upon completion of the project, the Developer's design engineer shall provide written verification to the Engineering Division that construction of the water quality and detention facilities were constructed per plan. This letter shall be received by the City of Medford

Public Works Engineering Department prior to acceptance of the subdivision.

The City is responsible for operational maintenance of the public detention facility. Irrigation and maintenance of landscape components shall be the responsibility of the Developer or a Home Owners Association (HOA). The Developers engineer shall provide an operations and maintenance manual for the facility that addresses responsibility for landscape maintenance prior to subdivision acceptance. Regarding water quality maintenance, the Rogue Valley Stormwater Quality Design Manual states: "Vegetation shall be irrigated and mulched as needed to maintain healthy plants with a density that prevents soil erosion."

3. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision will be submitted with the public improvement plans for approval. 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

The Developer shall show all existing and proposed Storm Drain mains, channels, culverts, outfalls and easements on the Conceptual Grading and Drainage Plan and the final Construction Plans.

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

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

5. Erosion Control

Subdivisions 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.

6. Easements

Developer shall provide the following easements:

- A Creek easement to be a minimum of 20-feet from centerline of the Creek.

D. SURVEY MONUMENTATION

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

There are several existing easements on the subject properties that may need to be addressed during the creation of new public right-of-way.

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 professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. 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 governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

3. Phasing

The Tentative Plat shows that this subdivision will be developed in phases. Any public improvements needed to serve a particular phase shall be improved at the time each corresponding phase is being developed. Public improvements not necessarily included within the geometric boundaries of any given phase, but are needed to serve that phase shall be constructed at the same time. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase.

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 for vertical construction 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 PUE, 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 (SDCs)

Buildings in this development are subject to SDC fees. 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.

7. Construction and Inspection

Contractors proposing to do work on public streets (including street lights), 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 from the County.

For City of Medford facilities, the 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.

Where applicable, 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: Jodi K Cope
Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Stewart Meadows Village (Phases 1 – 6) 39- Lot Subdivision

LDS-19-070

A. Streets

1. Street Dedications to the Public:

- Stewart Avenue, Garfield Street and Myers Lane (Ph.1-4) – No dedications are required for this development.
- Myers Lane (Ph.5-6) – Dedicate full width right-of-way (63').
- Anton Drive (south of Garfield Street) – No dedications are required for this development.
- Anton Drive (from Garfield Street north to the connection with Myers Lane) – Dedicate full width right-of-way (63').
- Bower Drive (south from right-of-way dedication #2016-037519 to intersection with Anton Drive) – Dedicate full width right-of-way (63').
- Highway 99 – Contact Oregon Department of Transportation (ODOT).
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- Stewart Avenue, Garfield Street and Myers Lane (Ph.1-4) improvements have been nearly completed.
- Construct Myers Lane (Ph.5-6) full width.
- Myers Lane, Anton Drive and Bower Drive (Ph. 1) – Complete improvements.
- Anton Drive (south of Garfield Street) – No additional improvements required.
- Construct Anton Drive (from Garfield Street north to the connection with Myers Lane), full width.
- Construct Bower Drive (south from completed improvements P1813D to intersection with Anton Drive), full width.
- Highway 99 – Contact Oregon Department of Transportation (ODOT).

Lighting and Signing

- Developer supplies and installs all street lights at own expense.
- City installs traffic signs and devices at Developer's expense.
- Any modifications to the already approved Lighting Plan Set will require resubmittal of new plans for review and approval.
- The Applicant shall consult with ODOT for lighting requirements along Highway 99.

Access and Circulation

- In accordance with MLDC 10.426, the applicant shall extend the portion (Ph. 5-6) of Myers Lane that is south of Garfield Street to Anton Drive as a public street.
- There shall be no additional driveway access directly onto Garfield Street or Stewart Avenue from this development.

Transportation System

- Comply with Transportation System requirements outlined above.

Other

- Pavement moratorium currently in effect along this developments respective frontages to Stewart Avenue, Garfield Street Bower Drive, Myers Lane and Anton Drive.
- No pavement moratorium currently in effect along Anton Drive (south of Garfield Street).
- Provide pavement moratorium letters.
 - Provide soils report.

B. Sanitary Sewer:

- Provide a private lateral to each lot.
- Provide easements as necessary.

C. Storm Drainage:

- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Provide Engineers verification of stormwater facility construction.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide Erosion Control Permit from DEQ.
- Provide a creek easement.

D. Survey Monumentation

- Provide all survey monumentation.
- Address any issues with existing easement during the creation of new public right-of-way.

E. General Conditions

- Provide public improvement plans and drafts of the final plat.
 - = City Code Requirement
 - = Discretionary recommendations/comments

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.



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDS-19-070

PARCEL ID: 371W31A TL 2802, 2000, 2190, 2200, 2300, 4000, 3900; 371W31D TL 200, 1001, 2500, 1000, 2501, 2800, 900, 2900, 3000; 371W32C TL 5503, 5400

PROJECT: Consideration of tentative plat approval for Stewart Meadows Village – Phases 1-6, a proposed 39-lot subdivision on a 110-acre site bounded generally by Stewart Meadows to the north, Highway 99 to the east, Myers Lane to the west, and Garfield Avenue to the south; and an approximate 30-acre tract on the south side of Garfield. The site is zoned Community Commercial (C-C), General Industrial (I-G), Light Industrial (I-L), and SFR-10 (Single-Family residential, ten dwelling units per gross acre). (371W31A TL 2802, 2000, 2190, 2200, 2300, 4000, 3900; 371W31D TL 200, 1001, 2500, 1000, 2501, 2800, 900, 2900, 3000; 371W32C TL 5503, 5400); Applicant, KOGAP Enterprises, Inc.; Agent, Maize & Associates Inc.; Planner, Dustin Severs.

DATE: August 28, 2019

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
1. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
2. Coordinate with Medford Fire Department for fire hydrant locations prior to meeting with MWC Engineering staff for pre-design meeting.
3. A pre-design meeting between the applicants Civil Engineer and MWC Engineering staff is required prior to initial site design process begins.
4. Dedication of a 10-foot wide access and maintenance easements to MWC over all water facilities located outside of public right-of-way is required. Easements are to be submitted to MWC for review and recordation prior to construction.
5. Installation of MWC approved backflow device is required for all commercial, industrial, municipal, and multi-family developments.

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Continued from Previous Page

6. All proposed streets will require the installation of new 12-inch water lines. All water lines are required to be installed in a paved section of the street or parking lot travel lanes. Water lines are not allowed to be installed through landscape islands, or under curbs, gutters, sidewalks or driveways.
7. The existing 35' to 60' easement over the existing 24-inch transmission lines is required to be shown on the proposed site plan. This 24" transmission line is a critical water facility and shall be protected at all times during construction. No vertical construction is allowed within this easement.

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is required. (See above Conditions)
3. MWC-metered water service does exist to this property (Listed below):
 - a. A 1-inch water meter is located on the west side of Myers Lane that serves the existing home at 1626 Meyers Lane.
 - b. A ¾-inch water meter for the Stewart Meadows Golf Course is adjacent to the meter at 1626 Meyers Lane.
 - c. A ¾-inch meter that serves the Stewart Meadows Golf Course is located along Meyers Lane just north of the existing Anton Drive intersection.
 - d. A 2-inch water meter is located at the old Medford Irrigation District building along Meyers Lane.
 - e. A 1-inch water meter that serves the Stewart Meadows Golf Course is located along Meyers Lane at the northeast corner of the golf course.
4. Access to MWC water lines is available
 - a. A 12-inch water line is located in Meyers Lane between Stewart Avenue and Garfield Street.
 - b. A 12-inch water line is located in Anton Drive
 - c. A 12inch water line is located in the "improved" portion of Bower Drive.
5. A 24" transmission line is located in Garfield Street and through a portion of private property north of Garfield Street with in 35'-60' recorded easement per OR 530-1. A 10" water line is located on Anton Drive.



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 8/28/2019

Meeting Date: 8/28/2019

LD File #: LDS19070

Planner: Dustin Severs

Applicant: KOGAP Enterprises, Inc.

Project Location: 110-acre site bounded generally by Stewart Meadows to the north, Highway 99 to the east, Myers Lane to the west, and Garfield Avenue to the south; and an approximate 30-acre tract on the south side of Garfield.

ProjectDescription: Consideration of tentative plat approval for Stewart Meadows Village – Phases 1-6, a proposed 39-lot subdivision on a 110-acre site bounded generally by Stewart Meadows to the north, Highway 99 to the east, Myers Lane to the west, and Garfield Avenue to the south; and an approximate 30-acre tract on the south side of Garfield. The site is zoned Community Commercial (C-C), General Industrial (I-G), Light Industrial (I-L), and SFR-10 (Single-Family residential, ten dwelling units per gross acre). (371W31A TL 2802, 2000, 2190, 2200, 2300, 4000, 3900; 371W31D TL 200, 1001, 2500, 1000, 2501, 2800, 900, 2900, 3000; 371W32C TL 5503, 5400);

Specific Development Requirements for Access & Water Supply

Reference	Comments	<u>Conditions</u> Description
OFC 508.5	Fire hydrants shall be located along Anton Drive and Bower Drive at maximum on-center spacing of 300 feet. Additional internal fire hydrants may be required to meet spacing and distance to building requirements.	<p>Fire hydrants with reflectors will be required for this project.</p> <p>The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.</p> <p>Plans and specifications for fire hydrant system shall be submitted to Medford Fire-Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).</p>
OFC 508.5.1	Internal fire hydrant requirements.	<p>Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m). 2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m). <p>The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.</p> <p>Plans and specifications for fire hydrant system shall be submitted to Medford Fire Department for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).</p>

CITY OF MEDFORD
 EXHIBIT # M
 FILE # LDS-19-070

OFC 903.3.7 Fire department connection distance/location to fire hydrant requirements. Additional hydrants may be required to comply with the requirement of proximity to fire department connections (for fire sprinkler and standpipe systems, the fire department connection shall be located at an approved location away from the building and within 75' of a fire hydrant. The fire department connection shall be located on the same side as the fire department access route.).

OFC 503.1.1 Fire department access road location to building requirements. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 (See Appendix D).

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to modify Sections 503.1 and 503.2 where any of the following applies:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies (OFC 503.1.1).

OFC D105 Aerial apparatus access road requirements.

SECTION D105-AERIAL FIRE APPARATUS ACCESS ROADS

D105.1 Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards.

Medford Fire-Rescue, 200 S Ivy St. Rm 180, Medford OR 97501 541-774-2300

www.medfordfirerescue.org

MEDFORD PARKS & RECREATION FACILITIES MANAGEMENT

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TO: Dustin Severs - Planning Department
FROM: Haley Cox – Parks Planner
SUBJECT: Stewart Meadows Village
DATE: August 28, 2019

The Parks Department has reviewed the application for tentative plat of Stewart Meadows Village Subdivision and has the following comments:

1. The Leisure Services Plan does indicate a shared-use pathway along Crooked Creek. The Applicant is encouraged to coordinate these improvements with Parks Department staff.
2. The Parks Department can advise the applicant on tree species selection and irrigation specifications for ROW planter strips along higher order streets. More information can be found on the City's website: Information for Architects, Approved Street Tree List, and City Tree Planting Detail.



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CITY OF MEDFORD
EXHIBIT # N
FILE # LDS-19-070





ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

August 20, 2019

City of Medford Planning Department
200 S. Ivy Street
Medford, Oregon 97501

Re: LDS-19-070, Stewart Meadows Village (Map 371W31A, Tax Lots 2802, 2000, 2190, 2200, 2300, 4000, 3900; 371W31D, Tax Lots 200, 1001, 2500, 1000, 2501, 2800, 900, 2900, 3000; 371W32C TL 5503, 5400)
Ref: PUD-16-037, ZC-16-066, AC-17-066

ATTN: Dustin,

There is a public 18 inch sewer main flowing west to east across the development and various 10 & 8 inch sewer mains which have been accepted by RVSS or are currently under construction. Adequate sewer capacity exists to serve the proposed development.

Rogue Valley Sewer Services requests that approval of the proposed development and all phases be subject to the following conditions:

1. All sanitary sewer facilities must be designed and constructed per RVSS standards.
2. Sewer construction plans for all proposed sewer mains within the development, for each phase, must be submitted to RVSS for review approval.
3. All sewer mains proposed for each phase must be completely constructed and accepted by RVSS prior to the issuance of building permits. Partially constructed sewer systems within a single phase will not be accepted by RVSS.
4. All sewer mains downstream of newly constructed sewer facilities must be accepted by RVSS prior to the issuance of building permits.
5. Sewer mains located on private property will require easements and continuous access to all manholes and cleanouts per RVSS standards.

Feel free to call me if you have any questions regarding this project.

Sincerely,

Nicholas R. Bakke, P.E.
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNGLAND SUB\2019\LDS-19-070_STEWART MEADOWS VILLAGE.DOC

CITY OF MEDFORD
EXHIBIT # 6
FILE # LDS-19-070

**SUPPLEMENTAL
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

**IN THE MATTER OF ADDRESSING RECOMMENDED CONDITIONS FOR A
TENTATIVE PLAT APPLICATION FOR STEWART MEADOWS VILLAGE
SUBDIVISION**

**BEFORE THE CITY OF MEDFORD
PLANNING COMMISSION**

**APPLICANT'S
EXHIBIT S-1**

SUBJECT: Public Works Department conditions to dedicate and improve an extension of Myers Lane, south of Garfield Street, from its eastern terminus to Anton Drive

**APPLICANT/
OWNER** KOGAP Enterprises, Inc.
115 W. Stewart Avenue, Ste. 202
Medford, OR 97501

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

The subject Tentative Plat application proposes to subdivide the Stewart Meadows Village PUD property into 39 individual lots including three tracts for the Hansen Creek open space.

In their review of the Tentative Plat application (LDS-19-070), the Medford Public Works Department issued a Public Works Department Staff Report dated August 28, 2019 (Exhibit "S-2") that included two conditions regarding the extension of Myers Lane, south of Garfield Street to connect with Anton Drive. First, is the condition to dedicate a 63-foot wide by approximately 350-foot long, public street in the approximate location as shown on Exhibit "3". Secondly, is the condition to improve that public street to Commercial Street standards. The approximate location of that street connection is shown in Exhibit "S-3". The text of those conditions follows below.

- *Myers Lane (from Anton Drive west to the project boundary, within Phase 5-6) is classified as a Commercial Street within the MLDC, Section 10.429. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the full width of right-of-way, which is 63-feet. (pg. 2)*
- *Myers Lane (from Anton Drive west to the project boundary, within Phase 5-6) is classified as a Commercial Street within the MLDC, Section 10.429. **The improvements for Phase 5-6 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first for any respective phase.** (pg. 4 – emphasis as per Public Works Department Staff Report)*

**CITY OF MEDFORD
EXHIBIT # P
FILE # LDS-19-070**

The applicant provides findings below, which address and discuss the validity of the conditions, and to also discuss a provision in the Land Development Code that allows the Planning Commission to exempt the two conditions.

The applicant strongly objects to the imposition of the two conditions on four separate points. The first and second objections are that the code language used by the City as the basis for the conditions, does not apply to this application. The third objection is that the tentative plat application for the subdivision of a PUD that has already received a Preliminary PUD Plan approval from the Planning Commission, is not the appropriate application to recommend conditions for a public right-of-way dedication and street improvement. The fourth objection is that the proposed exactions are in violation of Section 10.668 of the Medford Land Development Code, and the Fifth Amendment to the United States Constitution. All objections are discussed below.

A. APPLICANT'S SUBMITTALS FOR THE SUPPLEMENTAL FINDINGS

- Exhibit S-1 Supplemental Findings of Fact and Conclusions of Law
- Exhibit S-2 Public Works Department Staff Report, dated August 28, 2019 (portion)
- Exhibit S-3 Map showing the approximate area of the subject Myers Lane extension
- Exhibit S-4 Email from Karl MacNair, Transportation Manager, dated Nov. 19, 2019
- Exhibit S-5 Stewart Meadows Village Preliminary PUD Plan –current 2017 approval
- Exhibit S-6 Photographs of the Hansen Creek Section
- Exhibit S-7 Letter from Sandow Engineering dated January 16, 2020
- Exhibit S-8 Applicant's Estimate of Street Costs
- Exhibit S-9 Letter from Karl MacNair, Transportation Manager, dated November 25, 2019

B. CODE BASIS FOR PROPOSED CONDITIONS AND PROPOSED EXEMPTIONS

The Public Works Department's Staff Report, dated August 28, 2019 (Exhibit "S-2"), contains the recommended conditions for the street extension. The street dedication and improvement as a Commercial Street right-of-way, would extend southwest from Anton Drive in the vicinity of the approximate property line between Lots 36 and 37, to the Stewart Meadows Village PUD boundary, requiring a street crossing of Hansen Creek to connect with an unimproved section of Myers Lane lying outside of Medford's city limits. (Exhibit "S-3). The Staff Report does not contain a code citation for the basis of their conditions.

Subsequent to the issuance of that Staff Report, the Public Works Department summarized its basis for the conditions in an email sent from Karl MacNair, Medford Transportation Manager, dated November 19, 2019 (Exhibit "S-4"), following a meeting with applicant's representatives and Public Works and City Attorney staff. Mr. MacNair stated that Medford Land Development Code Section 10.426(B)(2) is the most applicable part of the code. That section states that "*Proposed streets, alleys and*

accessways shall connect to other streets within a development and to existing and planned streets outside the development, when not precluded by factors in Section 10.426 C.2.”

Mr. MacNair also states that the application does not comply with provisions found in MLDC Section 10.426(C), which states that block length for Commercial and Industrial zones shall not exceed 720 feet and 940 feet respectively.

FINDINGS OF FACT

The Planning Commission has considered the following relevant facts that are fundamental in making their decision regarding the objections to the two subject conditions.

C. OBJECTION NO. 1 – STREET CONNECTION [Section 10.426(B)(2)]

Medford Land Development Code (MLDC) Section 10.426(B)(2) states that, *“Proposed streets, alleys and accessways shall connect to other streets within a development and to existing and planned streets outside the development, when not precluded by factors in Section 10.426 C.2 below.”* (emphasis added)

The Public Works Department uses this code section as one basis for their street dedication and improvement condition.

It is important to recognize that the subject Tentative Plat application does not propose any streets, alleys, or accessways. All streets within the Stewart Meadows Village PUD have already been approved in their existing configurations and locations with the 2017 Preliminary PUD Plan approval (see Exhibit “S-5”). The Public Works Department in its recommended exactions, is proposing the street, not the applicant. Since the applicant is not proposing any streets, alleys, or accessways, MLDC Section 10.426(B)(2) does not apply to this application and there is no code basis for requiring the exaction. Furthermore, as discussed further below, even if MLDC Section 10.426(B)(2) applied, it only applies “when not precluded by factors in Section 10.426(C)(2).” The presence of a creek precludes its application.

D. OBJECTION NO. 2 – BLOCK LENGTH [(Section 10.426(C)(1)]

MLDC Section 10.426(C)(1) states that *“Block lengths and block perimeter lengths shall not exceed the following dimensions as measured from centerline to centerline of through intersecting streets, except as provided in Subsections 10.426 C.2.”*

MAXIMUM BLOCK LENGTH AND PERIMETER LENGTH		
Table 10.426-1		
Zone or District	Block Length	Block Perimeter Length
d. Community Commercial Zones	720'	2,880'
e. Industrial Zones	940'	3,760'

Again, all streets within the Stewart Meadows Village PUD have already been approved in their existing configurations and locations with the 2017 Preliminary PUD Plan approval. KOGAP Enterprises, in this subdivision application does not propose any changes to the existing block layout at all. Therefore, the Planning Commission can find that MLDC Section 10.426(C)(1) does not apply to this application.

E. PROVISION FOR EXEMPTION TO BLOCK LENGTH

MLDC Section 10.426(C)(2), *“The approving authority may find that proposed blocks that exceed the maximum block and/or perimeter standards are acceptable when it is demonstrated by the findings that one or more of the constraints, conditions or uses listed below exists on, or adjacent to the site: (emphasis added)*

- a. *Topographical constraints, including presence of slopes of 10% or more located with the boundary of a block area that would be required by subsection 10.426 C.1.,*
 - b. *Environmental constraints including the presence of a wetland or other body of water,*
- ...

Again, it is important to emphasize that the applicant is not proposing any changes to the street system, nor is it proposing any changes to the block configurations.

Irrespective of the relevancy of the application of the Code requirement for maximum block length, the applicant however, addresses below the environmental constraints that exist in this situation, allowing the Planning Commission to find that the existing block and perimeters are acceptable, as allowed by Section 10.426(C)(2) above.

As shown on Exhibit “S-3”, Hansen Creek runs north along the western boundary of Lots 36 and 37, passes under Garfield Street and then courses through the Stewart Meadows Village PUD, before entering a culvert near the northeast portion of the PUD.

Hansen Creek, a body of water with riparian surroundings, as shown on Exhibit “S-6”, creates an environmental constraint that would need to be partially eliminated in order to complete the street connection. In addition to the presence of the creek as an environmental constraint, the area is also a wetland, which the Code defines as an area inundated or saturated by surface or ground water sufficient to and does support a prevalence of vegetation typically adapted for life in saturated soil conditions. According to the US Agriculture’s *Soil Survey of Jackson County Area, Oregon*, Hansen Creek is located in an area with soils classified as the Padigan Series (139A), described as “very deep, poorly drained soils in basins,” where the characteristic vegetation is comprised of Rush, Sedge, Mannagrass, Cattail, Willow and Timothy. The survey finds the Padigan soils as severe for local roads and streets because of its low strength, ponding and shrink-swell. Although an official wetland determination

was not performed, the photographs in Exhibit “S-6” show the environmental nature of the Hansen Creek channel.

Based upon Mr. MacNair’s block length measurement, the existing Anton Drive length exceeds the code standard by only approximately 25 percent.

CONCLUSIONS OF LAW

Based upon the Supplemental Findings of Fact, (Exhibit “S-1”) and the original Findings of Fact (Exhibit “2”), together with their attached exhibits, the Planning Commission concludes that Medford Land Development Code Section 10.426(B)(2) does not apply to this application as no streets are being proposed with this application.

The Planning Commission also concludes that MLDC Section 10.462(C)(2) does not apply to this application as no blocks are being proposed.

In the alternative, however, the Planning Commission concludes that MLDC Section 10.426(C)(2) with regard to street connections is inapplicable due to the preclusive effect of Hansen Creek and its associated wetland area. Similarly, the environmental constraints of Hansen Creek and its environs permit exceeding the maximum block length standards under MLDC Section 10.426(C)(2)(a).

F. OBJECTION NO. 3 – IMPROPER APPLICATION TO APPLY CONDITIONS

The applicant provides findings below to show that this Tentative Plat application to subdivide an existing and approved PUD, is an improper application to apply a condition requiring a new street both be dedicated and constructed.

FINDINGS OF FACT

The Planning Commission has considered the following relevant facts that are fundamental in making their decision regarding the objection to the two subject conditions.

Medford’s Planned Unit Development (PUD) ordinance provides a unique option for development. MLDC Section 10.190 states that the PUD approach allows for an amount of flexibility that is not otherwise possible. For instance, modifications to Code provisions can be adopted by the Planning Commission in their approval of the required Preliminary PUD Plan. Those modifications can include adjustments to the MLDC standards as: lot sizes, building setbacks, lot access, landscaping, signage, creation of private streets, street design standards, permitted uses, housing types, allowance for a certain amount of non-permitted uses, and the ability to mix or relocate General Land Use Plan designations with the PUD (MLDC Section 10.192(B) (1-8)).

The structure of the Medford's PUD approval process is somewhat unique from other land use processes. The first part of the two-step PUD approval process is the Preliminary PUD Plan review and approval. The Preliminary PUD Plan serves as a master plan for the development. Once the Final PUD Plan, the second step of the PUD approval, has been approved by the Planning Director as a Type I land use action, the development plan then becomes permanent. MLDC Section 10.190(H) states that "*A PUD Plan approval shall run with the land and shall be binding upon all successors in interest in all land within the whole PUD.*"

Once the Preliminary PUD Plan has been approved by the Planning Commission, a special zoning overlay district (P-D) is placed over the PUD and is so reflected on the City's official Zoning Map.

MLDC Section 10.192(F) requires that "*All buildings and construction plans submitted to the City for the purpose of obtaining building and other site improvement permits shall be consistent with the approved Final PUD Plan. The development and operation of the PUD shall conform in all respects with the approved Final PUD Plans.*" This section illustrates the rigidity of the PUD approval. It creates a plan that is form and allows the developer to move ahead with their decision-making, assured with the understanding that the PUD Plan will be adhered to.

MLDC Section 10.198(A) provides provisions for the revisions or expansions to an approved PUD that require the applicant to follow the same procedures required for the initial approval of a Preliminary PUD Plan, which entail the approval by the Planning Commission as a Type III land use action with a public hearing. The Planning Director may approve certain slight and inconsequential changes to an approved Preliminary or Final PUD Plan, as a de minimis revision as per Section 10.198(A)(4).

Previous Approval Information

The majority of the area of the proposed Tentative Plat application was the former site of the KOGAP Manufacturing timber products company, which ceased its lumber operations in 1993. Seeking to redevelop the property, the property owners have elected to develop the property as a Planned Unit Development (PUD) with a mixed-use developmental plan for the project site consisting of an array of housing types, and office, retail, and industrial uses, some of which are in mixed-use buildings, as shown on the current Preliminary PUD Plan (Exhibits "4" and "S-2").

The applicant's original Findings of Fact and Conclusions of Law (Exhibit "2") provide a summary of the previous approvals associated with the PUD, which now totals 14 land use applications.

The first City application was the original Preliminary PUD Plan, which was approved by the Planning Commission in 2007 (files PUD-06-141 and ZC-06-347). That original

PUD plan and the revision in 2009 did not include the approximate 34-acre tract south of Garfield Street that is the subject of this application.

Seven other subsequent land use applications on the subject site have been approved by the City since 2007, which are summarized in the application's original findings.

In April, 2017, the latest revision to the Preliminary PUD Plan and its zoning, was approved by the Planning Commission, includes the addition of adjoining acreage to the PUD, primarily the approximate 34-acre tract south of Garfield Street. It is important to understand that the approval included the Preliminary PUD Plan (Exhibit "S-5"), which showed:

- a. existing and previously-approved streets, including locations and dimensions
- b. proposed building uses and square footages
- c. conceptual building locations, stories and heights
- d. proposed parking configuration
- e. modifications to Code standards

Five land use applications have been approved subsequent to the 2017 Preliminary PUD Plan revision approval, but that Preliminary PUD Plan continues to remain in full force.

The subject application for a tentative plat to subdivide the entire PUD was submitted to the City Planning Department (file LDS-19-070), and the application was deemed complete on August 9, 2019.

Anton Drive, south of Garfield Street, was dedicated and improved as public right-of-way in about 2002. At that same time, the current configuration of the four existing tax lots was created via a property line adjustment, resulting in Tax Lots 2900 and 3000 on Jackson County Assessor Map 371W31D, and Tax Lots 5400 and 5503 on Map 371W32C.

Myers Lane, south of Garfield Street, exists as an approximate 40-foot wide unpaved road situated outside of Medford's city limits, and appears to terminate on its east end at the 34-acre tract brought into the Stewart Meadows Village PUD in 2017. This subject section of Myers Lane intersects Garfield Street at its western end at an intersection with Myers Lane, which runs north/south from Garfield Street to Stewart Avenue. The subject section of Myers Lane, south of Garfield Street, together with property between Garfield Street and Myers Lane, was recently included in Medford's Urban Growth Boundary.

As discussed earlier, Hanson Creek runs along the western boundary of Stewart Meadows Village PUD south of Garfield Street, and the eastern terminus of the unpaved Myers Lane.

In their review of the Revised Preliminary PUD Plan in 2017, which included the approximate 34 acres south of Garfield Street, the City did not submit a condition for any new street extensions or connections.

Although the impacts of the Stewart Meadows Village PUD upon the public facilities had been analyzed in 2007 and 2009, the addition of the approximate 34 acres south of Garfield Street, and other changes to the remainder of the PUD, *the 2017 Preliminary PUD revision application, necessitated a full review of all impacts from the entire PUD. That application included a Traffic Impact Analysis conducted by Sandow Engineering.*

The Planning Commission in their approval, concluded from the facts that the *“proposed PUD complies with the applicable requirements of this Code...”*.

The subject application is simply a subdivision tentative plan that which will only create individual parcels for possible separate ownerships in the future. There are no new impacts upon the City’s public utilities and facilities being associated with this application.

With most subdivision developments, the tentative plan application is the proper application for the City to analyze the proposed street circulation system, and determine if changes to that design may be needed. However, with a PUD, where the street design is established with the approval of a Preliminary PUD Plan without a tentative plan, the subsequent tentative plan application that coincides with the Preliminary Plan, is merely a way to create ownership of smaller portions of the development via the land use approval process.

CONCLUSION OF LAW

Based upon the Findings of Fact and Conclusions of Law, dated June 28, 2019 (Exhibit “2”) and the above Supplemental Findings of Fact and Conclusions of Law dated January 28, 2020 and their associated exhibits, the Planning Commission concludes that the Tentative Plat application for Stewart Meadows Village PUD is an improper application to apply an exaction for a new street right-of-way dedication and its improvement. The findings illustrate that the application submitted in 2017 to revise the PUD’s Preliminary Plan and to gauge the impacts proposed through that development by adding the approximate 34 acres south of Garfield Street into the PUD and making several other changes to the uses and building locations and configurations, would have been the correct application for the Medford Public Works Department to pose their subject conditions.

G. OBJECTION NO. 4 – CONDITIONS ARE ILLEGAL EXACTIONS

As previously outlined, the Medford Public Works Department, in its review of the Tentative Plat application for Stewart Meadows Village PUD, issued a Public Works

Department Staff Report, dated August 28, 2019 (Exhibit “S-2”), which included the two following conditions.

- *Myers Lane (from Anton Drive west to the project boundary, within Phase 5-6) is classified as a Commercial Street within the MLDC, Section 10.429. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the full width of right-of-way, which is 63-feet.*
- *Myers Lane (from Anton Drive west to the project boundary, within Phase 5-6) is classified as a Commercial Street within the MLDC, Section 10.429. **The improvements for Phase 5-6 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first for any respective phase.***

The applicant asserts that the imposition of the above two exactions is not allowed under both the Medford’s Land Development Code, and the “takings clause” of the Fifth Amendment to the U. S. Constitution.

FINDINGS OF FACT

The Planning Commission has considered the following relevant facts that are fundamental in making their decision regarding the two subject conditions.

The text of Section 10.668 of Medford’s Land Development Code is included below:

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

- a. the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or*
- b. a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking. Provided, however, that this section does not prohibit unconditional denial of an application where adequate public facilities and services are not available to serve the proposed development, so long as there are other economically viable uses of the land which are allowed by the Chapter and by the existing zoning and which can be adequately served.*

MLDC Section 10.668 is essentially a summarization of most of the relevant language taken from U. S. Supreme Court decisions regarding the “taking clause” of the Fifth Amendment to the U. S. Constitution. The pertinent portion of that amendment states that “... nor shall private property be taken for public use without just compensation.”

The Supreme Court ruling from a very important case here in Oregon (Dolan v. City of Tigard 512 U.S. 374 [1994]), requires that the City show, before a condition for an exaction can be deemed to be legal, the establishment of an essential nexus between the exaction and a legitimate governmental purpose. The Court states that the exaction must be “related both in nature and extent to the impact of the proposed development.” Importantly, Dolan goes on to then require that “there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services.” Finally, the decision states that it is the City’s responsibility to articulate and substantiate the requisite facts and legal conclusion that support the exaction.

Consistent with the Dolan decision, MLDC Section 10.668 language states that even though there is language for a specific requirement in the Code to dedicate land for a public street and/or to improve a public street, that in order for those conditions to be lawful, the record must show that there is an “essential nexus between the exaction and a legitimate government purpose”, and the establishment of a “rough proportionality” between the impact on the developer and the development’s impact upon public facilities and services.

Dolan states, “[W]e must first determine whether the ‘essential nexus’ exists between the ‘legitimate state interest’ and the permit condition exacted by the city. If we find that a nexus exists, we must then decide the required degree of connection between the exactions and the projected impact of the proposed development.”

In two other court decisions, the Oregon Court of Appeals ruled that “the local government must consider the impacts related to the proposed development, not merely to establish a broad relationship between the City’s programs for public improvement and assess a gross pro rata share to the development.” (Art Piculell Group v. Clackamas County 142 Or. App. 327 [1996]) and (J. C. Reeves Corp. v. Clackamas County 131 Or. App. 615 [1994])

“...the determinative factor must be the relationship between the impacts of the development and the approval conditions, and not the extent of the public’s need for road or other improvements that happen to exist at the time the particular development is approved.” (Art Piculell Group v. Clackamas County 142 Or. App. 327 [1996])

In a case similar to the subject application, (Schultz v. City of Grants Pass [131 Or. App. 220 (Or. Ct. App. 1994) – 884 P.2d 569]), the Oregon Court of Appeals ruled that “*The proposed development in this case is the partitioning of a single lot into two lots and nothing more. There is absolutely nothing in the record to connect the dedication of a substantial portion of petitioner’s land, for the purpose of widening city streets, with petitioner’s limited application.*”

KOGAP’s application to simply divide the property into parcels that can be individually owned generates absolutely no additional impacts. All impacts have

already been addressed by previous development application approvals, particularly the 2017 Preliminary PUD Plan approval.

If a nexus between the exaction and a legitimate governmental purpose can be established, the Code secondly requires that the burden of the exaction upon the development must be roughly proportional to the burden of the development on public facilities and services.

The Court said in Dolan that “No precise mathematical calculation is required, but the city must make some sort of individualized determination that the required dedication is related both in nature and extent to the impact of the proposed development.”

The Medford Public Works Department (Exhibit “S-2”) has submitted findings to address the validity of their two conditions proposed, which include the following text found on pages 7 – 9 under the section “Streets”.

3. Section 10.668 Analysis

The relevant portions of the text of MLDC, Section 10.668, are then cited, and the Staff Report then provides their findings to substantiate their conditions.

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 provision in Nollan and Dolan cases.

1. Nexus to a legitimate governmental purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, emergency services and pedestrians. Further, these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and storm drains to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

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

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

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

Local street right-of-way dedication and construction requirements identified by the Public Works Department and required by the City are the minimum required to protect the public

interest and are necessary for additional or densification of development in the City without detracting from the common good enjoyed by existing properties. Developments are required to provide all internal local streets and half-street improvements to abutting streets, including associated right-of-way dedications, to ensure that new development and density intensification provides the current level of urban services and adequate street circulation is maintained.

Dedication of the Public Utility Easements (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served.

The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

The Public Works Department Staff Report's findings do not identify any specific impacts resulting from the subject application, nor has the City provided a requisite individualized determination to establish a rough proportionality between the burden of development that necessitates the extreme burden of exaction. The applicant, however, has provided information to show that there is neither an "essential nexus" (because there is no code support for it and no impact from the application), nor a "rough proportionality" in this application (because the expense of the exaction would far outweigh the impact of the application, even if it had an impact).

The applicant requested that Sandow Engineering review how the traffic impacts from the Stewart Meadows Village PUD would proportionally impact the subject section of Myers Lane. Sandow Engineering, in their most recent letter dated January 16, 2020 (Exhibit "S-7), states that as demonstrated in the Traffic Impact Analysis from November 22, 2016, "*all of the Stewart Meadows PM Peak Hour vehicular trips from Anton Drive south of Garfield Street that have their origins/destinations west of Myers Lane will use Garfield Street.*" (emphasis added) That traffic analysis was based on the impacts that would be generated by the entire Stewart Meadows Village development.

The traffic analysis letter makes it very clear that the subject application is not generating vehicular trips that produce a need for the developer to dedicate and construct a street connection. There is no nexus. It may be true that such a street connection would be utilized by property owners to the east to reach Anton Drive (that are offsite and have nothing to do with the application), but that is not a result of the applicant's development, and the applicant cannot be required to dedicate and improve the subject street connection.

The Sandow letter includes some additional information, including an estimation of the trip distribution of the existing residences along the north/south dirt section of Myers Lane south of Garfield Street, and the trip distribution of the parcels to the west.

However, it must be remembered that these trips and their distribution are not impacts that Stewart Meadows Village is creating upon the public facilities and services, because they are preexisting and offsite. The exactions analysis is entirely confined to the impacts of the proposed development, not whether other offsite users may potentially use a new road.

The applicant (Exhibit “S-8”) has submitted an estimation of the construction cost of the subject Myers Lane street section. Also submitted is an estimate of the value to the property owner of the land that the Public Works Department recommends to be dedicated as public right-of-way. That total estimated monetary value is approximately \$2,250,000.

The Sandow letter identifies the fact that all of the projected Stewart Meadows Village vehicular trips will utilize Garfield Street, not Myers Lane. With that information, it is easy to make the determination that there cannot be a “rough proportionality” between the development’s burden on the facilities and the exaction’s burden upon the developer.

In *Schultz v. City of Grants* Pass 131 Or. App. 220 (Or. Ct. App. 1994), the Oregon Court of Appeals concluded that the fact that there is an increase of eight vehicular trips produced by the proposed development on Beacon Drive and Savage Street each day hardly justifies requiring petitioners to part with 20,000 square feet of their land without compensation. That does not comport with what the Supreme Court meant by “rough proportionality”.

The exaction requested by the Public Works Department in the subject application is the dedication and improvement of approximately 22,000 square feet (63 feet wide by approximately 350 feet long) plus the construction of bridge-crossing of Hansen Creek. The number of increased trips on the subject section of Myers Lane generated by Stewart Meadows Village is zero.

The Transportation Manager in a letter dated November 25, 2019 Exhibit “S-9”, addressed an earlier Sandow Engineering letter. His letter states that:

- “11 existing homes on Myers Lane would use the Myers Lane connection to access the Stewart Meadows development to access the Stewart Meadows development”
- future developments along Myers Lane would use Myers Lane
- Myers Lane will be the shortest travel distance between Stewart Meadows and the future residential development to the west
- Myers Lane and Holly Street route will be much more used than today

- a Traffic Impact Analysis uses existing data to estimate the typical trip generation of the development, routes, origins, and destinations

Although interesting, speculation about how a street connecting Myers Lane could be used in the future does not address the impacts upon the public facilities that Stewart Meadows Village is creating with the application simply to subdivide the property. Public Works' memorandum is largely, if not entirely, focused on how future offsite users would use a new street. That is simply not legal justification for the exaction. Any exaction must be based solely on the impact of the application as proposed, without regard to whether offsite users may use dedicated improvements.

CONCLUSIONS OF LAW

Based upon the above Supplemental Findings of Fact (Exhibit "S-1") and Conclusions of Law, and the original Findings of Fact and Conclusions of Law (Exhibit "2") and their associated exhibits, the Planning Commission concludes that as the City has not provided findings (1) that show an "essential nexus" between the exaction and a legitimate government purpose, and (2) that show a "rough proportionality" between the burden of the exaction on the developer and the burden of the development on public facilities and services. Therefore, the exactions result in a taking of private property for public use, and cannot be adopted.

H. ULTIMATE CONCLUSION

Based upon the above Supplemental Findings of Fact and Conclusions of Law (Exhibit "S-1"), and the original Findings of Fact and Conclusions of Law (Exhibit "2") together with their listed exhibits, the Planning Commission concludes that the following two conditions proposed by the Medford Public Works Department not be included in their approval of the subject Tentative Plat application for Stewart Meadows Village PUD Subdivision.

- *Myers Lane (from Anton Drive west to the project boundary, within Phase 5-6) is classified as a Commercial Street within the MLDC, Section 10.429. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the full width of right-of-way, which is 63-feet.*
- *Myers Lane (from Anton Drive west to the project boundary, within Phase 5-6) is classified as a Commercial Street within the MLDC, Section 10.429. **The improvements for Phase 5-6 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first for any respective phase.***

With regard to:

1. Objections No. 1 and No. 2
Medford Land Development Code Sections 10.426(B)(2) and 10.462(C)(2) do not apply to this application as no streets or blocks are being proposed with this application.
2. Because of the environmental constraints that exist, which include the presence of a body of water, specifically Hansen Creek, the existing street block and perimeter lengths are acceptable. Additionally, due to the same environmental constraints, Medford Land Development Code Section 10.426(B)(2) is precluded.
3. Objection No. 3
The subject Tentative Plat application for Stewart Meadows Village PUD subdivision is an improper application to apply a condition for a new street right-of-way dedication and improvement.
4. Objection No. 4
The two proposed exactions are a violation of both Section 10.668 of the Medford Land Development Code and of the “takings clause” the Fifth Amendment to the Constitution of the United States.

Therefore, the Planning Commission concludes that the two conditions listed above shall not be included in their approval.

Respectively Submitted,



Jim Maize
Maize & Associates, Inc.
agent for applicant, KOGAP Enterprises, Inc.
Dated: February 3, 2020



MEDFORD PUBLIC WORKS

LD DATE: 8/28/2019
File Number: LDS-19-070

PUBLIC WORKS DEPARTMENT STAFF REPORT

Stewart Meadows Village (Phases 1 – 6) 39- Lot Subdivision

Project: Consideration of tentative plat approval for Stewart Meadows Village – Phases 1-6, a proposed 39-lot subdivision on a 110-acre site.

Location: Bounded generally by Stewart Meadows to the north, Highway 99 to the east, Myers Lane to the west, and Garfield Avenue to the south; and an approximate 30-acre tract on the south side of Garfield. The site is zoned Community Commercial (C-C), General Industrial (I-G), Light Industrial (I-L), and SFR-10 (Single-Family residential, ten dwelling units per gross acre). (371W31A TL 2802, 2000, 2190, 2200, 2300, 4000, 3900; 371W31D TL 200, 1001, 2500, 1000, 2501, 2800, 900, 2900, 3000; 371W32C TL 5503, 5400).

Applicant: Applicant, KOGAP Enterprises, Inc.; Agent, Maize & Associates Inc.; Planner, Dustin Severs.

Applicability: The Medford Public Works Department's conditions of Preliminary Plan Approval for Stewart Meadows Village Planned Unit Development (PUD) were adopted by Order of the Medford Planning Commission on November 29, 2007 (PUD-06-141) and received a minor revision on March 26, 2009 by the Planning Commission, to include two new tax lots into the development and reconfigured the internal public street system. A Final PUD Plan for the development and landscaping of the realigned Hansen Creek restoration work, running through the PUD was approved by the Planning Director in May 2012 (Phase 1A). In 2013 the Planning Commission approved a revision to allow for modifications to the public rights-of-ways within the project. In 2014, the Planning Director approved the Final PUD Plan for Phase 1 that included essentially all of the proposed development west of Hansen Creek, which also included the architectural and landscape guidelines for the project. On June 2nd, 2016 the Planning Commission approved a revision to the previously approved Preliminary PUD Plan for Stewart Meadows Village (PUD-16-037) to incorporate additional property into the PUD boundary. The Medford Site Plan and Architectural Commission approved plans (AC-16-044) for a 66,837 square foot Medical Office Building (AC-16-044) on 5.7 acres located in Stewart Meadows Village PUD on July 1st, 2016. Then on April 13th, 2017 the Planning Commission approved a revision to the approved Preliminary PUD Plan for Stewart Meadows Village Planned Unit Development, including the addition of property, located on a resulting approximate 121-acres. **The adopted conditions by each of these actions shall remain in full force as originally adopted except as previously amended and/or added to below.**

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circulation roads are constructed and connected to Anton Drive at Garfield Street, no mitigation will be required.

The Traffic Section requests the following modifications be implemented and/or addressed:

- The existing driveway on the north side of Garfield Street, east of Anton Drive, which is not being used in the revised site plan, shall be removed and replaced with continuous curb, gutter, and sidewalk.
- The existing concrete median in Garfield Street shall be extended to the west so it ends at least 50-feet, preferably 100-feet, from the western curb line of the driveway approach shown on the south side of Garfield Street. The 100-foot criteria shall be used unless the queuing and blocking report in the final TIA shows that this would conflict with westbound left turn queues to Anton Drive.
- The driveways to the grocery store and residential parking lots along Meyers Lane have been offset in the revised site plan. These driveways should be directly opposite each other to increase vehicle and pedestrian safety.

g. Easements

All public sanitary sewer or storm drain mains shall be located in paved public streets or within easements. A 12-foot wide paved access shall be provided to any public manholes or other structures which are not constructed within the street section, in these locations the paved access shall be located within a 15-foot easement.

Easements shall be shown on the final plat and the public improvement plans for all sanitary sewer and storm drain mains or laterals which cross lots, including any common area, other than those being served by said lateral. The City requires that easement(s) do not run down the middle of two tax lot lines, but rather are fully contained within one tax lot.

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

(1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or

(2) a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking.

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, emergency services and pedestrians. Further, these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and storm drains to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

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

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

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

Local street right-of-way dedication and construction requirements identified by the Public Works Department and required by the City are the minimum required to protect the public interest and are necessary for additional or densification of development in the City without detracting from the common good enjoyed by existing properties. Developments are required to provide all internal local streets and half-street improvements to abutting streets, including associated right-of-way dedications, to ensure that new development and density intensification provides the current level of urban services and adequate street circulation is maintained.

Dedication of the Public Utility Easements (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served.

The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

This site lies within the Rogue Valley Sewer Service (RVSS) area. Contact RVSS for sanitary sewer connections.

C. STORM DRAINAGE

1. Hydrology

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

2. Stormwater Detention and Water Quality Treatment

This 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 per MLDC, Section 10.481. For developments over five acres, Section 10.486 requires that the development set a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

Each phase will be required to have its own stormwater detention and water quality treatment. If the Developer desires to do so, a Stormdrain Masterplan may be submitted in lieu of requiring each phase to have separate stormwater detention and water quality treatment. The Stormdrain Masterplan shall be submitted and reviewed with each phase's construction plans and shall be constructed with any phase to be served by the facility.

Upon completion of the project, the Developer's design engineer shall provide written verification to the Engineering Division that construction of the water quality and detention facilities were constructed per plan. This letter shall be received by the City of Medford

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VICINITY MAP OF SUBJECT AREA SHOWING MYERS LANE EXTENSION IN RED



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, City of Medford

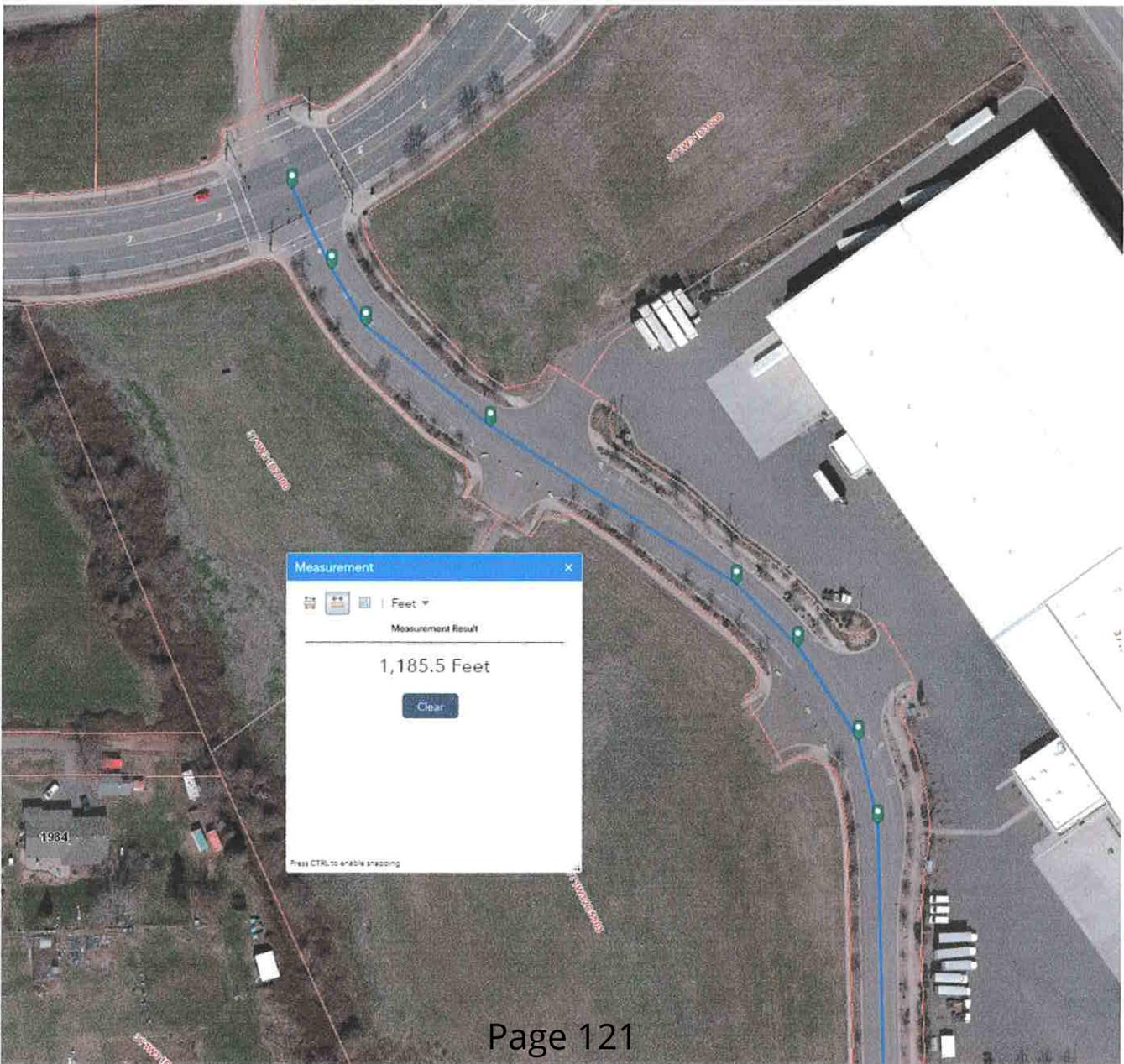
Mark,

Section 10.426.B.2 states, "*Proposed streets, alleys and accessways shall connect to other streets within a development and to existing and planned streets outside the development, when not precluded by factors in Section 10.426 C.2 below...*" (*emphasis added*). With Myers lane ROW stubbing up to the western property line of the Stewart Meadows development, I think this is the most applicable part of the code requirement.

However, the Anton Dr block length from Garfield to the southern property line also exceeds the maximum block length. Industrial zoning allows for the longest block length with a 940' maximum. I measured the block length to Kogap's southern property line at 1,185' (see below). Providing the connection of Myers would make the block length from Myers to the southern property line about 850'.

I hope that helps clarify. Best,
Karl

APPLICANT'S
EXHIBIT
"S-4"





SANDOWENGINEERING

160 MADISON STREET, SUITE A • EUGENE, OREGON 97402 • 541.513.3376

TO: Jim Maize
Maize & Associates

FROM: Kelly Sandow P.E.
Sandow Engineering

DATE: January 16, 2020

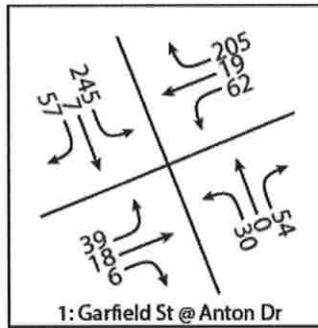
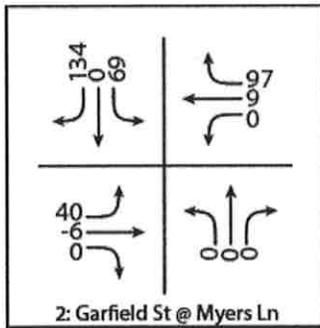
RE: Stewart Meadows PUD- Meyers Lane Trip Estimation



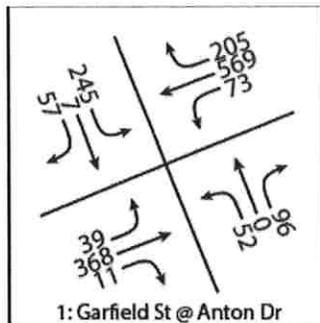
RENEWAL 06/30/20

As per your request, the following provides vehicle trip estimation for trips associated with Stewart Meadows PUD on Meyers Lane.

As per the Traffic Impact Analysis prepared by Sandow Engineering, November 22, 2016, the PM Peak Hour vehicle trip estimation from Stewart Meadows development south of Garfield Street is 52 total trips to the west and 11 trips from the west (shown below).



PM Peak Hour Development Trips from 2016 TIA (north up)



PM Peak Hour Development Plus Background Trips from 2016 TIA (north up)



From: Kelly Sandow PE
RE: Stewart Meadows-Meyers Lane
Date: 1.16.20
Page 2

As demonstrated in the TIA and above, all of the Stewart Meadows PM Peak Hour vehicle trips from Anton Drive south of Garfield Street that have their origins/destinations west of Meyers Lane will use Garfield Street. This is due to the distance traveled, time traveled, and ease of use of the route. The route of Anton Drive-Garfield Street-areas west of Meyers lane is approximately 0.29 miles and will take approximately 1-2 minutes. The route of Anton Drive-Meyers-Garfield- areas west of Meyers Lane is an increase in distance and more than double the travel time. Additionally, Meyers Lane is a narrow one-lane unimproved roadway. Therefore, it is not likely that any traffic from Stewart Meadows would use this as an alternate route for travel over Garfield Street.

There are 11 existing homes along Meyers Lane. Those homes would generate 11 pm peak hour trips. It is estimated that no more than 10% of these trips will occur between the homes along Meyers Lane and Stewart Meadows. Therefore, it is estimated that 1 pm peak hour trip or 10 daily trips would travel between the homes on Meyers Lane and Stewart Meadows using Meyers Lane.

There is the potential of development/redevelopment of the lots to the west. However, the trip generation estimation to/from Stewart Meadows will remain the same even if the parcels to the west were to develop. The trip generation/distribution estimates a total of 63 pm peak hour trips to/from the west. These trips disburse throughout the large residential areas west of the site. Therefore, it is estimated that about 5% of the trip generation/distribution to/from the west would be from the undeveloped parcels directly to the west. This is equivalent to 3 PM peak hour trips or 30 daily trips.

CONCLUSION:

The connection to Meyers Lane will not be an advantageous route for users to/from Stewart Meadows to access areas west of Meyers Lane. Under current conditions, it is estimated that 1 pm peak hour or 10 daily trips would travel between the existing homes on Meyers Lane and Stewart Meadows by way of the Meyers Lane connection.

As the undeveloped/redeveloped parcels directly to the west are developed, it is estimated that 3 PM peak hour or 30 daily trips would travel between those parcels and Stewart Meadows.

Therefore, it is estimated that travel on Meyers Lane between Stewart Meadows and parcels to the west would be 4 pm peak hour trips and 40 daily trips.

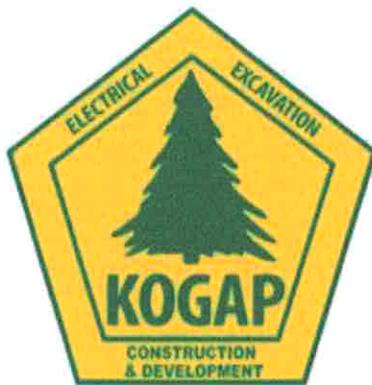
From: **Brent Hackwell** bvh@kogap.com
Subject: FW: connecting road to Garfield
Date: October 30, 2019 at 12:49 PM
To: **Jim Maize** jmaize3145@charter.net, **Mark Bartholomew** msb@roguelaw.com
Cc: **Christian Istel** cli@kogap.com, **Edward Istel** eli@kogap.com, **Marv Hackwell** mah@kogapmedford.onmicrosoft.com



Jim/Mark,

Below is a budget for the potential work the City is requesting we perform as a condition of our final plat. Keep in mind without drawings or a complete understanding of all the terms and conditions the City may or may not require this should be viewed as a number that provides us with a potential order of magnitude for the cost of the work. In addition, land value is around \$20/sf in that area making the loss of usable land potentially over \$500,000.00. Let us know if you have any questions.

Thanks,



Brent Hackwell

Director, Construction & Development

KOGAP Enterprises, Inc.
O: +1 541 776-6500
D: +1 541 776-6526
M: +1 541 941-1172
e: bvh@kogap.com
115 Stewart Ave #202
Medford, OR 97501

From: Frank McElheran <fmm@kogap.com>
Sent: Wednesday, October 30, 2019 8:02 AM
To: Brent Hackwell <bvh@kogap.com>
Subject: connecting road to Garfield

Brent,

I have reviewed the proposal area for a road connecting Anton to the existing Myers Lane dirt road. Based on what it cost KOGAP to complete the new Myers Lane road, my budget for this work is approximately \$1,750,000.

The budget includes performing the work to City Of Medford standards and building a bridge similar to what we constructed in our existing Stewart Meadows Village Development. Let me know if you have any questions.

Thanks,



Frank McElheran

Director, Excavation

KOGAP Enterprises, Inc.
O: +1 541 776 6500





PUBLIC WORKS DEPARTMENT STAFF REPORT

Stewart Meadows Village (Phases 1 – 6) 39- Lot Subdivision

Project: Consideration of tentative plat approval for Stewart Meadows Village – Phases 1-6, a proposed 39-lot subdivision on a 110-acre site.

Location: Bounded generally by Stewart Meadows to the north, Highway 99 to the east, Myers Lane to the west, and Garfield Avenue to the south; and an approximate 30-acre tract on the south side of Garfield. The site is zoned Community Commercial (C-C), General Industrial (I-G), Light Industrial (I-L), and SFR-10 (Single-Family residential, ten dwelling units per gross acre). (371W31A TL 2802, 2000, 2190, 2200, 2300, 4000, 3900; 371W31D TL 200, 1001, 2500, 1000, 2501, 2800, 900, 2900, 3000; 371W32C TL 5503, 5400).

Applicant: Applicant, KOGAP Enterprises, Inc.; Agent, Maize & Associates Inc.; Planner, Dustin Severs.

Applicability: The Medford Public Works Department’s conditions of Preliminary Plan Approval for Stewart Meadows Village Planned Unit Development (PUD) were adopted by Order of the Medford Planning Commission on November 29, 2007 (PUD-06-141) and received a minor revision on March 26, 2009 by the Planning Commission, to include two new tax lots into the development and reconfigured the internal public street system. A Final PUD Plan for the development and landscaping of the realigned Hansen Creek restoration work, running through the PUD was approved by the Planning Director in May 2012 (Phase 1A). In 2013 the Planning Commission approved a revision to allow for modifications to the public rights-of-ways within the project. In 2014, the Planning Director approved the Final PUD Plan for Phase 1 that included essentially all of the proposed development west of Hansen Creek, which also included the architectural and landscape guidelines for the project. On June 2nd, 2016 the Planning Commission approved a revision to the previously approved Preliminary PUD Plan for Stewart Meadows Village (PUD-16-037) to incorporate additional property into the PUD boundary. The Medford Site Plan and Architectural Commission approved plans (AC-16-044) for a 66,837 square foot Medical Office Building (AC-16-044) on 5.7 acres located in Stewart Meadows Village PUD on July 1st, 2016. Then on April 13th, 2017 the Planning Commission approved a revision to the approved Preliminary PUD Plan for Stewart Meadows Village Planned Unit Development, including the addition of property, located on a

resulting approximate 121-acres. **The adopted conditions by each of these actions shall remain in full force as originally adopted except as previously amended and/or added to below.** The following items shall be completed and accepted prior to the respective events under which they are listed:

- Approval of Final Plat:
Right-of-way, construction and/or assurance of the public improvements in accordance with Medford Land Development Code (MLDC), Section 10.666 & 10.667 (Items A, B & C)
- Issuance of first building permit for residential construction:
Construction of public improvements (Items A through E)
- Issuance of Certificates of Occupancy for individual units:
Sidewalks (Items A2)

A. STREETS

1. Dedications

Garfield Street is classified as a Major Arterial street, and in accordance with Medford Land Development Code (MLDC) Section 10.428, requires a total right-of-way width of 100-feet. **No additional right-of-way is required.**

Stewart Avenue is classified as a Major Arterial street, and in accordance with MLDC Section 10.428, requires a total right-of-way width of 100-feet. **No additional right-of-way is required.**

Anton Drive (*from Garfield Street south approx. 1,150 feet, within Phase 5-6*) is classified as a Commercial street, and in accordance with MLDC Section 10.429, it requires a total right-of-way width of 63-feet. **No additional right-of-way is required.**

Anton Drive (*from Garfield Street north to the connection with Myers Lane, within Phase 1-4*) is classified as a Commercial Street within the MLDC, Section 10.429. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the full width of right-of-way, which is 63-feet.

Myers Lane (*from Stewart Avenue south to Garfield Street, within Phase 1*) is classified as a Commercial Street within the MLDC, Section 10.429. **No additional right-of-way is required.**

Myers Lane (*from Anton Drive west to the project boundary, within Phase 5-6*) is classified as a Commercial Street within the MLDC, Section 10.429. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to

comply with the full width of right-of-way, which is 63-feet or shall dedicate a public access easement for a private street built to city standards or an interior access road in accordance with MLDC 10.426.

Bower Drive (*south from right-of-way dedication #2016-037519 to intersection with Anton Drive, within Phase 2*) is classified as a Commercial Street within the MLDC, Section 10.429. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the full width of right-of-way, which is 63-feet.

South Pacific Highway (Highway 99) is under the jurisdiction of the Oregon Department of Transportation (ODOT). The Developer shall contact ODOT to see if additional right-of-way is required.

Corner radii shall be provided at the right-of-way lines of all intersecting streets per MLDC 10.445.

Streets, as shown on the Tentative Plat, in which any portion terminates to a boundary line of the Development shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee simple, 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).

Public Utility Easements (PUE), 10-feet in width, shall be dedicated along the street frontage of all the Lots within this development (MLDC 10.471).

The right-of-way and easement dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the right-of-way and easement dedication, including an exhibit map; 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

Garfield Street – All street section improvements have been completed in close conformance with current standards (P1213D), including pavement, curb and gutter, street lights, and sidewalks. Public improvements are required as noted below under Section A(2)(f), Transportation System and as identified on P1813D and P1857D. **The**

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improvements for Phase 1, 2, 3 & 4 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first for any respective phase.

Stewart Avenue – All street section improvements have been completed in close conformance with current standards (P985D & P1813D), including pavement, curb and gutter, street lights, and sidewalks. **No additional public improvements are required.**

Anton Drive (*from Garfield Street south approx. 1,150 feet, within Phase 5-6*) – All street section improvements have been completed in close conformance with current standards (P1251D), including pavement, curb and gutter, street lights, and sidewalks. **No additional public improvements are required.**

Anton Drive (*from Garfield Street north to the connection with Myers Lane, within Phase 1-4*) shall be constructed to Commercial street standards, in accordance with Medford Land Development Code (MLDC) 10.429. Street section improvements for Phase 1 (refer to Public Improvement Plans P1813D), including pavement, curb and gutter and sidewalk are near completion. Street section improvements for Phase 2, 3 & 4 (refer to Public Improvement Plans P1857D) are in the early stages of construction. **The improvements for Phase 1, 2, 3 & 4 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first for any respective phase.**

Myers Lane (*from Stewart Avenue south to Garfield Street, within Phase 1*) is classified as a Commercial Street within the MLDC, Section 10.429. Street section improvements near completion (refer to Public Improvement Plans P1813D), including pavement, curb and gutter and sidewalk. **The improvements for Phase 1 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first.**

Myers Lane (*from Anton Drive west to the project boundary, within Phase 5-6*) is classified as a Commercial Street within the MLDC, Section 10.429. The Developer shall improve this portion of Myers Lane to commercial street standards or may construct a private street built to city standards or an interior access road in accordance with MLDC 10.426. The Developer shall also contribute a proportional share towards the future construction of a bridge to span Hansen Creek. This contribution will be in the form of a deferred improvement agreement as outlined in MLDC 10.432. **The improvements for Phase 5 & 6 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first for either respective phase.**

Bower Drive is classified as a Commercial Street within the MLDC, Section 10.429. Street section improvements for Phase 1 (refer to Public Improvement Plans P1813D), including

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pavement, curb and gutter and sidewalk are near completion. Street section improvements for Phase 2 (refer to Public Improvement Plans P1857D) are in the early stages of construction. **The improvements for Phase 1 & 2 shall be completed or security provided prior to approval of the final plat or issuance of a vertical building permit, whichever comes first.**

Highway 99 is under the jurisdiction of the ODOT. The Developer shall contact ODOT to see if any additional improvements are required.

b. Street Lights and Signing

The Developer shall provide and install in compliance with Section 10.495 of the Medford Municipal Code (MMC).

Any modifications to the already approved Lighting Plan Set will require resubmittal of new plans for review and approval. The Applicant shall consult with ODOT for lighting requirements along Highway 99.

Based on the preliminary plan submitted, the following number of street lights and signage will be required for the improvements to Myers Lane from Anton Drive west to the project boundary, within Phase 5-6:

Street Lighting – Developer Provided & Installed:

- A. 2 – Type R-150 LED

Traffic Signs and Devices – City Installed, paid by the Developer:

- A. 1 – Street Name Signs

Numbers are subject to change if changes are made to the plans. All street lights shall be installed per City standards and be shown on the public improvement plans. Public Works will provide preliminary street light locations upon request. All street lights shall be operating and turned on at the time of the final “walk through” inspection by the Public Works Department.

The Developer shall pay for City installed signage required by the development. City installed signs include, but are not limited to, street name signs, stop signs, speed signs, school signs, dead end signs, and dead end barricades. Sign design and placement shall be per the Manual on Uniform Traffic Control Devices (MUTCD). All signs shall be shown on the public improvement plans and labeled as City installed.

The Developer shall be responsible for the preservation and re-installation of all signs removed during demolition and site preparation work. The Developer’s contractor shall coordinate with the City of Medford Public Works, Maintenance and Operations Division to

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remove any existing signs and place new signs provided by Medford Public Works Department.

c. Pavement Moratoriums

There are pavement cutting moratoriums currently in effect along:

- Stewart Avenue, which is set to expire July 31st, 2023,
- Myers Lane, which is set to expire October 11th, 2020,
- Garfield Street, which is set to expire July 30th, 2020,
- Bower Drive, which is set to expire October 11th, 2020,
- Anton Drive, which is set to expire October 11th, 2020

The Applicant shall contact ODOT regarding any street cutting moratoriums along Highway 99.

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.

d. Soils Report

The Developer's Engineer shall obtain a soils report to determine if there is shrink-swell potential in the underlying soils in this development. If they are present, they shall be accounted for in the roadway and sidewalk design within this Development. The soils report shall be completed by a licensed Geotechnical Engineer in the state of Oregon.

e. Access and Circulation

Driveway access and circulation to and through the proposed development shall comply with MLDC 10.550 and 10.426. In accordance with MLDC 10.426, the applicant shall extend the portion of Myers Lane that is south of Garfield Street to Anton Drive as a public street or shall dedicate a public access easement for a private street built to city standards or an interior access road in accordance with MLDC 10.426.

There shall be no additional driveway access directly onto Garfield Street or Stewart Avenue from this development.

f. Transportation System

The Developer shall be solely responsible for traffic signal loop detection and any other signal modifications required to make Anton Drive a four-way intersection.

Mitigation, consisting of the signalization, of the intersection of Myers Lane and Garfield Street will be required when trips from the site exceed 940 PM peak hour trips, if the connection of Anton Drive to the internal circulation roads is not made. If all the internal circulation roads are constructed and connected to Anton Drive at Garfield Street, no mitigation will be required.

The Traffic Section requests the following modifications be implemented and/or addressed:

- The existing driveway on the north side of Garfield Street, east of Anton Drive, which is not being used in the revised site plan, shall be removed and replaced with continuous curb, gutter, and sidewalk.
- The existing concrete median in Garfield Street shall be extended to the west so it ends at least 50-feet, preferably 100-feet, from the western curb line of the driveway approach shown on the south side of Garfield Street. The 100-foot criteria shall be used unless the queueing and blocking report in the final TIA shows that this would conflict with westbound left turn queues to Anton Drive.
- The driveways to the grocery store and residential parking lots along Meyers Lane have been offset in the revised site plan. These driveways should be directly opposite each other to increase vehicle and pedestrian safety.

g. Easements

All public sanitary sewer or storm drain mains shall be located in paved public streets or within easements. A 12-foot wide paved access shall be provided to any public manholes or other structures which are not constructed within the street section, in these locations the paved access shall be located within a 15-foot easement.

Easements shall be shown on the final plat and the public improvement plans for all sanitary sewer and storm drain mains or laterals which cross lots, including any common area, other than those being served by said lateral. The City requires that easement(s) do

not run down the middle of two tax lot lines, but rather are fully contained within one tax lot.

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

- (1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or*
- (2) a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking.*

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, emergency services and pedestrians. Further, these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and storm drains to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

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

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

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

In determining rough proportionality, the City compared the expected square footage of right-of-way dedications and street improvements to developed area in acres. This development is conditioned to dedicate approximately 480,375 of right-of-way and construct approximately 274,500sf of street improvements. This equates to 4,593 of right-of-way per acre and 2,624sf of street improvements per acre.

The study area used to determine proportionality contained 54 properties that are part of 3 different industrial developments and an additional 2 individual properties. The properties studied includes Bierson Industrial Park, Triangle Industrial Park, Crater Lake Business Center, Lewellyn Office/Warehouse Complex at 5594-5596 Table Rock Rd., which is adjacent the proposed development and Living Opportunities located at 857 Valley View Dr. All of these developments were either required to dedicate public right-of-way for lower order streets or construct public street improvements or both. The following table (5-1) summarizes the results of the study. In addition, this development was also divided between the portion north of Garfield Street and the portion south of Garfield Street.

Table 5-1

Development	Acres	Dedications Sf/Acre	Improvements Sf/Acre
Bierson Industrial Park	17.4	7,044	2,644
Triangle Industrial park	12.7	7,739	6,291
Crater Lake Business Center	15.72	9,162	5,248
Lewellyn Office/Warehouse Complex	4.5 (Lot)	4,801	NA
Living Opportunities	2.1 (Developed)	NA	3,274
Stewart Meadows Village (All)	105	4,593	2,624
Stewart Meadows Village (North)	77	5,011	2,864
Stewart Meadows Village (South)	28	3,453	1,973

Local street right-of-way dedication and construction requirements identified by the Public Works Department and required by the City are the minimum required to protect the public interest and are necessary for additional or densification of development in the City without detracting from the common good enjoyed by existing properties. Developments are

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required to provide all internal local streets and half-street improvements to abutting streets, including associated right-of-way dedications, to ensure that new development and density intensification provides the current level of urban services and adequate street circulation is maintained.

The additional dedication of either right-of-way, public access easement or a private street for Myers Lane within Phases 5 and 6 will provide the needed width for improvements including curb and gutter and at minimum a sidewalk on one side. Myers Lane exists as a public right-of-way that is stubbed up to the applicant's western property line. It is a very logical connection to make. The Myers Lane right-of-way aligns with the property line between two of the applicant's proposed lots, is wholly within the Urban Growth Boundary, and provides an east-west local street connection to the Stewart Meadows development south of Garfield Street. Garfield Street is an east-west Major Arterial roadway. Local street connections help preserve the capacity of the higher order street network and there is not another location for an east-west local street connection south of Garfield Street within the Urban Growth Boundary. There is also a significant amount of developable land within the Urban Growth Boundary, south and west of the Stewart Meadows Village PUD that is expected to use this local street connection to access the PUD in the future. These are the reasons for Public Works including the conditions in the staff report.

Dedication of the Public Utility Easements (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served.

The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

This site lies within the Rogue Valley Sewer Service (RVSS) area. Contact RVSS for sanitary sewer connections.

C. STORM DRAINAGE

1. Hydrology

The Design Engineer shall provide an investigative report of the off-site drainage on the subdivision perimeter, a distance not less than 100 feet in all directions. All off-site drainage affecting the subdivision shall be addressed on the subdivision drainage plan. A hydrology map depicting the amount of area the subdivision will be draining shall be

submitted with hydrology and hydraulic calculations. The opening of each curb inlet shall be sized in accordance with ODOT design standards. These calculations and maps shall be submitted with the public improvement plans for approval by the Engineering Division.

2. Stormwater Detention and Water Quality Treatment

This 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 per MLDC, Section 10.481. For developments over five acres, Section 10.486 requires that the development set a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

Each phase will be required to have its own stormwater detention and water quality treatment. If the Developer desires to do so, a Stormdrain Masterplan may be submitted in lieu of requiring each phase to have separate stormwater detention and water quality treatment. The Stormdrain Masterplan shall be submitted and reviewed with each phase's construction plans and shall be constructed with any phase to be served by the facility.

Upon completion of the project, the Developer's design engineer shall provide written verification to the Engineering Division that construction of the water quality and detention facilities were constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to acceptance of the subdivision.

The City is responsible for operational maintenance of the public detention facility. Irrigation and maintenance of landscape components shall be the responsibility of the Developer or a Home Owners Association (HOA). The Developers engineer shall provide an operations and maintenance manual for the facility that addresses responsibility for landscape maintenance prior to subdivision acceptance. Regarding water quality maintenance, the Rogue Valley Stormwater Quality Design Manual states: "Vegetation shall be irrigated and mulched as needed to maintain healthy plants with a density that prevents soil erosion."

3. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision will be submitted with the public improvement plans for approval. 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

The Developer shall show all existing and proposed Storm Drain mains, channels, culverts, outfalls and easements on the Conceptual Grading and Drainage Plan and the final Construction Plans.

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

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

5. Erosion Control

Subdivisions 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.

6. Easements

Developer shall provide the following easements:

- A Creek easement to be a minimum of 20-feet from centerline of the Creek.

D. SURVEY MONUMENTATION

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

There are several existing easements on the subject properties that may need to be addressed during the creation of new public right-of-way.

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

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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. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. 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 governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

3. Phasing

The Tentative Plat shows that this subdivision will be developed in phases. Any public improvements needed to serve a particular phase shall be improved at the time each corresponding phase is being developed. Public improvements not necessarily included within the geometric boundaries of any given phase, but are needed to serve that phase shall be constructed at the same time. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase.

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 for vertical construction 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 PUE, 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 (SDCs)

Buildings in this development are subject to SDC fees. 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.

7. Construction and Inspection

Contractors proposing to do work on public streets (including street lights), 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 from the County.

For City of Medford facilities, the 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.

Where applicable, 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: Jodi K Cope

Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Stewart Meadows Village (Phases 1 – 6) 39- Lot Subdivision

LDS-19-070

A. Streets

1. Street Dedications to the Public:

- Stewart Avenue, Garfield Street and Myers Lane (Ph.1-4) – No dedications are required for this development.
- Myers Lane (Ph.5-6) – Dedicate full width right-of-way (63').
- Anton Drive (*south of Garfield Street*) – No dedications are required for this development.
- Anton Drive (*from Garfield Street north to the connection with Myers Lane*) – Dedicate full width right-of-way (63') or a public access easement (20').
- Bower Drive (*south from right-of-way dedication #2016-037519 to intersection with Anton Drive*) – Dedicate full width right-of-way (63').
- Highway 99 – Contact Oregon Department of Transportation (ODOT).
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- Stewart Avenue, Garfield Street and Myers Lane (Ph.1-4) improvements have been nearly completed.
- Construct Myers Lane (Ph.5-6) full width as noted above.
- Myers Lane, Anton Drive and Bower Drive (Ph. 1) – Complete improvements.
- Anton Drive (*south of Garfield Street*) – No additional improvements required.
- Construct Anton Drive (*from Garfield Street north to the connection with Myers Lane*), full width.
- Construct Bower Drive (*south from completed improvements P1813D to intersection with Anton Drive*), full width.
- Highway 99 – Contact Oregon Department of Transportation (ODOT).

Lighting and Signing

- Developer supplies and installs all street lights at own expense.
- City installs traffic signs and devices at Developer's expense.
- Any modifications to the already approved Lighting Plan Set will require resubmittal of new plans for review and approval.
- The Applicant shall consult with ODOT for lighting requirements along Highway 99.

Access and Circulation

- In accordance with MLDC 10.426, the applicant shall extend the portion (Ph. 5-6) of Myers Lane that is south of Garfield Street to Anton Drive as a public street.
- There shall be no additional driveway access directly onto Garfield Street or Stewart Avenue from this development.

Transportation System

- Comply with Transportation System requirements outlined above.

Other

- Pavement moratorium currently in effect along this developments respective frontages to Stewart Avenue, Garfield Street Bower Drive, Myers Lane and Anton Drive.
- No pavement moratorium currently in effect along Anton Drive (south of Garfield Street).
- Provide pavement moratorium letters.
- Provide soils report.

B. Sanitary Sewer:

- Provide a private lateral to each lot.
- Provide easements as necessary.

C. Storm Drainage:

- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Provide Engineers verification of stormwater facility construction.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide Erosion Control Permit from DEQ.
- Provide a creek easement.

D. Survey Monumentation

- Provide all survey monumentation.
- Address any issues with existing easement during the creation of new public right-of-way.

E. General Conditions

- Provide public improvement plans and drafts of the final plat.
 - = City Code Requirement
 - = Discretionary recommendations/comments

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.



MEMORANDUM

To: Planning Commission
From: Karl MacNair, Transportation Manager
Date: February 20, 2020
Subject: LDS-19-070 Stewart Meadows Village - Response to Supplemental Findings

The applicant's agent has submitted supplemental findings detailing their objections to the Public Works Department's conditions related to the dedication of right-of-way for, and construction of, the extension of Myers Lane. Myers Lane is an existing public right-of-way that stubs into the applicant's western property line. The Public Works Departments conditions require the applicant extend Myers Lane to the existing Anton Drive public right-of-way. The applicant's summary of their findings are provided verbatim below (**in bold type**), with responses to each finding provided immediately thereafter:

1. Objections No. 1 and No. 2

Medford Land Development Code Sections 10.426(B)(2) and 10.426(C)(2) do not apply to this application as no streets or blocks are being proposed with this application.

Response:

Public Works disagrees with the applicant's assertion that these code sections do not apply on the basis that they are not proposing any streets. The applicant asserts that because the language of the specific subsections say, "Proposed streets..." and "...proposed blocks..." that they only apply to streets and blocks that the applicant chooses to propose. If this were true, it would completely negate the ability of the City of Medford to enforce this section of code. The applicant is reading only the narrow subsection of the code, and not looking at the context of the subsection within the code. Context is provided in the title of section, 10.426(B), which is, "Street Connectivity and Formation of Blocks Required." This implies that street connectivity and formation of blocks are, in fact, required whether the applicant proposes it or not. Additionally, 10.426(C)(1) states, "Block lengths and block perimeter lengths shall not exceed the following dimensions as measured from centerline to centerline of through intersecting streets, except as provided in Subsections 10.426 C.2."



Both these sections precede the subsections quoted by the applicant and show that the intent of the code is to require street connections and formation of blocks whether or not an applicant proposes any streets or blocks.

Context is also provided in section 10.426(A) which states:

A. Street Arrangement Suitability.

The approving authority shall approve or disapprove street arrangement. In determining the suitability of the proposed street arrangement, the approving authority shall take into consideration:

1. Adopted neighborhood circulation plans where provided; and
2. Safe, logical and convenient access to adjoining property consistent with existing and planned land uses; and
3. Efficient, safe and convenient vehicular and pedestrian circulation along parallel and connecting streets; and
4. Compatibility with existing natural features such as topography and trees; and
5. City or state access management standards applicable to the site.

Therefore, it is up to the approving authority (the Planning Commission in this case) to approve or disapprove the street arrangement based on the criteria in the code. The applicant cannot avoid these requirements simply by not proposing streets.

2. Because of the environmental constraints that exist, which include the presence of a body of water, specifically Hansen Creek, the existing street block and perimeter lengths are acceptable. Additionally, due to the same environmental constraints, Medford Land Development Code section 10.426(B)(2) is precluded.

Response:

Public Works disagrees with the applicant's assertion that the presence of a body of water *precludes* the application of code section 10.426(B)(2) or any other part of code section 10.426. Public Works does not argue the presence of Hansen Creek; it exists along the applicant's western property line. However, the code does not *preclude* the Planning Commission from applying the block length standards when a body of water is present, it



only *allows* the Planning Commission to permit exceptions to the block length standards. Code section 10.426(C)(2) reads, "The approving authority *may* find that proposed blocks that exceed the maximum block and/or perimeter standards are acceptable when it is demonstrated by the findings that one or more of the constraints, conditions or uses listed below exists on, or adjacent to the site..." Again, the applicant is looking at a specific subsection of the code without looking at the context. It is up to the Planning Commission to make the determination whether or not to permit the longer block length.

Myers Lane exists as a public right-of-way that is stubbed up to the applicant's western property line. It is a very logical connection to make. The Myers Lane right-of-way aligns with the property line between two of the applicant's proposed lots, is wholly within the Urban Growth Boundary, and provides an east-west local street connection to the Stewart Meadows development south of Garfield Street. Garfield Street is an east-west Major Arterial roadway. Local street connections help preserve the capacity of the higher order street network and there is not another location for an east-west local street connection south of Garfield Street within the Urban Growth Boundary. There is also a significant amount of developable land within the Urban Growth Boundary, south and west of the Stewart Meadows Village PUD that is expected to use this local street connection to access the PUD in the future. These are the reasons for Public Works including the conditions in the staff report.

The initial Public Works staff report required the applicant to extend Myers Lane as a public commercial street standard. Public Works has updated the staff report to allow the extension of Myers Lane as either a public street, private street, or interior access road, from Anton Drive to Hansen Creek, consistent with Medford Land Development Code 10.426, and require the applicant to contribute a proportional share of a bridge since Hansen Creek is on the property line. Public Works recommends that the Planning Commission require this extension, consistent with the code and the Public Works staff report.

3. Objection No. 3

The subject Tentative Plat application for Stewart Meadows Village PUD subdivision is an improper application to apply a condition for a new street right-of-way dedication and improvement.

Response:



While the Public Works staff report for the application that added this area to the Stewart Meadows Village PUD (PUD-17-003) did not explicitly call out the extension of Myers Lane, it said, "Driveway access and circulation to and through the proposed development shall comply with MLDC 10.550 and 10.426." In addition, the applicant did not request an exception to the block length standards for this area as part of the Preliminary PUD Plan approval. The PUD application detailed other requested code exceptions to be allowed within the PUD, but was silent on the block length criteria. Therefore, Public Works believes that the extension of Myers Lane is consistent with the PUD approval and that the subdivision application is the appropriate application on which to apply the condition.

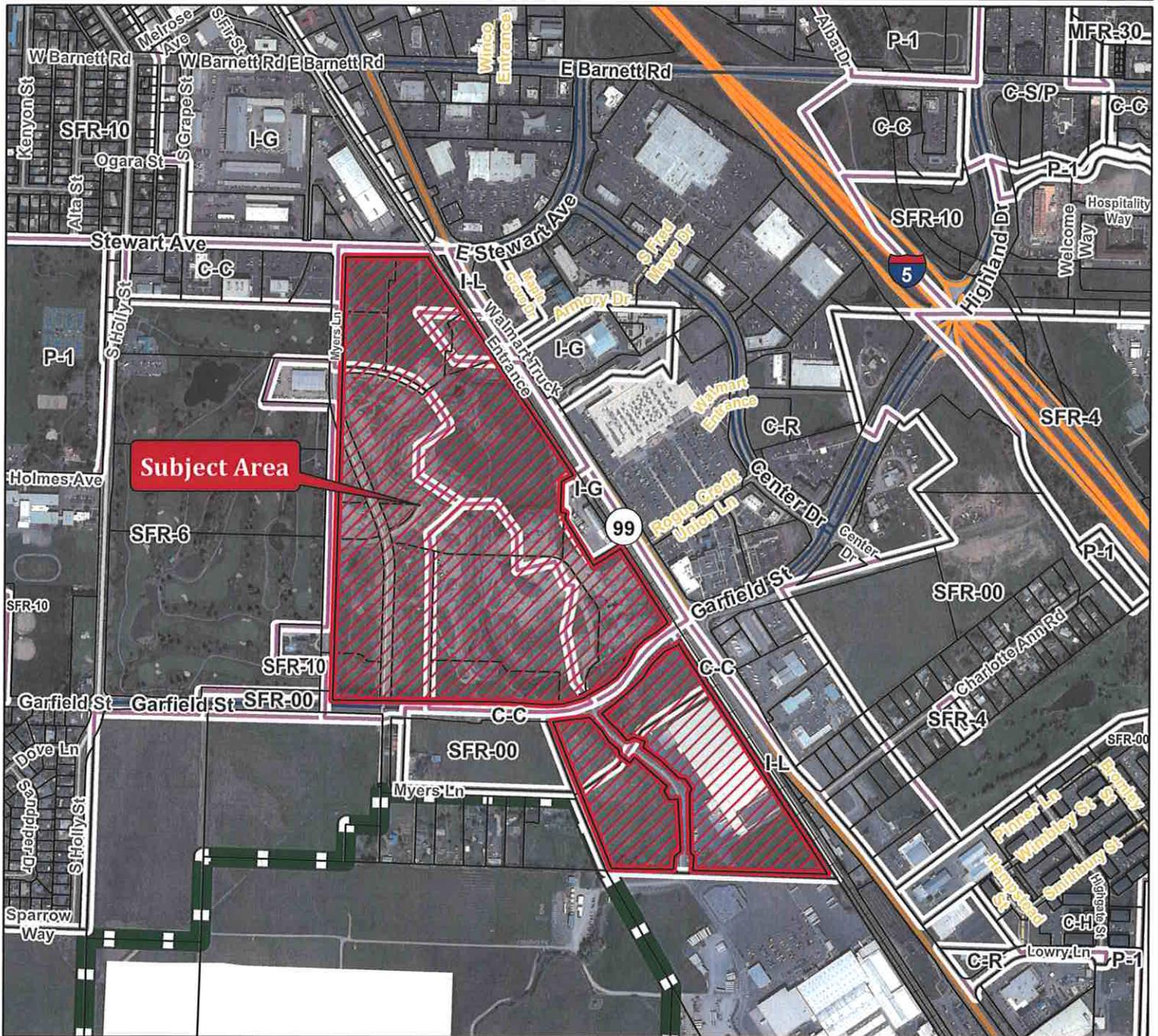
4. Objection No. 4

The two proposed exactions are a violation of both Section 10.668 of the Medford Land Development Code and of the "takings clause" the Fifth Amendment to the Constitution of the United States.

Response:

Public Works disagrees with the applicant's submitted estimation of the construction costs of the subject Myers Lane street section. Per the Applicant's Exhibit "S-8" the cost includes "performing the work to City of Medford standards and building a bridge similar to what we constructed in our existing Stewart Meadows Village Development." The bridges in the Stewart Meadows Village Development on the north side of Garfield are architectural features that cost much more than what would be required if the goal was to span Hansen Creek at the least cost. A box culvert or single-span concrete bridge would significantly reduce costs. Road construction costs could also be reduced through not choosing to use pedestrian scale lighting and landscaping to the same degree that the applicant chose to do on the north side. Public Works would budget the cost of construction for the road and creek crossing at no more than \$700,000, assuming a single-span concrete bridge and a commercial street standard.

Public Works has also updated the staff report to allow the extension of Myers Lane as either a public street, private street, or interior access road, from Anton Drive to Hansen Creek, consistent with Medford Land Development Code 10.426, and require the applicant to contribute a proportional share of a bridge since Hansen Creek is on the property line. Public Works has also updated the Section 10.668 analysis section of the report.

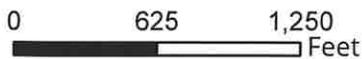


Project Name:

Stewart Meadows Village

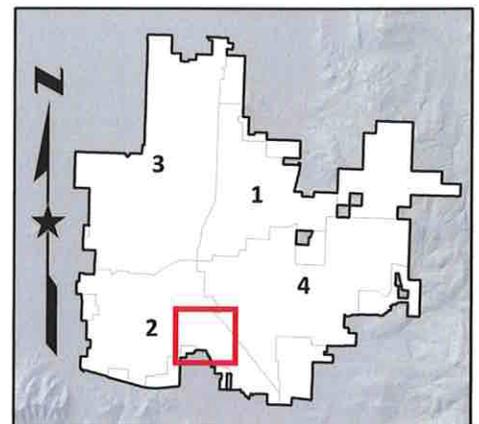
Map/Taxlot:

Various Properties



Legend

-  Subject Area
-  Tax Lots
-  Zoning Districts





STAFF REPORT

for a Type-IV legislative decision: **Transportation Facility Development**

Project Foothill Road Improvements – Delta Waters Rd. to McAndrews Rd.
File no. TF-19-001
To Planning Commission *for 02/27/2020 hearing*
From Seth Adams, AICP, Planner III
Reviewer Carla Angeli Paladino, Principal Planner
Date February 20, 2020

Proposal

The City of Medford Public Works Department proposes to improve Foothill Road between Delta Waters Road and McAndrews Road to regional arterial standards which include: two travel lanes in each direction, bike lanes and sidewalks, medians, and planter strips (Exhibit A).

Applicable Criteria

Medford Municipal Code §10.226, Transportation Facility Development

- (1) Transportation facility development projects shall be consistent with the Transportation Goals and Policies of the Comprehensive Plan.*
- (2) Transportation facility projects should not prevent development of the remainder of the property under the same ownership or development of adjoining land.*
- (3) If the project includes the creation of new streets, such streets should be laid out to conform with the plats of land divisions already approved for adjoining property.*
- (4) All transportation projects must be consistent with the adopted Transportation System Plan (TSP).*

ISSUES AND ANALYSIS

Background

Foothill Road provides one of the only major arterial connections linking the northern and southern portions of Medford’s Urban Growth Boundary (UGB) east of Interstate 5, and it therefore provides a bypass for Highway 62 and Interstate 5 around the east side of Medford. The section of Foothill Road within East Medford is a two-lane County road with narrow shoulders and no bicycle or pedestrian facilities. The corridor currently carries traffic volumes exceeding 11,000 average daily trips (ADT) within the Medford UGB. As population increases in East Medford and the Bear Creek Valley, traffic volumes, congestion, and delays will also increase along Foothill Road.

In August 2016 the Medford City Council passed a resolution supporting improvement of the Foothill Road/North Phoenix corridor and designating it the City’s top transportation priority. The City Council has committed \$20,500,000 in non-federal funding towards the Foothill Road/North Phoenix improvement project, and in November 2019 the City was selected for a \$15,500,000 USDOT BUILD Grant to assist with project costs. The Foothill Road/North Phoenix corridor project was the only project in the State of Oregon to be awarded funds from the BUILD Grant program.

As described in the proposed project narrative (Exhibit B), the proposal will widen and improve approximately 6,450 feet (1.22 miles) of Foothill Road between Delta Waters Road and McAndrews Road, and provide approximately 14,000 linear feet of bike lanes and sidewalks where none currently exist.

Project Details

The following list summarizes the proposed road improvements.

Foothill Road

- 53 to 76 foot wide street improvements (curb to curb) from Delta Waters Rd. to McAndrews Rd.
- 5 to 7 foot wide sidewalk (each side)
- 10 foot wide multi-use path on west side of road between Lone Pine Rd. and McAndrews Rd.
- 12 foot wide multi-use path following existing irrigation canal around PP&L electrical substation “lower yard”
- Left turn lanes at intersections except for Eucalyptus Dr. and Lone Pine Rd.

- 4 travel lanes (two each way) and center turn lane
- 5.5 to 6 foot separated bike lanes (each side)
- Underground storm drain improvements
- Traffic signal at Delta Waters Rd. intersection (if supported by traffic analysis)
- Traffic signal modification at Cedar Links Dr. intersection
- Street lighting
- 5 foot wide planter strip (each side), where applicable
- Street trees within the planter strip at 50 foot spacing
- Median island to match previously approved Foothill Road improvements from Hillcrest Rd. to McAndrews Rd. (herringbone stamp with terra cotta color)

Delta Waters Road

- 44 foot wide street improvements (curb to curb) from Foothill Rd. to 650 feet west
- 5 to 7 foot wide sidewalk (south side of road)
- 7 foot wide sidewalk (north side of road)
- 10 foot wide planter strip (south side of road)
- 2 travel lanes (one each way) and center turn lane
- 5 foot bike lanes (each side)
- Underground storm drain improvements
- Street lighting

Lone Pine Road

- 38 foot wide street improvements (curb to curb) from Foothill Rd. to 550 feet west
- 5 to 7 foot wide sidewalk (south side of road)
- 10 foot wide multi-use path (north side of road)
- 10 foot wide planter strip on south side of road, east of Foothill Rd.
- 2 travel lanes (one each way)
- 6 foot bike lanes (each side)
- Underground storm drain improvements
- Street lighting

Exceptions

The shaded cells in the following table identify where the proposed project varies from the Transportation System Plan.

	Features / Dimensions (Each Direction)					Left or Center Turn Lane /Median	Total Paved Width	Total Right-of-Way Width
	Travel Lanes	Bike Lane	On-Street Parking	Sidewalk	Planter Strip			
Major Arterial/ Regional Arterial (TSP Exhibit 4)	11' 12'	6'	None	6' & 3' Buffer	5'	6'-14'	52'-60'	92'-100'
Foothill Road Cross Section 'A'-A' & 'E'-E'	11' 12.5'	6'	None	6' & 0' Buffer	5'	6' (('E'-E' 14' (('A'-A')	53' (('E'-E' 61' (('A'-A')	88' (('E'-E' 96' (('A'-A')
Foothill Road Cross Section 'C'-C'	11' 11'	5.5' East 0' West	None	5' East 0' West	0'	4'	54.5'	63.5'
Foothill Road Cross Section 'F'-F'	11' 11'	6' & 3' Buffer	None	7' East 10' West	0'	14'	76'	96'
Major Collector (TSP Exhibit 8)	11'	5'	None	5'	10'	12'	44'	74'
Delta Waters Road Cross Section 'B'-B'	11'	5'	None	7'	0'	12'	44'	63'-71'
Lone Pine Road Cross Section 'D'-D'	13'	6'	None	10' North 7' South	0'	0'	38'	56'
Indicates variance from Medford Transportation System Plan								

Utility Impacts

Portions of the Medford Irrigation District (MID) canal will be realigned with underground pipes. Staff has helped MID with placement and sizing of the proposed irrigation facilities. In addition, staff is coordinating with Pacific Power & Lighting (PP&L) to determine the impacts to their substation access points and fencing located on both sides of Foothill Road at the intersection of Lone Pine Road. The roadway within this segment of the project has been minimized to reduce physical and financial impacts to the substation, and staff is coordinating with PP&L on the relocation of 33 transmission poles currently located within the proposed street improvements. Staff is also coordinating with other affected utilities to determine facility impacts.

Access Management

Existing driveways along the project route will have standard driveway approaches and transitions matching the existing width and material. All driveways will be right-in/right-out due to the concrete median along Foothill Road. To avoid conflict with the proposed signal and intersection at Foothill Road and Delta Waters Road, two driveways are proposed to be combined and relocated to the intersection. On the east side of Foothill Road at Cedar Links Drive, three driveways are proposed to be combined and relocated to the signalized intersection to eliminate the conflict of having residential driveways too close to a signalized intersection. The proposal also calls for combining the driveways for 2565 and 2615 North Foothill Road due to increased grade changes and road widening that will make the existing driveway transitions too steep.

Right-of-Way Acquisition

The proposed street improvements will require right-of-way acquisition from 24 tax lots, totaling approximately 154,000 square feet.

Agency and Department Comments

Project plans were sent to referral agencies for comments, including utilities, city and county departments, and other quasi-governmental agencies.

Building Department: The Building Department has no comments on the proposal (Exhibit C).

Fire Department: The Fire Department commented that three new fire hydrants will be required along Foothill Road (Exhibit D).

Public Works Department: The Public Works Department has no comments on the proposal (Exhibit E).

Jackson County Roads: Jackson County Roads commented that it supports the proposed improvements, and that the City of Medford is required to request jurisdiction of the road facilities prior to beginning construction (Exhibit F).

Medford Water Commission: The Medford Water Commission submitted a memorandum listing eight conditions of approval that the City will need to comply with throughout the final design and construction phases of the project (Exhibit G).

Parks Department: The Medford Parks Department commented that it supports the project, and that it would also support implementation of the proposed 'A'-A' cross-section on the length of Foothill Road south of McAndrews Road to Hillcrest Road, noting that a revision to that earlier transportation facility project may not be feasible (Exhibit H).

Committee & Commission Comments

Bicycle & Pedestrian Advisory Committee: The proposal was discussed at the Bicycle and Pedestrian Advisory Committee (BPAC) meeting of February 10, 2020, and the proposed project is supported by BPAC (Exhibit I).

Transportation Commission: The proposal will be discussed at the Transportation Commission meeting on February 26, 2020. As the Transportation Commission will be reviewing the proposal after the publication of this staff report, their comments will be shared with the Planning Commission at the public hearing.

Public Process

Staff from the Engineering Division of the Public Works Department sent out notices to all residences within 200-feet of the entire project length. Engineering staff also met directly with some of the property owners whose property would be directly affected by the project. In addition, an informational open house was held at North Medford High School on February 3, 2020 to allow area residents to view preliminary design plans and discuss the project with staff from the Public Works Department. Staff received a total of 15 written comments at the open house (Exhibit J).

Prior to the Planning Commission hearing, public notice signs were posted every 600 feet along the proposed project length, and notices were sent to property owners adjoining and within 200 feet of the project. Notices to the same property owners will be sent out again prior to the City Council hearing scheduled for March 19, 2020. The hearing information related to the project was also published in the local newspaper ten days prior to the first hearing.

FINDINGS AND CONCLUSIONS

The approval criteria that apply to Transportation Facility Developments are in Medford Municipal Code §10.226. The criteria are rendered in *bold italics*, findings and conclusions in roman type.

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

- (1) Transportation facility development projects shall be consistent with the Transportation Goals and Policies of the Comprehensive Plan.*

Findings

The transportation facility project is consistent with various transportation goals and policies identified in the Comprehensive Plan. The relevant statements are identified below and are further explained about how they relate to this project.

Goal 1: To provide a multi-modal transportation system for the Medford planning area that supports the safe, efficient, and accessible movement of all people and goods, and recognizes the area's roles as the financial, medical, tourism, and business hub of Southern Oregon and Northern California.

Policy 1-B: The City of Medford shall use the Transportation System Plan as the legal basis and policy foundation for decisions involving transportation issues.

Policy 1-C: The City of Medford's top priority for the use of transportation funds shall be to address the maintenance, operational, and safety needs of the transportation system.

Policy 1-E: The City of Medford's third priority for the use of transportation funds shall be to fund capital improvements that add capacity to the transportation system. These improvements shall be prioritized based on availability of funds, reducing reliance on the automobile, improving safety, relieving congestion, responding to growth, and system-wide benefits.

Goal 1 – Analysis

The improvements to Foothill Road will encourage multi-modal transportation while enhancing vehicular capacity and safety to the overall transportation system. The project will include sidewalks along both sides of the street where none exist currently, and will provide safe pedestrian travel for adjacent businesses and residential neighborhoods. Bicycle lanes will be constructed with the project, where none exist currently, and when completed will provide approximately 4 miles of continuous bike lanes along North Phoenix/Foothill roads from Juanipero Way to Delta Waters Road. The Transportation System Plan was used to establish the proposed roadway dimensions with variances to the planter strip, sidewalk, bike lanes, and travel lane widths. These

variances are needed due to existing physical constraints along this segment of roadway.

Goal 2: To provide a comprehensive street system that serves the mobility and multi-modal transportation needs of the Medford planning area.

Policy 2-E: The City of Medford shall design to enhance livability by assuring that aesthetics and landscaping are a part of Medford's transportation.

Policy 2-F: The City of Medford shall bring Arterial and Collector streets up to full design standards where appropriate, and facilitate improving existing local streets to urban design standards where appropriate.

Policy 2-1: The City of Medford shall promote transportation safety.

Goal 2 – Analysis

The improvements to Foothill Road will encourage multi-modal transportation with construction of sidewalks and bicycle lanes along both sides of the street where none exist currently, and will provide safe pedestrian travel for adjacent businesses and residential neighborhoods. New street lights will be installed as part of the project which will provide illumination for vehicles, pedestrians, and bicyclists. The planter strips will be enhanced with trees and bark ground cover.

Overall, the implementation of the typical Major Arterial/Regional Arterial Street standards with the proposed variances will provide a safer and enhanced roadway that will benefit vehicular traffic, bicyclists, and pedestrians.

Goal 5: To facilitate the increased use of pedestrian transportation in the Medford planning area.

Goal 5 – Analysis

The construction of sidewalks along both sides of the street, where none exist currently, will provide safe pedestrian travel for adjacent businesses and residential neighborhoods. This project will also need to construct a 12 foot wide multi-use path westerly around the PP&L substation in order to minimize the physical and financial impacts to the substation.

Conclusions

The transportation facility project implements the Transportation System Plan and fulfills identified goals and policies of the Comprehensive Plan. The project satisfies Criterion 1.

- (2) Transportation facility projects should not prevent development of the remainder of the property under the same ownership or development of adjoining land.***

Findings

The transportation facility improvements modify an existing roadway and abut single family residential and commercial properties that have the potential to develop in the future.

Conclusions

The proposal does not prevent development of the remainder of the property under the same ownership or development of adjoining land. This criterion is found to be satisfied.

- (3) If the project includes the creation of new streets, such streets should be laid out to conform with the plats of land divisions already approved for adjoining property.***

Findings

The proposal does not create any new streets. The proposed improvements will be installed along existing roadways.

Conclusions

As no new streets are proposed, the criterion is not applicable.

- (4) All transportation projects must be consistent with the adopted Transportation System Plan (TSP).***

Findings

The transportation facility improvements on Foothill Road will implement the typical cross section as shown in Exhibit 4 – Major Arterial/Regional Arterial With Separated Bicycle Lanes (Low Stress for 40mph and Higher) with variances to travel lane, sidewalk and sidewalk-bike buffer widths from Delta Waters Road to Eucalyptus Road.

The segment of Foothill Road between Eucalyptus Road and Lone Pine Road will need variances to the median, travel lane, bike, sidewalk and sidewalk-bike buffer widths. These variances are needed to best fit the Section 'C'-'C', as shown on the plans, between the east and west substation. A 12 foot wide multi-use path is proposed to provide pedestrian and bicycle access westerly around the substation due to the elimination of those facilities adjacent to the road.

The segment of Foothill Road between Lone Pine Road and McAndrews Road will implement the cross section used for the Council-approved Transportation Facility Application (TF-17-012) for Foothill Road – Hillcrest Road to McAndrews Road.

Delta Waters Road will implement the typical cross section as shown for a Major Collector in Exhibit 8 – Major Collector with variances to sidewalk width and elimination of the planter strip.

Lone Pine Road will not be able to meet the typical cross section for a Major Collector due to the reduced width between existing improvements (PP&L substation to the north and the Lone Pine Square development to the south).

Conclusions

The proposal is consistent with the adopted Transportation System Plan. This criterion is found to be satisfied.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are satisfied, forward a favorable recommendation for approval of TF-19-001 to the City Council per the staff report dated February 20, 2020, including Exhibits A through J.

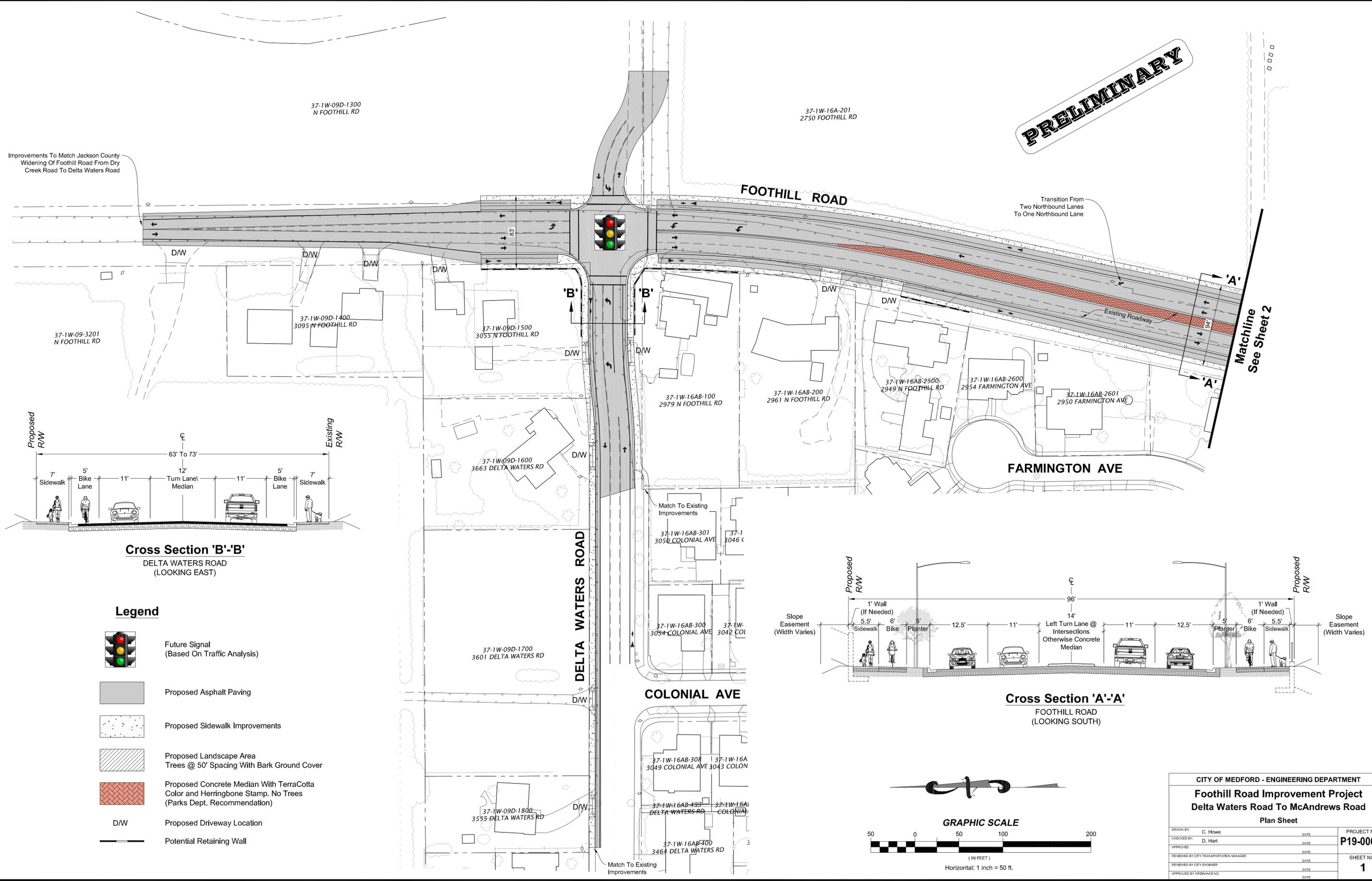
EXHIBITS

- A Project Plans
- B Project Narrative
- C Building Department Comments – February 5, 2020
- D Fire Department Comments – January 27, 2020
- E Public Works Department comments – February 5, 2020
- F Jackson County Roads comments – January 17, 2020
- G Medford Water Commission comments – February 5, 2020
- H Parks Department comments – February 20, 2020
- I Bicycle & Pedestrian Advisory Committee comments – February 13, 2020
- J Open House Public comments – February 3, 2020

PLANNING COMMISSION AGENDA:

FEBRUARY 27, 2020

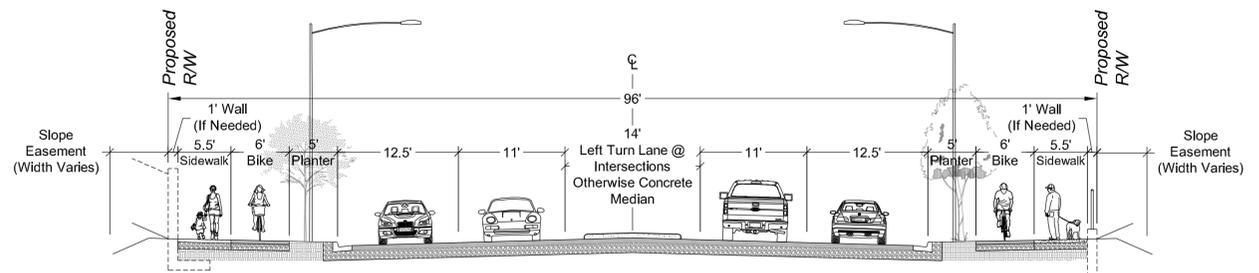
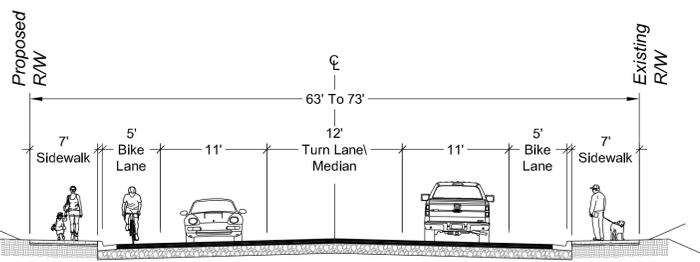
PRELIMINARY



Improvements To Match Jackson County Widening Of Foothill Road From Dry Creek Road To Delta Waters Road

Transition From Two Northbound Lanes To One Northbound Lane

Matchline See Sheet 2

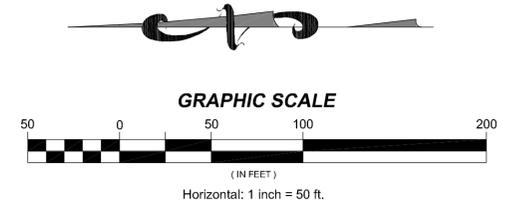


Cross Section 'B'-B'
DELTA WATERS ROAD
(LOOKING EAST)

Cross Section 'A'-A'
FOOTHILL ROAD
(LOOKING SOUTH)

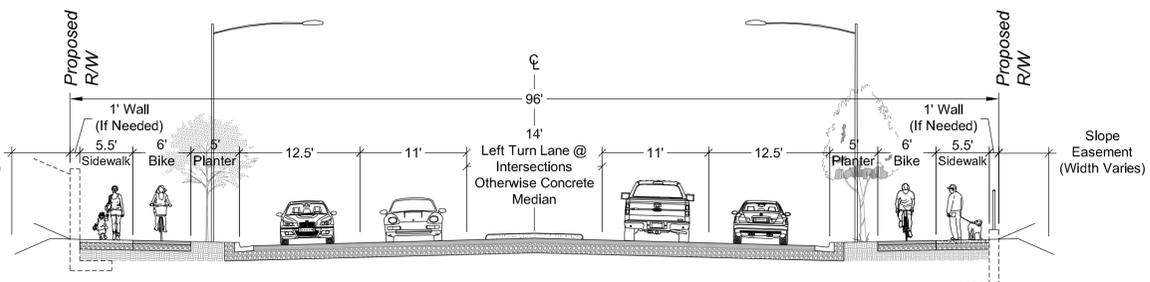
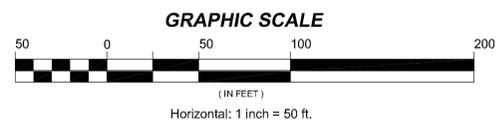
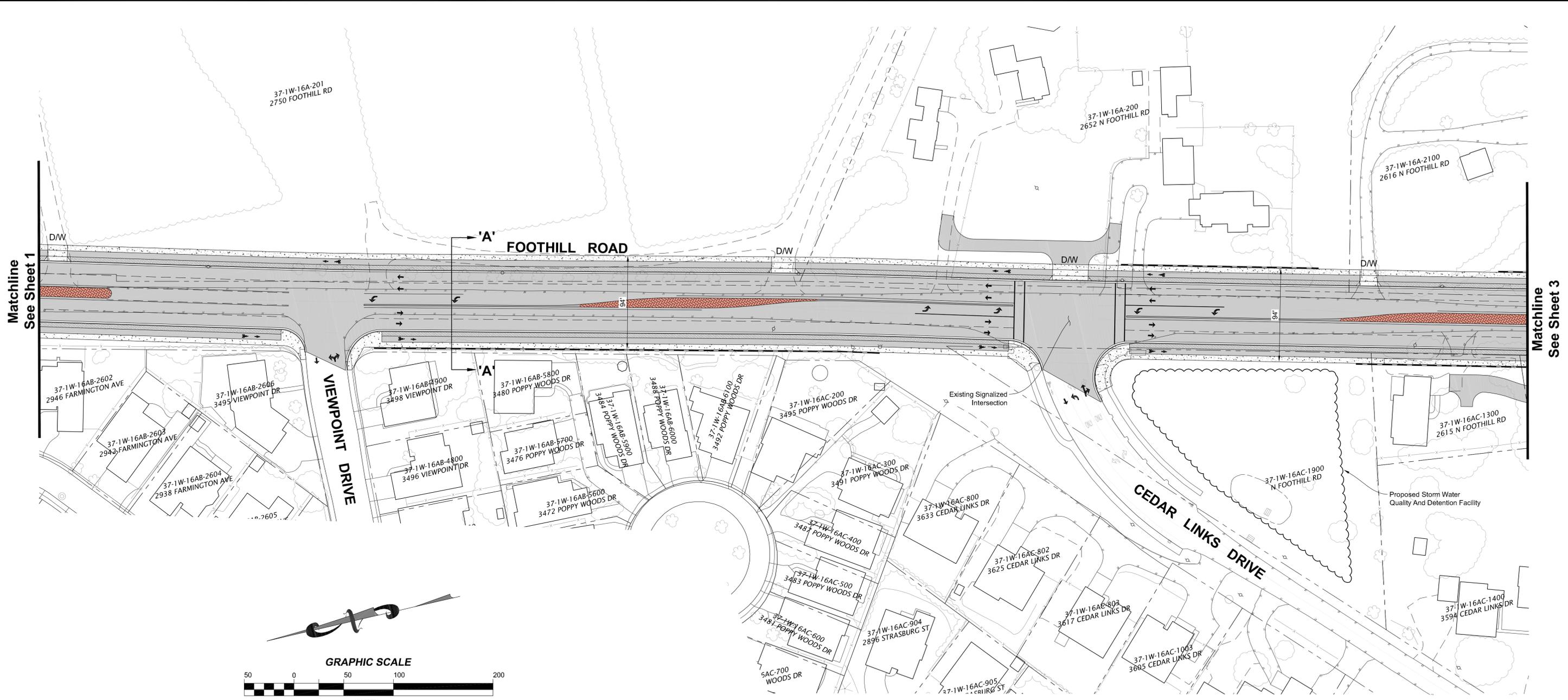
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-  Future Signal (Based On Traffic Analysis)
-  Proposed Asphalt Paving
-  Proposed Sidewalk Improvements
-  Proposed Landscape Area
Trees @ 50' Spacing With Bark Ground Cover
-  Proposed Concrete Median With TerraCotta Color and Herringbone Stamp. No Trees (Parks Dept. Recommendation)
-  D/W Proposed Driveway Location
-  Potential Retaining Wall



CITY OF MEDFORD - ENGINEERING DEPARTMENT			
Foothill Road Improvement Project			
Delta Waters Road To McAndrews Road			
Plan Sheet			
DRAWN BY: C. Howie	DATE:	PROJECT NO. P19-00025	
CHECKED BY: D. Hart	DATE:		
APPROVED:	DATE:		
REVIEWED BY CITY TRANSPORTATION MANAGER	DATE:		SHEET NO. 1
REVIEWED BY CITY ENGINEER	DATE:		
APPROVED BY ORDINANCE NO.	DATE:		

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Cross Section 'A'-A'
FOOTHILL ROAD
(LOOKING SOUTH)

Legend

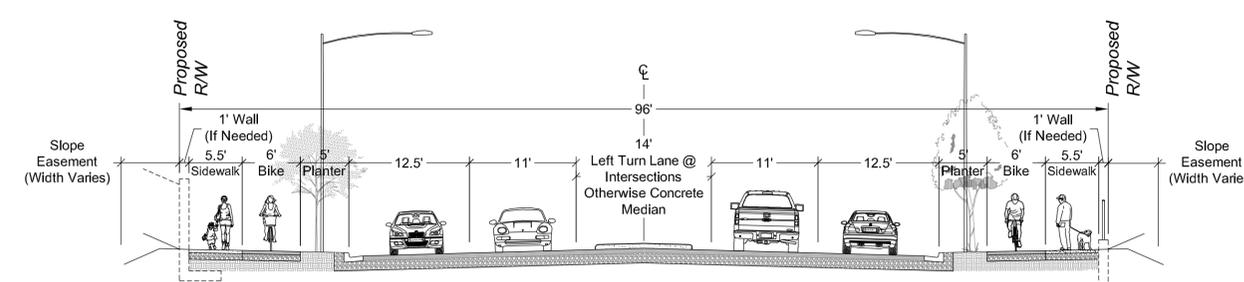
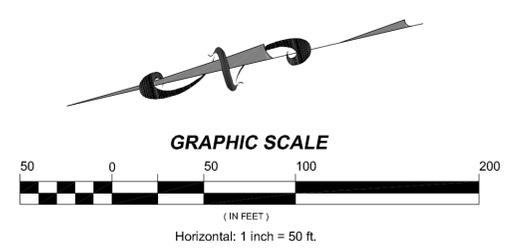
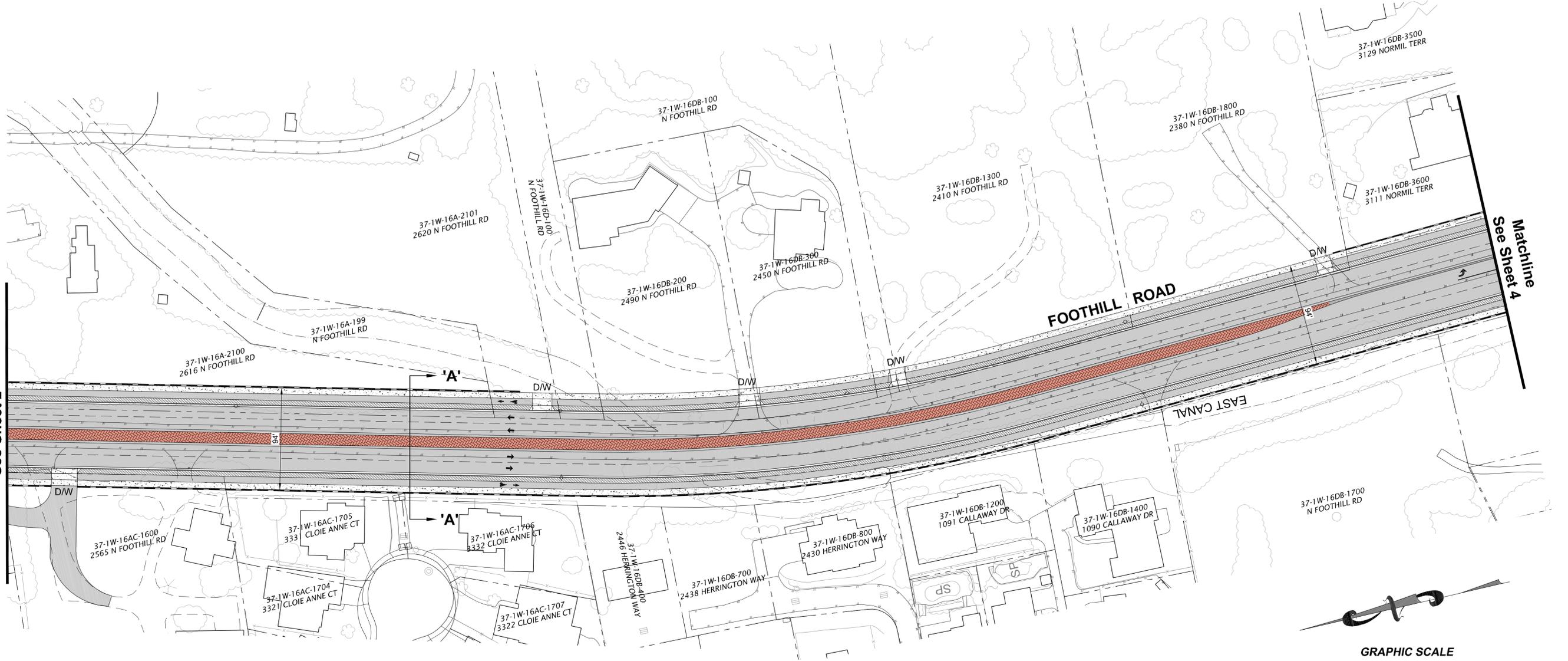
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-  Proposed Sidewalk Improvements
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Trees @ 50' Spacing With Bark Ground Cover
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PRELIMINARY

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Foothill Road Improvement Project			
Delta Waters Road To McAndrews Road			
Plan Sheet			
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CHECKED BY:	D. Hart	DATE:	
APPROVED:		DATE:	
REVIEWED BY CITY TRANSPORTATION MANAGER:		DATE:	
REVIEWED BY CITY ENGINEER:		DATE:	
APPROVED BY ORDINANCE NO.:		DATE:	
			PROJECT NO. P19-00025
			SHEET NO. 2

Matchline
See Sheet 2

Matchline
See Sheet 4



Cross Section 'A'-A'
FOOTHILL ROAD
(LOOKING SOUTH)

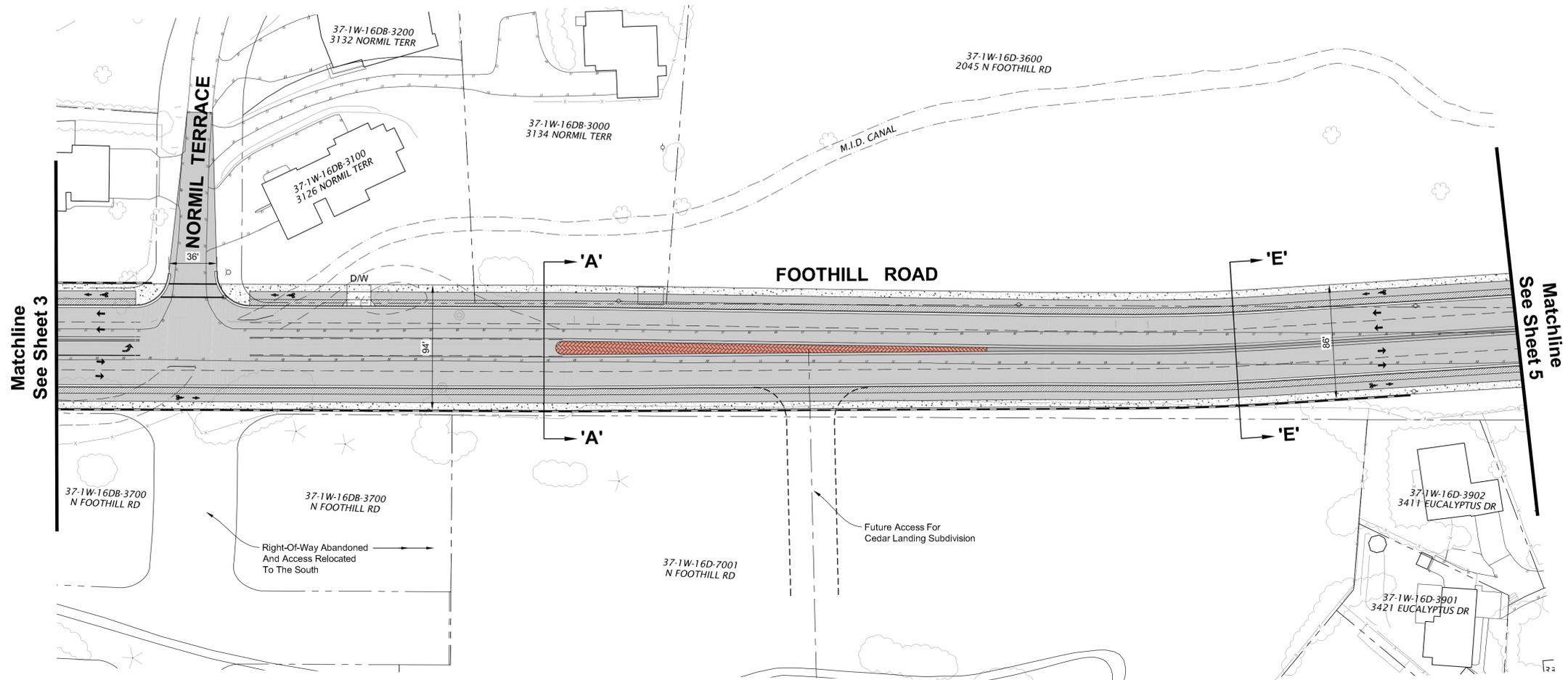
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-  Proposed Asphalt Paving
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-  Proposed Landscape Area
Trees @ 50' Spacing With Bark Ground Cover
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PRELIMINARY

CITY OF MEDFORD - ENGINEERING DEPARTMENT			
Foothill Road Improvement Project			
Delta Waters Road To McAndrews Road			
Plan Sheet			
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CHECKED BY: D. Hart	DATE		
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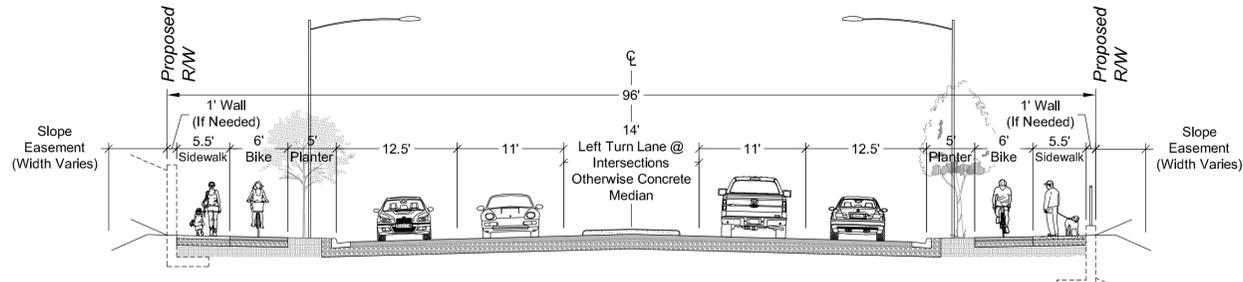
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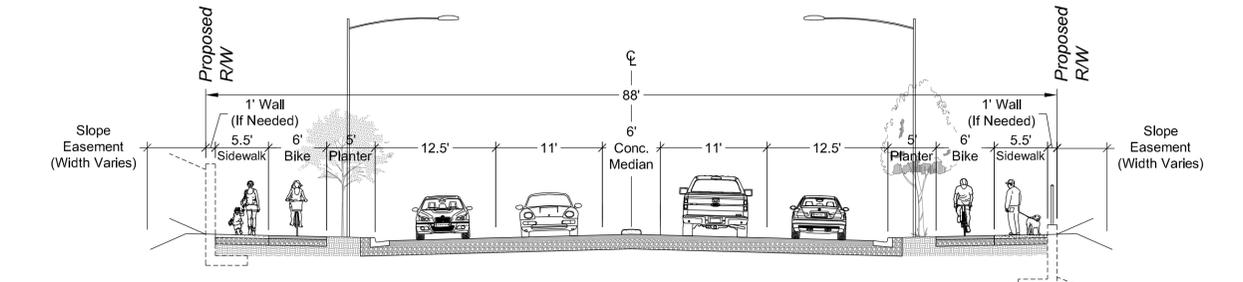
Matchline
See Sheet 3

Matchline
See Sheet 5

PRELIMINARY



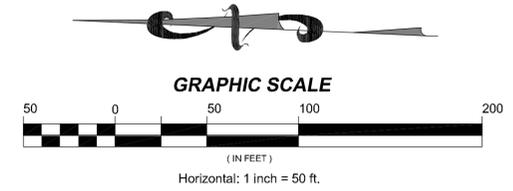
Cross Section 'A'-A'
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(LOOKING SOUTH)



Cross Section 'E'-E'
FOOTHILL ROAD
(LOOKING SOUTH)

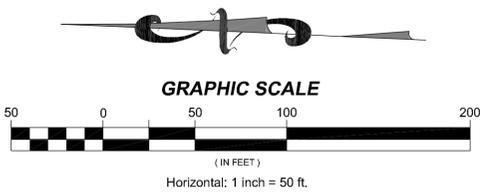
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-  Proposed Asphalt Paving
-  Proposed Sidewalk Improvements
-  Proposed Landscape Area
Trees @ 50' Spacing With Bark Ground Cover
-  Proposed Concrete Median With TerraCotta Color and Herringbone Stamp. No Trees (Parks Dept. Recommendation)
-  D/W Proposed Driveway Location
-  Potential Retaining Wall

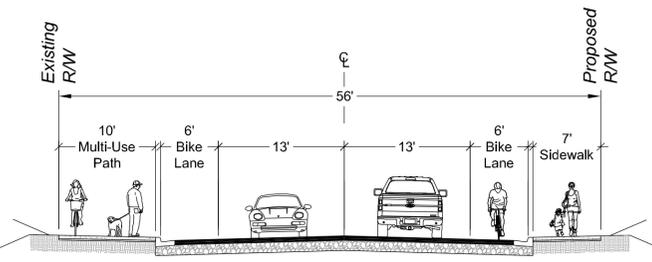
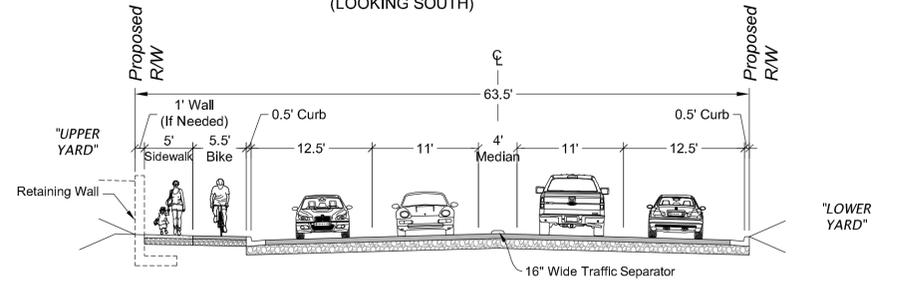
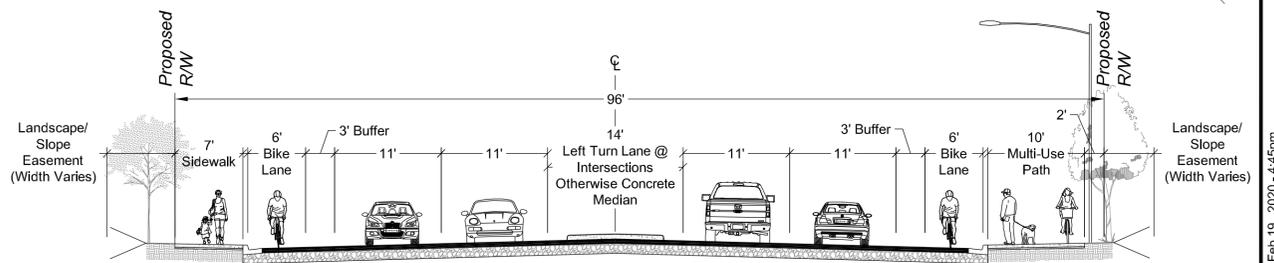
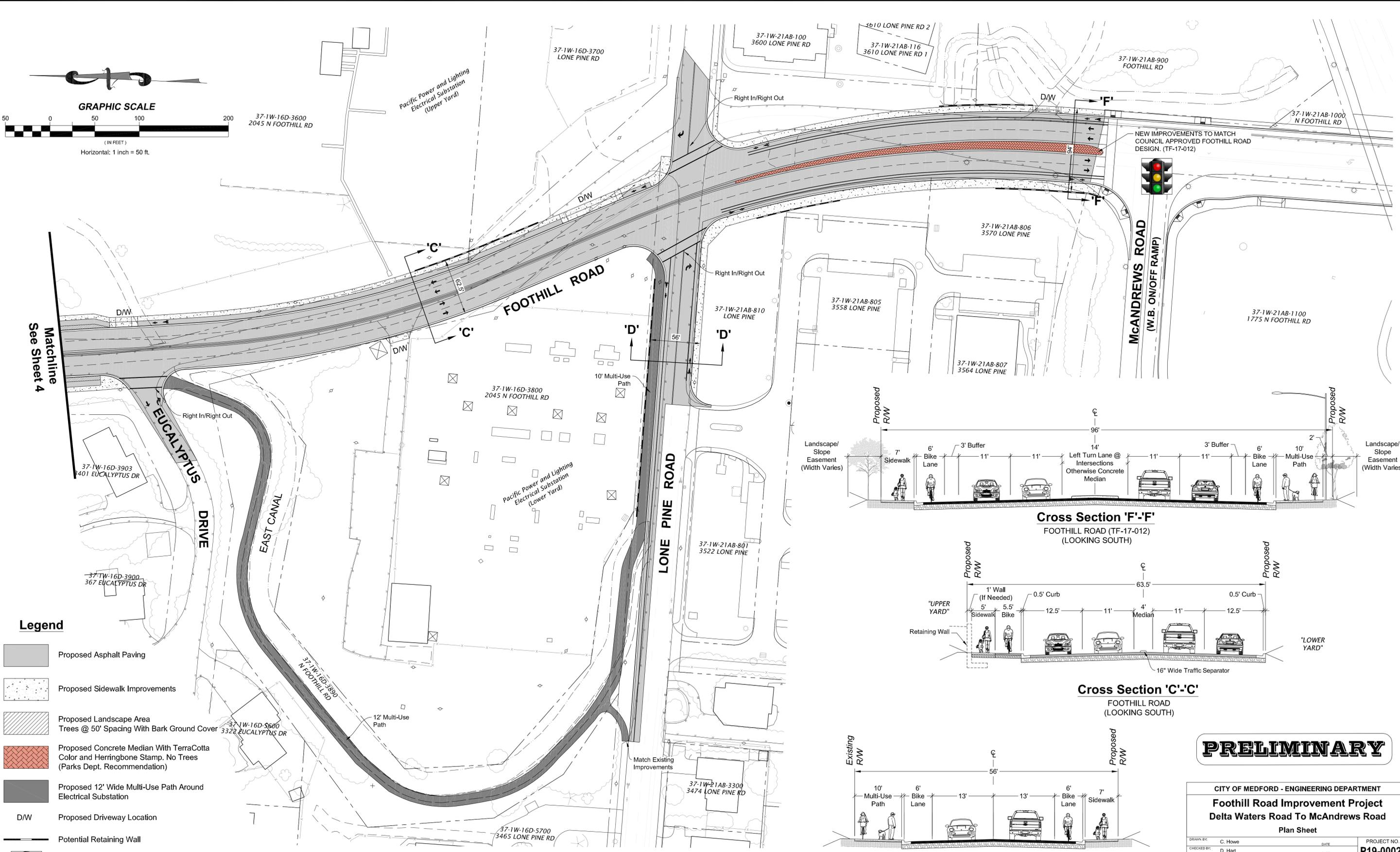


CITY OF MEDFORD - ENGINEERING DEPARTMENT			
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Delta Waters Road To McAndrews Road			
Plan Sheet			
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CHECKED BY: D. Hart	DATE		
APPROVED:	DATE		
REVIEWED BY CITY TRANSPORTATION MANAGER	DATE	SHEET NO.	
REVIEWED BY CITY ENGINEER	DATE	4	
APPROVED BY ORDINANCE NO.	DATE		

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- Legend**
- Proposed Asphalt Paving
 - Proposed Sidewalk Improvements
 - Proposed Landscape Area
Trees @ 50' Spacing With Bark Ground Cover
 - Proposed Concrete Median With TerraCotta Color and Herringbone Stamp. No Trees (Parks Dept. Recommendation)
 - Proposed 12' Wide Multi-Use Path Around Electrical Substation
 - D/W Proposed Driveway Location
 - Potential Retaining Wall
 - Proposed Signal Approved With TF-17-012



PRELIMINARY

CITY OF MEDFORD - ENGINEERING DEPARTMENT		PROJECT NO.
Foothill Road Improvement Project		P19-00025
Delta Waters Road To McAndrews Road		SHEET NO.
Plan Sheet		5
DRAWN BY: C. Howie	DATE:	
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REVIEWED BY CITY ENGINEER:	DATE:	
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MEMORANDUM

To: Planning Department

From: Craig Howe, Engineering Technician IV

CC:

Date: February 19, 2019

Subject: Foothill Road Improvements – Delta Waters Rd to McAndrews Rd (BUILD Grant)

Executive Summary

This project will improve Foothill Road between Delta Waters Road and McAndrews Road to regional arterial standards which includes: travel lanes, bike lanes, sidewalks, a median, and planter strips. The number of travel lanes within the proposed section of Foothill Road will be increased from two to four lanes (two each way) and are proposed to be separated by a varied-width, colored and stamped concrete median down the center. This project will also deliver road-separated bike lanes, sidewalks, planter strips, storm drain improvements and street lighting on Foothill Road.

Project length is approximately 6,450 feet and will provide approximately 14,000 feet of bike lanes and sidewalks. On the north end of the project, Delta Waters is proposed to be widened to accommodate a sidewalk on the north side and create a standard major collector street section. A signal at the intersection of Delta Waters Rd and Foothill Rd will be installed if supported by the traffic analysis.

In order to construct the improvements between the existing Pacific Power substations, the center turn lane is proposed to be removed from the Foothill Rd cross-section and traffic turns onto Foothill Rd from both Lone Pine Rd and Eucalyptus Dr will be limited to right-in/right-out. The project impacts Medford Irrigation Canal facilities at various locations and the City will work with this utility to mitigate and minimize these impacts. In summary, the Engineering Division of Public Works recommends constructing the following in accordance with the City of Medford Transportation System Plan (TSP) with variances as shown herein and on the plans.



- Foothill Road from Delta Waters Rd to McAndrews Road (approximately 6,450 feet) as a regional arterial.
- Delta Waters Road from Foothill Rd to 650 feet west as a major collector
- Lone Pine Road from Foothill Rd to 550 feet west as a major collector in accordance with the City of Medford Transportation System Plan (TSP) with variances as shown herein and on the plans.

Project Background

Foothill Road currently provides one of the only major arterial connections linking the northern and southern portions of the UGB area east of Interstate 5. It extends N. Phoenix Road northward from Hillcrest Rd to Delta Waters Rd where it continues northward into Jackson County. It therefore provides a bypass for Hwy 62 and I-5 around the east side of Medford. As population increases in the Bear Creek Valley and Medford area, Foothill Road will experience increased traffic volumes, congestion, and delays. This project is identified in the TSP as Project #609 as shown in Table 5.

The section of Foothill Road within East Medford is currently a two-lane County road with very narrow shoulders and no bicycle or pedestrian facilities. The corridor speed is posted at 45 MPH, except between the McAndrews Rd west bound onramp and Eucalyptus Drive where the speed is posted at 35 MPH, and it currently carries traffic volumes that exceed 11,000 ADT within the Medford UGB.

On August 18, 2016, Medford City Council passed Resolution No. 2016-104 supporting improvement of the Foothill Road/North Phoenix Corridor and considered it the top transportation priority for the City of Medford, see Exhibit A.

On June 20, 2019, Medford City Council passed Resolution No. 2019-64 that will provide \$20,500,000 in non-federal funding towards the project should the BUILD grant be awarded, see Exhibit B.

On Nov 15th, 2019, Oregon Department of Transportation (ODOT) announced Oregon / City of Medford was successful in being selected for a USDOT BUILD Grant. Grant funding towards the Foothill Road project could be as high as \$15,500,000. This project was the only project in the State of Oregon to be awarded funds.

Federal Announcement:

42. Southern Oregon Corridor Resiliency and Congestion Relief Project - Medford, Oregon



Estimated Grant Funding: \$15,500,000

Estimated Total Project Costs: \$39,370,000

This project will expand approximately 3.97 miles of roadway along the Foothill Road/North Phoenix Road Corridor from a two-lane arterial to a four-lane arterial with center turn lane, sidewalks, and bike lanes. The project extends approximately 5.5 miles of improvements completed or underway in the corridor. This award is less than the \$20.5 million requested because the Department believes that the project will deliver sufficient benefits under a reduced scope. To accommodate a reduced award, the Department concurred with the applicant's proposal to eliminate the North Phoenix – Coal Mine to Barnett section of the project scope.

The project aligns well with the Department's criteria related to safety, economic competitiveness, and state of good repair. By constructing an additional lane in each direction and a center turn lane, the project seeks to eliminate safety hazards, including backups behind turning vehicles and abrupt breaking, associated with one lane of travel in each direction. The project also improves safety by creating dedicated space for pedestrians and bicyclists to minimize vehicle conflicts for vulnerable road users. Similarly, the added capacity and turn lane improves economic competitiveness by reducing congestion and delays, and by increasing access to two Opportunity Zones and employment destinations. The project supports state of good repair by providing an alternative to the congested Interstate 5, improving the overall efficiency of the larger transportation network.

This project will provide the following:

Foothill Road:

- 53 to 76 foot wide street improvements (curb to curb) from Delta Waters Rd to McAndrews Rd.
- 5 to 7 foot wide sidewalk on each side of road
- 10 foot wide multi-use path on west side of road between Lone Pine & McAndrews
- 12 foot wide multi-use path following existing irrigation canal around PP&L electrical substation "lower yard"
- Left turn lanes at intersections except for Eucalyptus Dr. and Lone Pine Road
- 4 travel lanes (two each way) and center turn lane
- 5.5 to 6 foot bike lanes each side.
- Underground storm drain improvements
- Traffic Signal at Delta Waters Rd intersection (if supported by traffic analysis)
- Traffic Signal modification at Cedar Links Dr. intersection



- Street lighting
- 5 foot wide planter strip on each side of road
- Street trees within the planter strip at 50 foot spacing.
- Median island style will match Foothill Road improvements from Hillcrest Rd. to McAndrews Rd. (herringbone stamp with terra cotta color).

Delta Waters Road:

- 44 foot wide street improvements (curb to curb) from Foothill Rd to 650 feet west
- 5 to 7 foot wide sidewalk on south side of road
- 7 foot wide sidewalk on north side of road
- 10 foot wide planter strip on south side of road
- 2 travel lanes (one each way) and center turn lane
- 5 foot bike lanes each side
- Underground storm drain improvements
- Street lighting

Lone Pine Road:

- 38 foot wide street improvements (curb to curb) from Foothill Rd to 550 feet west
- 5 to 7 foot wide sidewalk on south side of road
- 10 foot wide multi-use path on north side of road
- 10 foot wide planter strip on south side of road, east of Foothill Road
- 2 travel lanes (one each way)
- 6 foot bike lanes each side
- Underground storm drain improvements
- Street lighting



Proposed variance to Transportation System Plan:

	Features / Dimensions (Each Direction)						Total Paved Width	Total Right-of-Way Width
	Travel Lanes	Bike Lane	On-Street Parking	Sidewalk	Planter Strip	Left or Center Turn Lane /Median		
Major Arterial/ Regional Arterial (TSP Exhibit 4)	11' 12'	6'	None	6' & 3' Buffer	5'	6'-14'	52'-60'	92'-100'
Foothill Road Cross Section 'A'-A' & 'E'-E'	11' 12.5'	6'	None	6' & 0' Buffer	5'	6' ('E'-E') 14' ('A'-A')	53' ('E'-E') 61' ('A'-A')	88' ('E'-E') 96' ('A'-A')
Foothill Road Cross Section 'C'-C'	11' 11'	5.5' East 0' West	None	5' East 0' West	0'	4'	54.5'	63.5'
Foothill Road Cross Section 'F'-F'	11' 11'	6' & 3' Buffer	None	7' East 10' West	0'	14'	76'	96'
Major Collector (TSP Exhibit 8)	11'	5'	None	5'	10'	12'	44'	74'
Delta Waters Road Cross Section 'B'-B'	11'	5'	None	7'	0'	12'	44'	63'-71'
Lone Pine Road Cross Section 'D'-D'	13'	6'	None	10' North 7' South	0'	0'	38'	56'
Indicates variance from Medford Transportation System Plan								



Utility impact:

Portions of the Medford Irrigation District (MID) canal will be realigned with underground pipes. These improvements are needed to eliminate conflicts between the road widening and the existing canal. Staff has been in contact with MID and have helped with placement and sizing of the proposed irrigation facilities.

Staff is coordinating with Pacific Power & Lighting (PP&L) to determine the impacts to the substation access points and minor fence relocation. The roadway within this segment has been minimized to reduce the substantial physical and financial impacts to the substation. Staff is also coordinating the relocation of 33 transmission poles currently located within the proposed street improvements.

Staff is coordinating with other affected utilities to determine facility impacts.

Access management:

Existing driveways will have a standard driveway approach and transition matching the existing width and material (i.e. concrete, asphalt). The proposed location of driveways is shown on the submitted plan sheets labeled "D/W". All driveways are proposed to be right-in/right-out due to the concrete median along Foothill Road.

Staff is proposing to combine and relocate the driveways for 3014 and 3034 Foothill Rd, located on the east side of Foothill Rd at Delta Waters Rd., to the proposed intersection. Staff is proposing to combine and relocate the driveways for 2650, 2652, and 2654 Foothill Rd, located on the east side of Foothill Rd at Cedar Links Dr., to the east leg of proposed signalized intersection. Staff recommends constructing a private asphalt driveway from the relocated driveway apron at the intersection to the existing driveways as shown on the submitted plans.

Due to effects of increased grade changes and road widening to 2565 and 2615 N. Foothill Rd, Staff is working to construct a shared driveway approach that is suitable for both landowners.



Right-of-Way Acquisition:

Currently, the majority of Foothill Road right of way is 60 feet wide. Proposed street improvements for Foothill Road will require a total footprint width between 63 feet and 96 feet. Right of way acquisition will be needed from 24 tax lots (see table below) totaling approximately 154,000 square feet. Permanent Slope Easements and Temporary Construction Easements will be needed along Foothill Road for a combined total of approximately 90,000 square feet.

NAME	TAX MAP	TAX LOT
Edward & Evelyn Guerrero	371W09D	1500
Naumes Inc.	371W09D	1300
Corp of Presiding Bishop	371W16A	201
KI	371W16AB	100
Shaun Marshall / Kim Youngs	371W16AB	200
Brenda Brannon	371W16A	200
Buonocore Clan LLC	371W16A	2100
Brandon S. Hall	371W16AC	1300
Frank D. / Joan M. Kinney	371W16AC	1600
Thomas G. Wicklund Trust	371W16A	2101
Naumes Inc.	371W16D	100
Michael Squire Trust	371W16DB	200
Jeanne Grazioli-Krieg	371W16DB	100
Rebal Family Trust	371W16DB	1300
Rebal Family Trust	371W16DB	1800
Gary Howarth / Patricia Prange	371W16DB	3600
Dean T. Fichtner Trust	371W16DB	3100
Darrell J. / Boteilho Brockamp	371W16DB	3000
Pacific Power & Light Company	371W16D	3600



MEDFORD

PUBLIC WORKS

NAME	TAX MAP	TAX LOT
Pacific Power & Light Company	371W16D	3700
Pacific Power & Light Company	371W16D	3800
Peoples Bank Commerce	371W21AB	810
Peoples Bank Commerce	371W21AB	806
Arthur R. Dubs Foundation	371W21AB	900

Transportation Facility Development Findings & Conclusions:

Compliance with Criteria

Criterion (1): Transportation facility development projects shall be consistent with the Transportation Goals and Policies of the Comprehensive Plan.

Findings: Satisfied. The transportation facility project is consistent with various transportation goals and policies identified in the Comprehensive Plan. The relevant statements are identified below and are further explained about how they relate to this project.

Goal 1: To provide a multi-modal transportation system for the Medford planning area that supports the safe, efficient, and accessible movement of all people and goods, and recognizes the area's roles as the financial, medical, tourism, and business hub of Southern Oregon and Northern California.

Policy 1-B: The City of Medford shall use the Transportation System Plan as the legal basis and policy foundation for decisions involving transportation issues.

Policy 1-C: The City of Medford's top priority for the use of transportation funds shall be to address the maintenance, operational, and safety needs of the transportation system.

Policy 1-E: The City of Medford's third priority for the use of transportation funds shall be to fund capital improvements that add capacity to the transportation system. These improvements shall be prioritized based on availability of funds, reducing reliance on the automobile, improving safety, relieving congestion, responding to growth, and system-wide benefits.



Goal 1 Criteria – Analysis

The improvements to Foothill Road will encourage multi-modal transportation while enhancing vehicular capacity and safety to the overall transportation system. The project will include sidewalks along both sides of the street where none exist currently and will provide safe pedestrian travel for adjacent businesses and residential neighborhoods. Bicycle lanes will be constructed with the project, where none exist currently, and when completed will provide approximately 4 miles of continuous bike lanes along North Phoenix/Foothill roads from Juanipero Way to Delta Waters Road. The Transportation System Plan was used to establish the proposed roadway dimensions with variances to the planter strip, sidewalk, bike lane and travel lane widths. These variances are needed due to existing physical constraints along this segment of roadway.

Goal 2: To provide a comprehensive street system that serves the mobility and multi-modal transportation needs of the Medford planning area.

Policy 2-E: The City of Medford shall design to enhance livability by assuring that aesthetics and landscaping are a part of Medford's transportation.

Policy 2-F: The City of Medford shall bring Arterial and Collector streets up to full design standards where appropriate, and facilitate improving existing local streets to urban design standards where appropriate.

Policy 2-1: The City of Medford shall promote transportation safety.

Goal 2 Criteria – Analysis

The improvements to Foothill Road will encourage multi-modal transportation with construction of sidewalks and bicycle lanes along both sides of the street where none exist currently and will provide safe pedestrian travel for adjacent businesses and residential neighborhoods. New street lights will be installed as part of the project which



will provide illumination for vehicles, pedestrians, and bicyclists. The planter strips will be enhanced with trees and bark ground cover.

Overall, the implementation of the typical Major Arterial/Regional Arterial Street standards with the proposed variances will provide a safer and enhanced roadway that will benefit vehicular traffic, bicyclists, and pedestrians.

Goal 5: To facilitate the increased use of pedestrian transportation in the Medford planning area.

Goal 5 Criteria – Analysis

The construction of sidewalks along both sides of the street, where none exist currently, will provide safe pedestrian travel for adjacent businesses and residential neighborhoods. This project will also need to construct a 12 foot wide multi-use path westerly around the PP&L substation in order to minimize the physical and financial impacts to the substation.

Criterion (1) Conclusion: The transportation facility project implements the Transportation System Plan and fulfills identified goals and policies of the Comprehensive Plan. The project satisfies Criterion 1.

Criterion (2): Transportation facility projects should not prevent development of the remainder of the property under the same ownership or development of adjoining land.

Findings: Satisfied. The transportation facility improvements modify an existing roadway and abut single family residential and commercial properties that have the potential to develop in the future.



Criterion (2) Conclusion: The proposal does not prevent development of the remainder of the property under the same ownership or development of adjoining land. This criterion is found to be satisfied.

Criterion (3): If the project includes the creation of new streets, such streets should be laid out to conform with the plats of land divisions already approved for adjoining property.

Findings: Not applicable. The proposal does not create any new streets. The proposed improvements will be installed along an existing roadway.

Criterion (3) Conclusion: As no new streets are proposed, the criterion is not applicable.

Criterion (4): All transportation projects must be consistent with the adopted Transportation System Plan (TSP).

Findings: Satisfied. The transportation facility improvements on Foothill Road will implement the typical cross section as shown in Exhibit 4 – Major Arterial/Regional Arterial With Separated Bicycle Lanes (Low Stress for 40mph and Higher) with variances to travel lane, sidewalk and sidewalk-bike buffer widths from Delta Waters Road to Eucalyptus Road.

The segment of Foothill Road between Eucalyptus Road and Lone Pine Road will need variances to the median, travel lane, bike, sidewalk and sidewalk-bike buffer widths. These variances are needed to best fit the Section 'C'-'C', as shown on the plans, between the east and west substation. A 12 foot wide multi-use path is proposed to provide pedestrian and bicycle access westerly around the substation due to the elimination of those facilities adjacent to the road.

The segment of Foothill Road between Lone Pine Road and McAndrews Road will implement the cross section used for the Council-approved Transportation Facility Application (TF-17-012) for Foothill Road – Hillcrest Road to McAndrews Road.



Delta Waters Road will implement the typical cross section as shown for a Major Collector in Exhibit 8 – Major Collector with variances to sidewalk width and elimination of the planter strip.

Lone Pine Road will not be able to meet the typical cross section for a Major Collector due to the reduced width between existing improvements (PPL substation to the north and Lone Pine Square Development to the south).

Criterion (4) Conclusion: The proposal is consistent with the adopted Transportation System Plan. This criterion is found to be satisfied.

EXHIBIT A

RESOLUTION NO. 2016-104

A RESOLUTION supporting the continued improvement of the Foothill Road/North Phoenix Corridor.

WHEREAS, Foothill Road/North Phoenix Corridor improvements will provide improved freight mobility between Eagle Point, White City, Medford, and Phoenix by removing weight restrictions on portions of this corridor; and

WHEREAS, Foothill Road/North Phoenix Corridor improvements will relieve impacts to the multiple Interstate 5 interchanges by providing alternative north-south connectivity; and

WHEREAS, Foothill Road/North Phoenix Corridor improvements will reduce demand on Interstate 5, Highway 99, and Highway 62; and

WHEREAS, economic development along the Foothill Road/North Phoenix Corridor will be aided by the connectivity the Project will provide; and

WHEREAS, the Foothill Road/North Phoenix Corridor Project has the support of local staff of the Oregon Department of Transportation, Jackson County Roads and Parks, and the Public Works Department of the City of Medford; and

WHEREAS, Foothill Road/North Phoenix Corridor improvements will improve the resiliency of the Rogue Valley's regional transportation system in the event of a natural disaster such as a major seismic event by providing an improved connection to Highway 97 via Highway 140; and

WHEREAS, Foothill Road/North Phoenix Corridor improvements will improve safety, connectivity, and mobility throughout the Rogue Valley; and

WHEREAS, The City of Medford has invested millions of local dollars into improving the capacity of the Foothill Road/North Phoenix Corridor within City limits and ODOT has invested millions of dollars in rebuilding Interstate 5 Exit 24;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON,

That it supports the improvement of the Foothill Road/North Phoenix Corridor, considers it the top transportation priority for the City of Medford, and encourages all other stakeholders to give this corridor high priority for funding.

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PASSED by the Council and signed by me in authentication of its passage this 18 day of August, 2016.

ATTEST: Kaunm speerb
City Recorder

[Signature]
Mayor

EXHIBIT B

RESOLUTION NO. 2019-64

A RESOLUTION authorizing the City of Medford to provide \$20,500,000 in non-federal funding towards identified improvements to the North Phoenix/Foothill Road Corridor should a grant from the Better Utilizing Investments to Leverage Development (BUILD) grant be awarded.

WHEREAS, the City Council recently adopted the Medford Transportation System Plan with identified improvements needed to the North Phoenix/Foothill Road Corridor; and

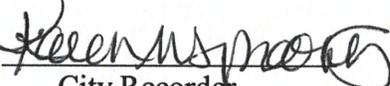
WHEREAS, the U.S. Department of Transportation is accepting applications through July 15, 2019 for \$900 million in funding available through the Better Utilizing Investments to Leverage Development (BUILD) grant program; and

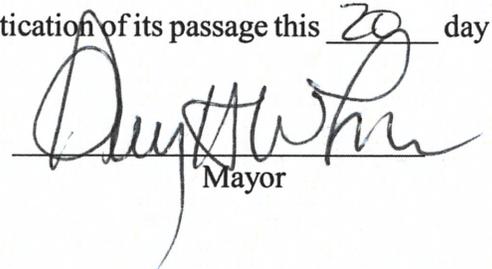
WHEREAS, the City of Medford has worked with Jackson County on an application for \$20.5 million in funding from the program that would support critical improvements of the Foothill Road/North Phoenix Road Corridor with a roadway extension to access the planned employment campus and future crossing over Interstate 5; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, that the City of Medford will provide \$20,500,000 in non-federal funding towards the project should the BUILD grant be awarded, in order to minimize the federal request amount from the highly competitive BUILD program.

PASSED by the Council and signed by me in authentication of its passage this 29 day of June, 2019.

ATTEST:


City Recorder


Mayor



MEMORANDUM

To: Seth Adams, Planning Department
From: Chad Wiltrout, Building Department (541) 774-2363
CC: City of Medford, Public Works Department, Applicant
Date: February 5, 2020
Subject: TF-19-001; Foothill Road Improvements

Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2019 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

Fees are based on valuation. Please contact Building Department front counter for estimated fees at (541) 774-2350 or building@cityofmedford.org.

For questions related to the Conditions or Comments, please contact me, Chad Wiltrout, directly at (541) 774-2363 or chad.wiltrout@cityofmedford.org.

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. Building department has no comments.

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg
LD File #: TF19001

Review Date: 1/27/2020

Planner: Seth Adams

Applicant: City of Medford

Site Name: Foothill Road

Project Location: North Foothill Road between Delta Waters Road and McAndrews Road.

ProjectDescription: The City proposes to improve Foothill Road between Delta Waters Road and McAndrews Road to regional arterial standards which include: four travel lanes, bike lanes, sidewalks, medians, and planter strips where feasible.

Specific Development Requirements for Access & Water Supply

		<u>Conditions</u>
Reference	Comments	Description
OFC 508.5	Three fire hydrants will be required for this project in the following locations: One near the corner of Delta Waters Rd/N Foothill Rd. , one near the driveway entrance to 2565 N Foothill Rd., and one near the driveway entrance to 2450/2490 N Foothill Rd.	<p>Fire hydrants with reflectors will be required for this project.</p> <p>The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.</p> <p>Plans and specifications for fire hydrant system shall be submitted to Medford Fire-Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).</p>

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards.

Medford Fire-Rescue, 200 S Ivy St. Rm 180, Medford OR 97501 541-774-2300

www.medfordfirerescue.org



PUBLIC WORKS DEPARTMENT STAFF REPORT

Foothill Road Improvements City of Medford

Project: The City proposes to improve Foothill Road between Delta Waters Road and McAndrews Road to regional arterial standards which include: four travel lanes, bike lanes, sidewalks, medians, and planter strips where feasible.

Applicant: City of Medford, Public Works Department

Planner: Seth Adams, Planner III – Long Range Division

Public Works has no comments on the proposed Transportation Facility project.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs



JACKSON COUNTY

Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

January 17, 2020

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

RE: Foothill Road Improvements (Delta Waters Road to East McAndrews Road)
County & city-maintained road.
Planning File: TF-19-001

Dear Seth:

Thank you for the opportunity to comment on this proposal to improve Foothill Road between Delta Waters Road and East McAndrews Road to regional arterial standards which include: four travel lanes, bike lanes, sidewalks, medians and plater strips where feasible. Jackson County Roads has the following comments:

1. Jackson County Roads supports these improvements to Foothill Road to the City of Medford standards by the City of Medford.
2. The City of Medford is required to request jurisdiction of this facility prior to beginning construction.

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

Sincerely,

Chuck DeJanvier, PE
Construction Engineer



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: TF-19-001

PARCEL ID: Foothill Road Improvements between Delta Waters Road and McAndrews Road.

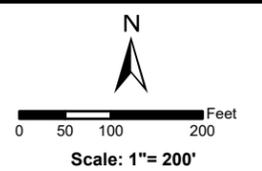
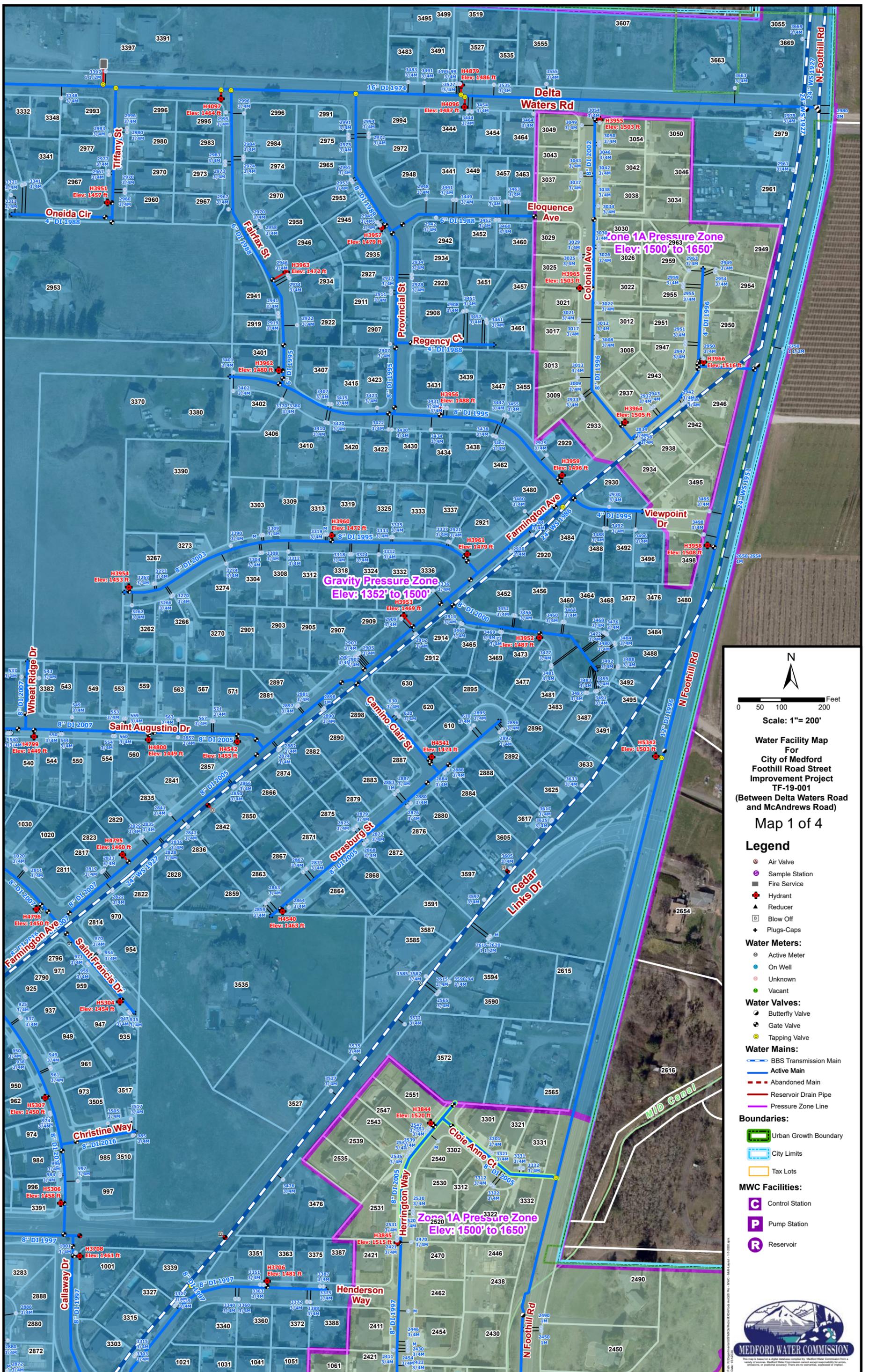
PROJECT: The City proposes to improve Foothill Road between Delta Waters Rd. and McAndrews Rd. to regional arterial standards which include: four travel lanes, bike lanes, sidewalks, medians, and planter strips where feasible. Applicant: City of Medford, Public Works Department, Planner: Seth Adams.

DATE: February 5, 2020

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

MWC COMMENTS & CONDITIONS:

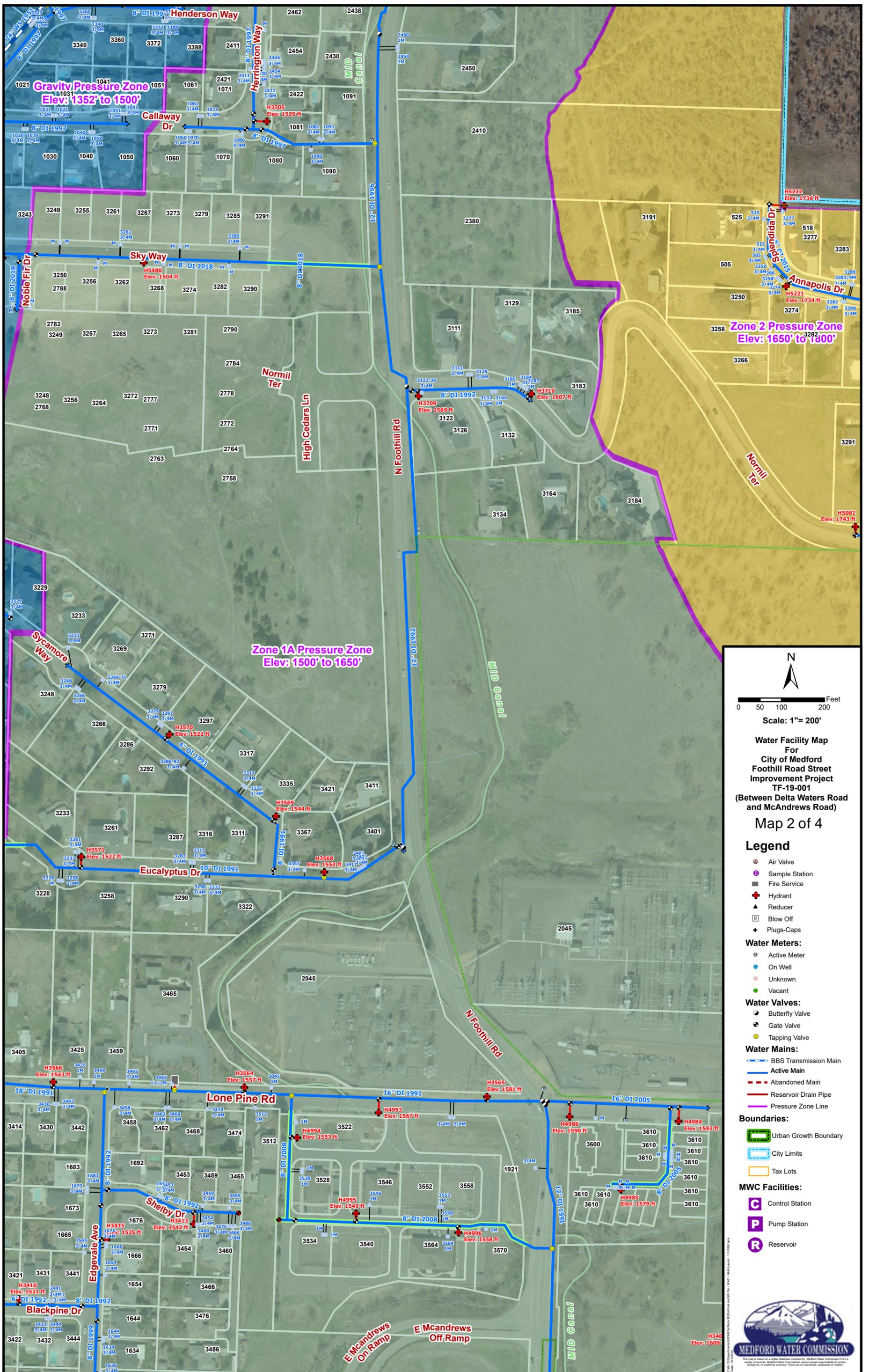
1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. The Medford Water Commission engineering staff will coordinate proposed water facility improvements or modifications with the City of Medford Publics Works Design Team.
3. The Medford Water Commission has an existing 12-inch water line located on the west side of N Foothill Road between approximately 345-feet north of Viewpoint Drive and continues south along the west shoulder on N Foothill Road where the water line is "Cranked" under the existing "Irrigation Canal". This 12-inch water line continues south along the west shoulder and crosses N Foothill Road at the north side of the intersection of N Foothill Road and Normil Terrace. From there the 12-inch water line extends south down the northbound lane and then turns west at Eucalyptus Drive. (These water lines are located within MWC's "Zone 1A" Pressure Zone; and shall be protected in place during road/utility improvement construction. (See *Provided 11x17 MWC Water Facility Mapping Sheets*)
4. There is no water line located in N Foothill Road between Eucalyptus Drive and Lone Pine Road.
5. Medford Water Commission will be installing a new 24-inch Ductile Iron water line between the existing 12-inch water line on the north side of Lone Pine Road, and the existing 16-inch water line on the south side of Hillcrest Road.
6. Medford Water Commission has an existing 12-inch ductile iron water line on the east side of N Foothill Road between Lone Pine Road and Hillcrest Road that is planned to be abandoned on place.
7. MWC-metered water service does exist to the existing homes along this stretch of Foothill Road.
8. New water service lines, water meters, and meter box will be installed to each existing home along N Foothill Road off the proposed 24-inch water line and will be installed per Medford Water Commission Standards.



Water Facility Map
 For
City of Medford
Foothill Road Street
Improvement Project
 TF-19-001
 (Between Delta Waters Road and McAndrews Road)
Map 1 of 4

- Legend**
- Air Valve
 - Sample Station
 - Fire Service
 - Hydrant
 - Reducer
 - Blow Off
 - Plugs-Caps
- Water Meters:**
- Active Meter
 - On Well
 - Unknown
 - Vacant
- Water Valves:**
- Butterfly Valve
 - Gate Valve
 - Tapping Valve
- Water Mains:**
- BBS Transmission Main
 - Active Main
 - Abandoned Main
 - Reservoir Drain Pipe
 - Pressure Zone Line
- Boundaries:**
- Urban Growth Boundary
 - City Limits
 - Tax Lots
- MWC Facilities:**
- Control Station
 - Pump Station
 - Reservoir






 0 50 100 200 Feet
 Scale: 1" = 200'

Water Facility Map
 For
City of Medford
Foothill Road Street
Improvement Project
 TF-19-001
 (Between Delta Waters Road
 and McAndrews Road)
Map 2 of 4

Legend

- Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plugs-Caps

Water Meters:

- Active Meter
- On Well
- Unknown
- Vacant

Water Valves:

- Butterfly Valve
- Gate Valve
- Tapping Valve

Water Mains:

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

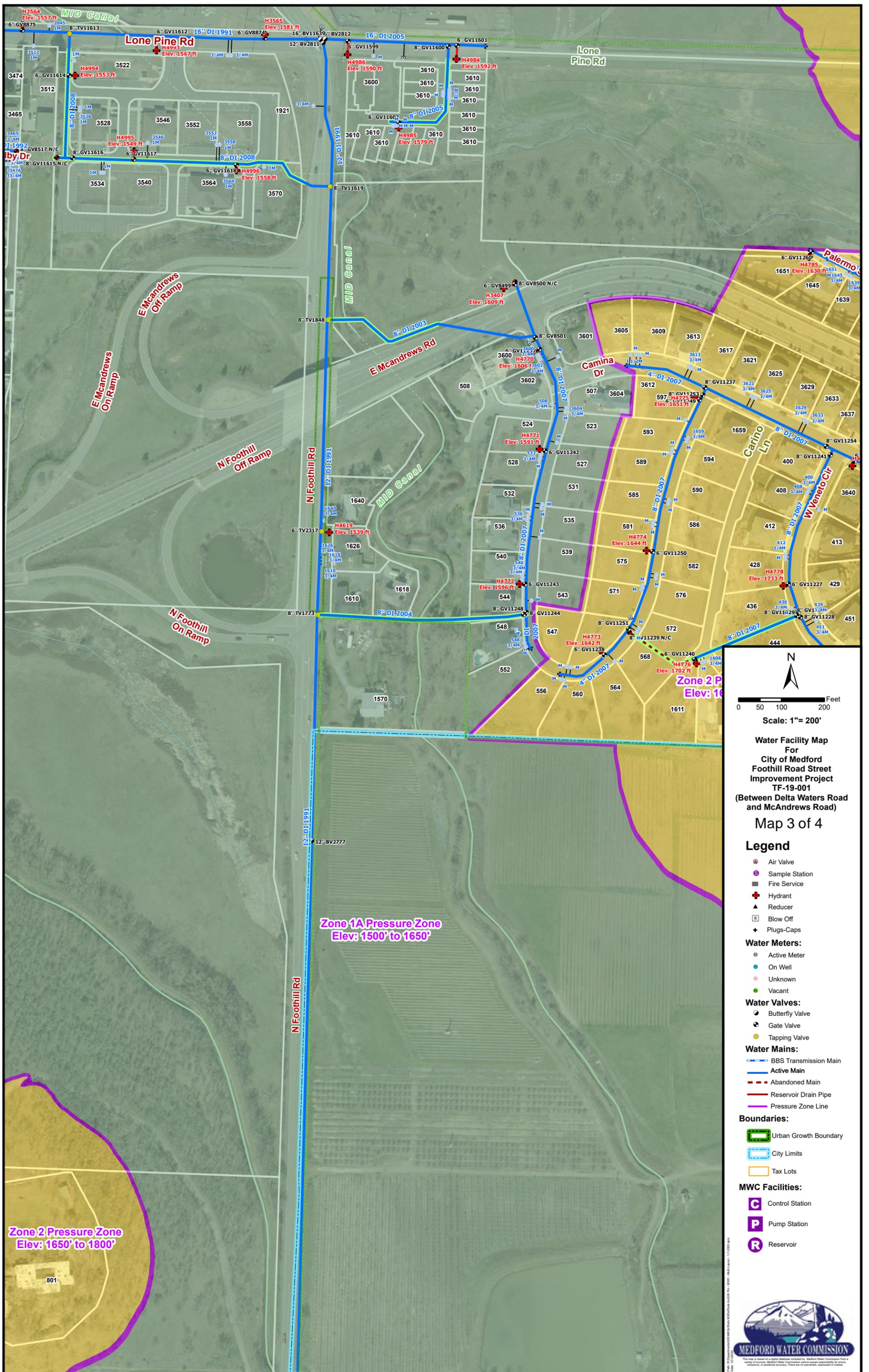
Boundaries:

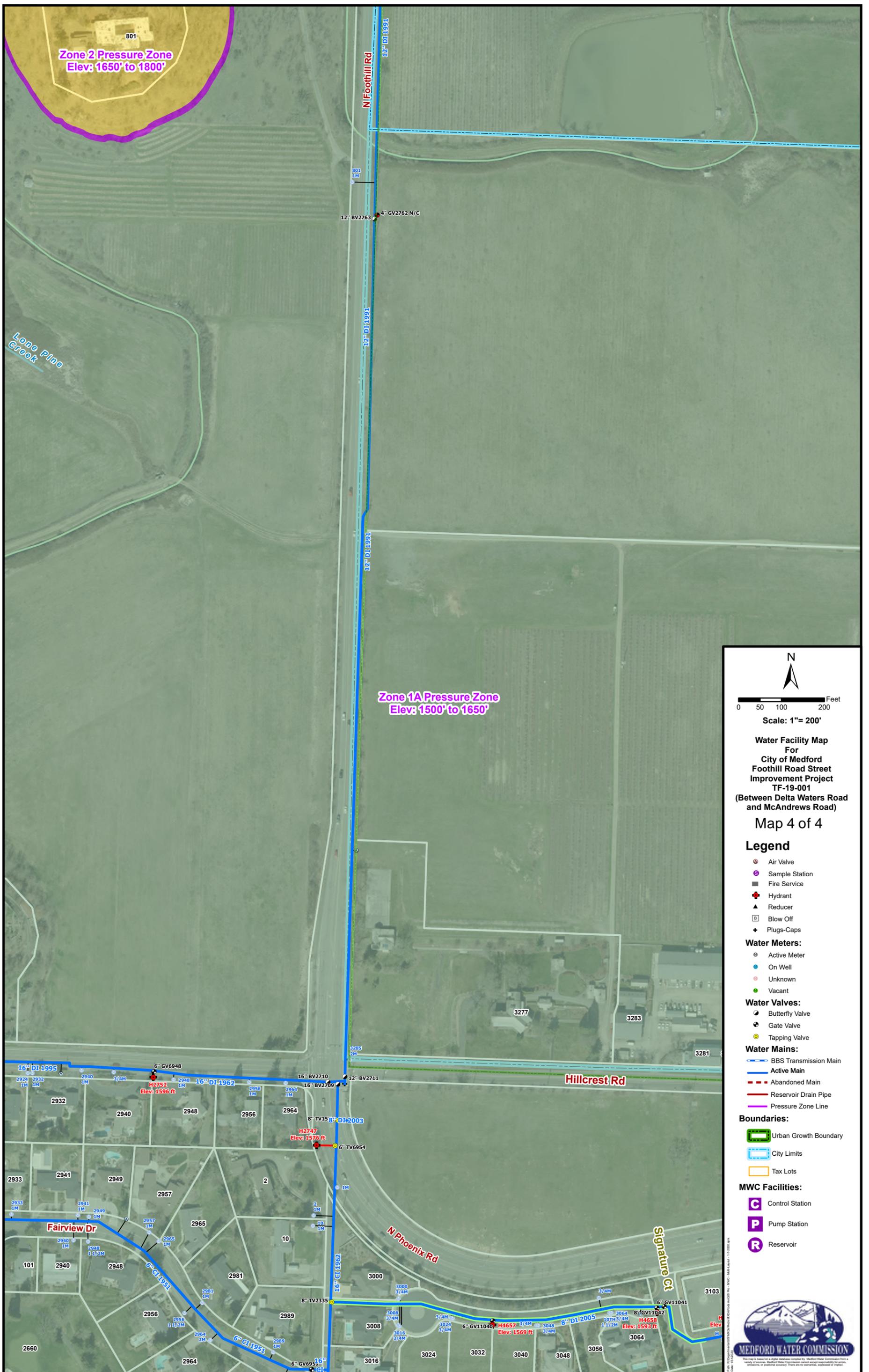
- Urban Growth Boundary
- City Limits
- Tax Lots

MWC Facilities:

- Control Station
- Pump Station
- Reservoir


MEDFORD WATER COMMISSION
This map is based on a digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.






 Scale: 1" = 200'
Water Facility Map
 For
City of Medford
Foothill Road Street
Improvement Project
 TF-19-001
 (Between Delta Waters Road
 and McAndrews Road)
Map 4 of 4

Legend

-  Air Valve
-  Sample Station
-  Fire Service
-  Hydrant
-  Reducer
-  Blow Off
-  Plugs-Caps

Water Meters:

-  Active Meter
-  On Well
-  Unknown
-  Vacant

Water Valves:

-  Butterfly Valve
-  Gate Valve
-  Tapping Valve

Water Mains:

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

Boundaries:

-  Urban Growth Boundary
-  City Limits
-  Tax Lots

MWC Facilities:

-  Control Station
-  Pump Station
-  Reservoir


MEDFORD WATER COMMISSION
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MEDFORD PARKS & RECREATION FACILITIES MANAGEMENT

HEALTHY LIVES | HAPPY PEOPLE | STRONG COMMUNITY

TO: Seth Adams - Planning Department
FROM: Haley Cox – Parks Planner
SUBJECT: Foothill Road Improvements TF-19-001
DATE: February 20, 2020

The Parks, Recreation and Facilities Department has reviewed the application for Foothill Road Improvements and has the following comments:

This is a much needed project for the City of Medford, and we are very enthusiastic to see the transformation of this highly trafficked corridor, which currently lacks safe facilities for non-motorized travelers. The City is fortunate to have won a nationally competitive BUILD grant, and we commend the work that has been done to move this project forward.

The recently adopted Transportation System Plan illustrates beautiful arterial roadway corridors with landscaped buffers to provide separation between high volumes of fast moving vehicles and non-motorized travelers. The preferred arterial cross section is also consistent with the Leisure Services Plan goal of providing low-stress off-street pathway connections that could be used for both recreation and transportation. Over 80% of respondents to our community survey indicated that they have a need for citywide pathways and improved connectivity. The off-street pathways also provide critical access to landscape buffers, where road closures would otherwise be needed to perform vegetation maintenance activities. We support the application's adherence to the preferred arterial cross section, albeit with minor variances. The variances proposed on Foothill Road are mainly due to topography and adjacent land uses that constrict the available ROW width.

The Leisure Services Plan indicates a 10-foot shared-use pathway along Foothill Road, which was included in the Foothill Road plans from Hillcrest to East McAndrews Road. Since the approval of that TF application in 2017, the City has updated its TSP and included the preferred arterial cross section with separated bicycle facilities. This configuration achieves the LSP goals as stated above, and better serves people of all ages and abilities. The Department would also support implementation of the 'A'- 'A' cross section south of McAndrews Road, if it is possible for a revision to the approved plans at this point. This would make the entire corridor consistent and aligned with the most recent TSP and the public's aspirations.

The Department particularly supports removal of vegetation within the median, which would be very challenging to maintain on a high-speed corridor like Foothill Road. The proposed decorative concrete treatment would be consistent with the section of Foothill Road south of McAndrews Road. The Department would advise on tree selection and irrigation components for planter strips behind the curb.

EXHIBIT H



CONTINUOUS IMPROVEMENT | CUSTOMER SERVICE

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



COMMUNITY ENRICHMENT EXCELLENCE EXCEPTIONAL CUSTOMER SERVICE INNOVATION

MEMORANDUM

To: Seth Adams, Planning Department
From: Joseph Smith, Bicycle and Pedestrian Advisory Committee Chair
CC: Chris Olivier, Planning; Christina Charvat, Public Works
Date: Thursday, February 13, 2020
Subject: BPAC Comments for South Stage (TF-20-015) and Foothill (TF-19-001) Projects

Here are the following comments from the City of Medford Bicycle and Pedestrian Advisory Committee's February 10th, 2020 Meeting:

South Stage (TF-20-015)

- BPAC supports the road design for this project. It is in accordance with the Medford Transportation System Plan (TSP).

Foothill Project (TF-19-001)

- Due to the fact that the original proposal does not match with the TSP, BPAC passed a unanimous motion (6-0) that supports the alternative cross-section design that was shown during Seth's Foothill presentation.
- BPAC passed a unanimous motion (6-0) recommending the Hillcrest to McAndrews stretch of Foothill (which has not been rebuilt yet) have the same alternative cross-section design as the Foothill Project from McAndrews to Delta Waters (TF-19-001).
- BPAC strongly recommends the Foothill Project includes signalization with Delta Waters.
- Providing adequate lighting for the bicycle and pedestrian facilities, by either installing dedicated light poles or adding/modifying fixtures to the cobra poles is another recommendation.
- BPAC recommends where feasible, a reduction of the width of the median and increasing the width of the planter strips (which would aid adequate sizing for stormwater runoff and tree health).

To: Seth Adams, Planning Department
Re: BPAC Comments for South Stage and Foothill TF Projects
File No: TF-20-015, TF-19-001
Date: February 13, 2020

- BPAC supports healthy trees in the planter strips. Trees provide much needed shade and adds a buffer for cyclists and pedestrians from the predicted increase of freight traffic on this upgraded road. Thoughtful selection of tree species for the planter strips are encouraged. The City is encouraged to maintain the health of the trees.
- BPAC recommends the City provide routine pavement maintenance for the bike paths and sidewalks.



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

ADDRESS

PH. NUMBER

Walter Jones 3452 Pluton View Way (541) 816-8499

Comments:

Need to have Normal a three lane going up + down the hill.

⊗ Need at least a dedicated right turn lane for @ 5 cars

Projected another 300+ homes in 10 years at the top of cadet drive.

⊗ Need the signage and reduce speed from Cedar Links Drivs to Lone Pine reduce to 35 mph due to 3-4 bus stop and the blind drive ways.



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

ADDRESS

PH. NUMBER

John O'Boyle 3421 Eucalyptus Dr. 541-944 -
5921

Comments:

1. * Need Sound Barrier @ Cedars Landing Area/Section
2. * Need an option for a U Turn to get back to Eucalyptus @ Cedar Links.



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

<u>NAME</u>	<u>ADDRESS</u>	<u>PH. NUMBER</u>
Trudy Brockamp	3134 Normil Terr	541 7794728

Comments: Street lights now @ Normil Terrace please
Need wider opening at Normil Terrace to accommodate 3 lanes to give coming down hill (R) turn lane.

Speed limit 45 please

light at Delta Waters is needed for a major



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

ADDRESS

PH. NUMBER

Linda Wion 3289 Annapolis 541-773-
1097

Comments:

Appreciate the info on new road.

PLEASE consider another road besides Normal Tr. ~~for~~
Our concern is fire & lack of timely access to Foothills.



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

ADDRESS

PH. NUMBER

Residents up Dormit Terrace

Comments:

Please consider an evacuation route to get out of development up Dormit Terrace in case of fire.



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

R. G. Howell

ADDRESS

3277 Annapolis Dr

PH. NUMBER

5413269273

Comments:

There needs to be less median in the area a Normil left turn to foothill. Perhaps a lane to get into to then merge to traffic flow toward home Pike.

Normil needs to be considered during snow potential so upper residents don't slide through intersection.



MEDFORD
PUBLIC WORKS

FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

ADDRESS

PH. NUMBER

Comments:

WOULD LIKE CENTER TURN LANE OFF
NORMIL ONTO FOOTHILL GOING SOUTH



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

ADDRESS

PH. NUMBER

Pat Kr. Korian

3277 Annapolis Dr.

559-360-0093

Comments:

turning left from Normil Terrace to Foothill - would be nice to have a center turn lane rather than solid median



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

ADDRESS

PH. NUMBER

Ru & Gloria Jackson 3250 Annapolis 541-773-3123

Comments:

We would like to see a center turn lane from Normil Terrace turning to the left.

Currently, it is already difficult to make a left-turn from Normil to Foothill.

This will help alleviate the number of cars that are projected to be coming down Normil.



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

ADDRESS

PH. NUMBER

Mike Squire 2490 N Foothill 541 440 4073

Comments:

I have a steep driveway, which I share with my neighbor. I'm hoping there will be an area ~~at~~ at the bottom of the driveway for stopping when its icy.



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

Alice Lena

ADDRESS

Lone Pine lots
@ Intersection of
Foothill &
Lone Pine

PH. NUMBER

541-301-7980

Comments:

(3600 -3610
Lone Pine.)

Appreciate the info!



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

<u>NAME</u>	<u>ADDRESS</u>	<u>PH. NUMBER</u>
Duane Wallace	3430 CADET DR	541-944-2444

Comments:

A RIGHT TURN LANE AND A LEFT TURN LANE FROM
NORMIL TERRACE ONTO FOOTHILLS WOULD REDUCE A
LARGE BACKUP OF ~~SEVERE~~ VEHICLES TURNING ONTO FOOTHILLS.

—
Since the City has taken over control of Normil
Terrace when it snows the street is not or
at least has not been snowed or plowed. The
County always took care of it.



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

ADDRESS

PH. NUMBER

Susan Osterman 3185 Normil Terrace (541)840-4301

Comments:

With 270+ more homes above Normil Terrace,
we need traffic controls at ^{the} Normil and
Foothill intersection also!



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

ADDRESS

PH. NUMBER

FRANK KINNEY

2565 Foothill Rd

(541) 821-0340

Comments:

Concerned about driveway being too high to get trailer in & out. Camp trailer (33ft) of driveway. Won't be able to turn left. Concerned about the sound because the road will be so close to our house. Concerned about the driveway situation being used on our property for neighbors also.



FOOTHILL RD. IMPROVEMENTS

(P19-00025)

COMMENT SHEET

NAME

ADDRESS

PH. NUMBER

Ki

2979 N. Foothill Rd

(541) 858-4081

Comments:

* Must Have apt. Before coming onto property as we have dogs AND WORK hours

- 1) Concerned about being driveway into property from Foothill, this will create hardship for wheelchair.
- 2) Have person in wheelchair who needs access to handicap Van and have the ability to turn around in the driveway. This plan takes away our ability to be able to load & unload handicap person and enter & exit driveway.
- 3) Home is on septic system & field in drain field makes parking for field area not practical.
- 4) Concerned about having large shrubs which is our privacy and fence for property to help keep sensitive animal safe.
- 5) Concerned about safety of Building "Shop" it would need a wall to protect it.
- 6) Concerned about noise
- 7) Concerned about Page 207 dumpster site since we will be losing its current spot

OVER



78.) Neighbor's private access is on an easement on our property. What happens with that easement off of Foothill.

9.) Concerned that water drainages off of Foothill onto property will be adequately addressed.

10.) Not showing driveway off of Foothill onto our property (by rear of shop building)



STAFF REPORT

for a Type-IV legislative decision: **Transportation Facility Development**

Project South Stage Road Extension
File no. TF-20-015
To Planning Commission *for 02/27/2020 hearing*
From Seth Adams, AICP, Planner III
Reviewer Carla Angeli Paladino, Principal Planner
Date February 20, 2020

Proposal

The City of Medford Public Works Department proposes to construct a new segment of South Stage Road from North Phoenix Road to a point 1,000 feet west. The road is proposed to be constructed as a minor arterial with one travel lane in each direction, separated bike lanes and sidewalks, a median, planter strips, landscaping and street lighting (Exhibit A).

Applicable Criteria

Medford Municipal Code §10.226, Transportation Facility Development

- (1) Transportation facility development projects shall be consistent with the Transportation Goals and Policies of the Comprehensive Plan.*
- (2) Transportation facility projects should not prevent development of the remainder of the property under the same ownership or development of adjoining land.*
- (3) If the project includes the creation of new streets, such streets should be laid out to conform with the plats of land divisions already approved for adjoining property.*
- (4) All transportation projects must be consistent with the adopted Transportation System Plan (TSP).*

ISSUES AND ANALYSIS

Background

In August 2016 the Medford City Council passed a resolution supporting improvement of the Foothill Road/North Phoenix corridor and designating it the City's top transportation priority. The City Council has committed \$20,500,000 in non-federal funding towards the Foothill Road/North Phoenix improvement project, and in November 2019 the City was selected for a \$15,500,000 USDOT BUILD Grant to assist with project costs. The Foothill Road/North Phoenix corridor project was the only project in the State of Oregon to be awarded funds from the BUILD Grant program.

As described in the proposed project narrative (Exhibit B), the project accommodates a future extension of South Stage Road from the west, and supports the Foothill Road/North Phoenix corridor that will provide access to a future employment campus. In addition to providing access to future employment lands, the project has been planned to provide a connecting point for the future South Stage Overcrossing that will connect the Foothill Road/North Phoenix corridor to the west side of Interstate 5. The South Stage Overcrossing project has been identified by the City, the Oregon Department of Transportation, and in local planning efforts as being high priority.

Project Details

The following list summarizes the proposed road improvements.

- 38 foot wide street improvements (curb to curb) from North Phoenix Road to 1,000 feet west
- 2 travel lanes (one each way) and center turn lane/median
- 5 foot wide planter strip with landscaping (each side)
- 6 foot wide separated bike lane (each side)
- 3 foot wide bike lane – sidewalk separation buffer (each side)
- 6 foot wide sidewalk (each side)
- Underground storm drain improvements
- Street lighting

Exceptions

The proposal does not include any exceptions/deviations from the Medford Transportation System Plan.

Utility Impacts

Minimal impacts to existing utilities are expected. The existing utility poles on the north side of the roadway are expected to remain, and staff is coordinating with other utilities to determine facility impacts.

Access Management

There is an existing gravel road along the alignment of the proposed South Stage Road which has access onto North Phoenix Road. The project will construct the roadway over the existing gravel road, and the remaining portion will be connected to the temporary turn-around as shown on the plan.

Right-of-Way Acquisition

Right-of-way is needed to construct the proposed segment of South Stage Road. The City has received a letter of support from Harry & David (Bear Creek Orchards Inc.) which commits to the donation of property from their tax lot as needed to build the roadway. The needed right-of-way is split between two tax lots and totals nearly 80,000 square feet. Permanent Slope Easements and Temporary Construction Easements will also be needed.

Agency and Department Comments

Project plans were sent to referral agencies for comments, including utilities, city and county departments, and other quasi-governmental agencies.

Building Department: The Building Department has no comments on the proposal (Exhibit C).

Fire Department: The Fire Department commented that new fire hydrants and water supply lines will be required (Exhibit D).

Public Works Department: The Public Works Department has no comments on the proposal, other than the proposed section of road will be named East South Stage Road (Exhibit E).

Jackson County Roads: Jackson County Roads requested that, per the Urban Reserve Management Agreement (URMA) between the City and County, the City expand the necessary annexation for the proposed project to include North Phoenix right-of-way, and to request jurisdiction of that portion of North Phoenix Road following annexation. Without jurisdictional transfer of North Phoenix Road, the County specified a number of requirements that the City will need to comply with (Exhibit F).

Medford Water Commission: The Medford Water Commission commented that while they have no conditions that must be met at this time, there are “developer driven” water line improvements that will need to be built in the future when development does occur in the area (Exhibit G).

Parks Department: The Medford Parks Department commented that the proposed off-street bike lane configuration substantially meets the shared-use pathway specified in the Leisure Services Plan for this road alignment. The Parks Department also noted that, as the City department responsible for maintaining right-of-way landscaping, they would advise on plant selection and irrigation components. For this arterial corridor they recommended decorative concrete medians with planted buffers that can be reached from the off-street pathways (Exhibit H).

Rogue Valley Sewer Services: RVSS commented that the proposed roadway is within its service boundary, and that future sewer location should be considered in the design and timing of roadway construction (Exhibit I).

Committee & Commission Comments

Bicycle & Pedestrian Advisory Committee: The proposal was discussed at the Bicycle and Pedestrian Advisory Committee (BPAC) meeting of February 10, 2020, and the Committee supports the proposed road design (Exhibit J).

Transportation Commission: The proposal will be discussed at the Transportation Commission meeting on February 26, 2020. As the Transportation Commission will be reviewing the proposal after the publication of this staff report, their comments will be shared with the Planning Commission at the public hearing.

Public Process

Staff from the Engineering Division of the Public Works Department sent out notices to all residences within 200-feet of the entire project length. Engineering staff also met directly with some of the property owners whose property would be directly affected by the project. In addition, an informational open house was held at North

Medford High School on February 5, 2020 to allow area residents to view preliminary design plans and discuss the project with staff from the Public Works Department.

Prior to the Planning Commission hearing, public notice signs were posted every 600 feet along the proposed project length, and notices were sent to property owners adjoining and within 200 feet of the project. Notices to the same property owners will be sent out again prior to the City Council hearing scheduled for March 19, 2020. The hearing information related to the project was also published in the local newspaper ten days prior to the first hearing.

FINDINGS AND CONCLUSIONS

The approval criteria that apply to Transportation Facility Developments are in Medford Municipal Code §10.226. The criteria are rendered in *bold italics*, findings and conclusions in roman type.

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

- (1) Transportation facility development projects shall be consistent with the Transportation Goals and Policies of the Comprehensive Plan.*

Findings

The transportation facility project is consistent with various transportation goals and policies identified in the Comprehensive Plan. The relevant statements are identified below and are further explained as to how they relate to this project.

Goal 1: To provide a multi-modal transportation system for the Medford planning area that supports the safe, efficient, and accessible movement of all people and goods, and recognizes the area's roles as the financial, medical, tourism, and business hub of Southern Oregon and Northern California.

Policy 1-B: The City of Medford shall use the Transportation System Plan as the legal basis and policy foundation for decisions involving transportation issues.

Policy 1-C: The City of Medford's top priority for the use of transportation funds shall be to address the maintenance, operational, and safety needs of the transportation system.

Policy 1-E: The City of Medford's third priority for the use of transportation funds shall be to fund capital improvements that add capacity to the transportation system. These improvements shall be prioritized based on availability of funds, reducing reliance on the automobile, improving safety, relieving congestion, responding to growth, and system-wide benefits.

Goal 1 – Analysis

The improvements to South Stage Road will provide multi-modal transportation while enhancing vehicular capacity and safety to the overall transportation system. The project will include separated sidewalks and bicycle lanes along both sides of the street and will provide safe travel to the future employment campus. The new left-turn lane treatment at North Phoenix Road will also provide additional safety for vehicles entering onto South Stage Road. The Transportation System Plan was used to establish the proposed roadway dimensions which have no variances.

Goal 2: To provide a comprehensive street system that serves the mobility and multi-modal transportation needs of the Medford planning area.

Policy 2-E: The City of Medford shall design to enhance livability by assuring that aesthetics and landscaping are a part of Medford's transportation.

Policy 2-F: The City of Medford shall bring Arterial and Collector streets up to full design standards where appropriate, and facilitate improving existing local streets to urban design standards where appropriate.

Policy 2-1: The City of Medford shall promote transportation safety.

Goal 2 – Analysis

The improvements to South Stage Road will encourage multi-modal transportation with construction of separated sidewalks and bicycle lanes along both sides of the street and will provide safe pedestrian travel to the future employment campus. New street lights will be installed as part of the project which will provide illumination for vehicles, pedestrians, and bicyclists. The planter strips and median will be enhanced with landscaping where feasible.

Overall, the implementation of the typical Minor Arterial Street standards with no variances will provide a safer and enhanced roadway that will benefit vehicular traffic, bicyclists, and pedestrians.

Goal 5: To facilitate the increased use of pedestrian transportation in the Medford planning area.

Goal 5 – Analysis

The construction of sidewalks along both sides of the street, where none exist currently, will provide safe pedestrian travel to the future employment campus.

Conclusions

The transportation facility project implements the Transportation System Plan and fulfills identified goals and policies of the Comprehensive Plan. The project satisfies Criterion 1.

(2) Transportation facility projects should not prevent development of the remainder of the property under the same ownership or development of adjoining land.

Findings

The transportation facility improvements create a new roadway that will abut commercial properties that have the potential to develop in the future.

Conclusions

The proposal does not prevent development of the remainder of the property under the same ownership or development of adjoining land. This criterion is found to be satisfied.

(3) If the project includes the creation of new streets, such streets should be laid out to conform with the plats of land divisions already approved for adjoining property.

Findings

The proposal creates a new street based on the current Transportation System Plan. The proposed improvements also conform to the conceptual business campus master plan located on the south side of the new roadway.

Conclusions

The proposal conforms to the plats of land divisions already approved for adjoining properties. This criterion is found to be satisfied.

(4) All transportation projects must be consistent with the adopted Transportation System Plan (TSP).

Findings

The transportation facility improvements will implement the typical cross-section as shown for Minor Arterials in Exhibit 7 – Minor Arterial with Separated Bicycle Lanes (low Stress for 40 mph and Higher) with no variances.

Conclusions

The proposal is consistent with the adopted Transportation System Plan. This criterion is found to be satisfied.

RECOMMENDED ACTION

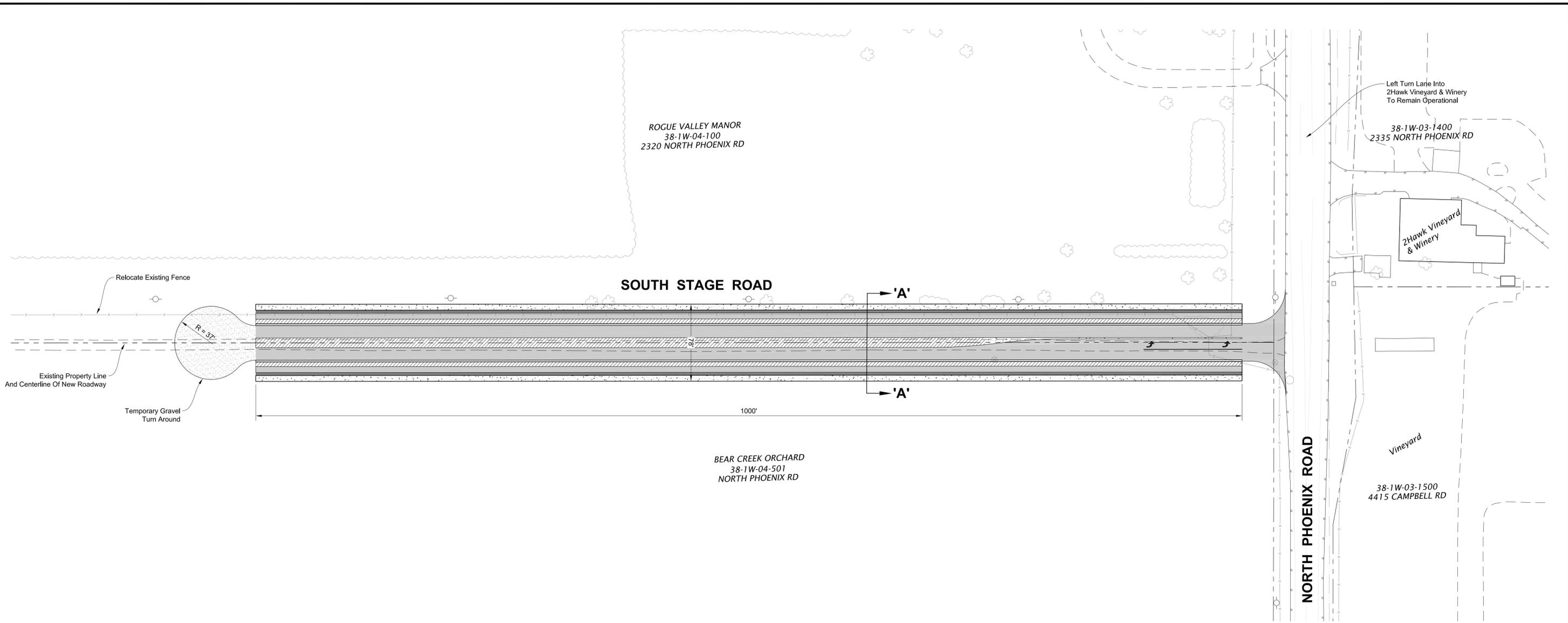
Based on the findings and conclusions that all of the applicable criteria are satisfied, forward a favorable recommendation for approval of TF-20-015 to the City Council per the staff report dated February 20, 2020, including Exhibits A through J.

EXHIBITS

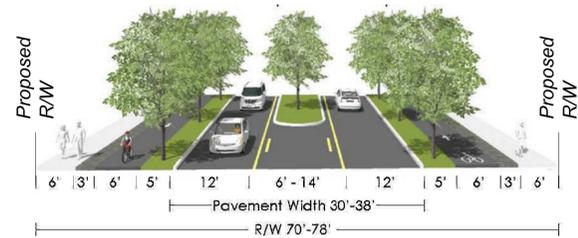
- A Project Plans
- B Project Narrative
- C Building Department comments – February 11, 2020
- D Fire Department comments – February 12, 2020
- E Public Works Department comments – February 12, 2020
- F Jackson County Roads comments – February 4, 2020
- G Medford Water Commission comments – February 12, 2020
- H Parks Department comments – February 12, 2020
- I Rogue Valley Sewer Services comments – February 3, 2020
- J Bicycle & Pedestrian Advisory Committee comments – February 13, 2020

PLANNING COMMISSION AGENDA:

FEBRUARY 27, 2020



2018 TSP Exhibit 7 Minor Arterial With Separated Bicycle Lanes (Low Stress for 40 mph and Higher)

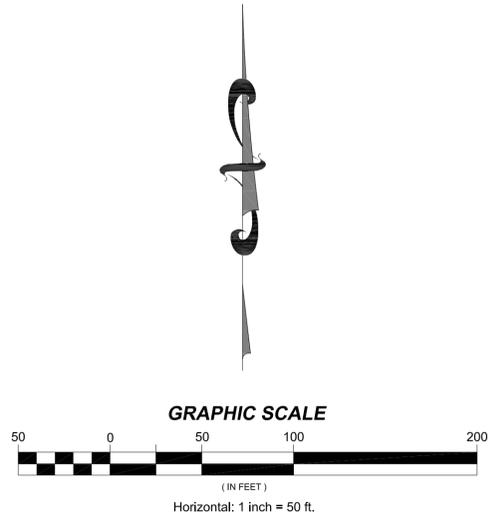


Cross Section 'A'-'A'
SOUTH STAGE ROAD
(LOOKING EAST)



Project Vicinity Map

- Legend**
- Proposed Traffic/Bicycle Asphalt Paving
 - Proposed Concrete Sidewalk Improvements
 - Proposed Median/Planter Strip Landscape Area (To Be Landscaped w/ Future Development)



PRELIMINARY

CITY OF MEDFORD - ENGINEERING DEPARTMENT			
South Stage Road Improvement Project (BUILD Component)			
North Phoenix Road To 1000 Feet West Plan Sheet			
DRAWN BY: C. Howb	DATE: 1-17-20	PROJECT NO. P19-00024	
CHECKED BY: D. Hart	DATE: 1-17-20		
APPROVED:	DATE:		
REVIEWED BY CITY TRANSPORTATION MANAGER	DATE:	SHEET NO. 1	
REVIEWED BY CITY ENGINEER	DATE:		
APPROVED BY ORDINANCE NO.:	DATE:		

Drawing name: P:\Land Projects\3IP\9-00024\South Stage Rd - N Phoenix to 1000ft\West\Preliminary Planning\P19-24_TF Drawings.dwg Feb 19, 2020 - 2:19pm



MEMORANDUM

To: Planning Department

From: Craig Howe, Engineering Technician IV

CC:

Date: February 19, 2020

Subject: South Stage Road Extension – North Phoenix Road to 1000 feet west (component of BUILD Grant)

Executive Summary

This project will construct a new segment of South Stage Road from North Phoenix Road to 1,000 feet west. South Stage Road is proposed to be constructed as a minor arterial with separated bike lanes in accordance to the City of Medford Transportation System Plan (TSP). This section includes travel lanes, bike lanes, sidewalks, a median, planter strips and street lighting. The project length is approximately 1,000 feet and will provide approximately 2,000 feet of bike lanes and sidewalks.

Project Background

This project accommodates a future extension of South Stage Road from the west and supports the North Phoenix/Foothill Road Corridor that provides access to a future employment center. This project will construct a portion of Project #537b as shown in Table 7 of the TSP.

The City recently completed an Urban Growth Boundary expansion that includes land specifically targeted for the employment center. Development of the adjacent industrial land will support a range of innovative and large-scale companies, and assist job creation in our area. Federal funds from the BUILD Grant will be used to construct the 1,000 foot South Stage extension that ultimately provides transportation access for employees and freight trucks traveling in and out of the future employment center.



Moreover, the extension is planned to provide a connection to North Phoenix Road for the future South Stage Overcrossing, which will connect the Corridor to the west side of Interstate 5. Because the east and west sides of Medford are divided by Interstate 5 and Bear Creek without a connection for three miles along this area, this future project is identified by Medford, the Oregon Department of Transportation, and local planning organizations as a high priority.

On August 18, 2016, Medford City Council passed Resolution No. 2016-104 supporting improvement of the Foothill Road/North Phoenix Corridor and considered it the top transportation priority for the City of Medford, see Exhibit A.

On June 20, 2019, Medford City Council passed Resolution No. 2019-64 that will provide \$20,500,000 in non-federal funding towards the project should the BUILD grant be awarded, see Exhibit B.

On Nov 15th, 2019, Oregon Department of Transportation (ODOT) announced Oregon / City of Medford was successful in being selected for a USDOT BUILD Grant. Grant funding towards the Foothill Road project could be as high as \$15,500,000. This project was the only project in the State of Oregon to be awarded funds.

Federal Announcement:

42. Southern Oregon Corridor Resiliency and Congestion Relief Project - Medford, Oregon

Estimated Grant Funding: \$15,500,000

Estimated Total Project Costs: \$39,370,000

This project will expand approximately 3.97 miles of roadway along the Foothill Road/North Phoenix Road Corridor from a two-lane arterial to a four-lane arterial with center turn lane, sidewalks, and bike lanes. The project extends approximately 5.5 miles of improvements completed or underway in the corridor. This award is less than the \$20.5 million requested because the Department believes that the project will deliver sufficient benefits under a reduced scope. To accommodate a reduced award, the Department concurred with the applicant's proposal to eliminate the North Phoenix – Coal Mine to Barnett section of the project scope.

The project aligns well with the Department's criteria related to safety, economic competitiveness, and state of good repair. By constructing an additional lane in each direction and a center turn lane, the project seeks to eliminate safety hazards, including backups behind turning vehicles and abrupt breaking, associated with one lane of travel in



each direction. The project also improves safety by creating dedicated space for pedestrians and bicyclists to minimize vehicle conflicts for vulnerable road users. Similarly, the added capacity and turn lane improves economic competitiveness by reducing congestion and delays, and by increasing access to two Opportunity Zones and employment destinations. The project supports state of good repair by providing an alternative to the congested Interstate 5, improving the overall efficiency of the larger transportation network.

There are no exceptions to the Standard minor arterial section requested with this application and provide the following:

- 38 foot wide street improvements (curb to curb) from North Phoenix Rd to 1,000 feet west
- 2 travel lanes (one each way) and center turn lane/median
- 5 foot wide planter strip with landscaping (each side)
- 6 foot wide bike lane (each side)
- 3 foot wide aggregate bike lane- sidewalk separation buffer (each side)
- 6 foot wide sidewalk (each side)
- Underground storm drain improvements
- Street lighting

	Features / Dimensions (Each Direction)					Left or Center Turn Lane /Median	Total Paved Width	Total Right-of-Way Width
	Travel Lanes	Bike Lane	On-Street Parking	Sidewalk	Planter Strip			
Minor Arterial (Exhibit 7)	12'	6'	None	6' & 3' Buffer	5'	6'-14'	30'-38'	70'-78'
South Stage Road Cross Section 'A'-A'	12'	6'	None	6' & 3' Buffer	5'	14'	38'	78'



Utility impact:

Minimal impacts to existing utilities is expected with the construction of the proposed segment of South Stage Road. The existing utility poles on the north side of the roadway are expected to remain. Staff is coordinating with other utilities to determine facility impacts.

Access management:

Currently there is a gravel road along the alignment of the proposed South Stage Road and has access onto North Phoenix Road. This gravel road provides access to two (2) open fields and PacifiCorp’s Campbell electrical substation. The project will construct the roadway over the existing gravel road with the remaining portion being connected to the temporary turn-around as shown on the plan.

No other access in the improvement footprint will be affected by the project.

Right-of-Way Acquisition:

Currently, right-of-way is needed to construct this segment of South Stage Road. The City has received, through the BUILD grant application, a letter of support from Harry & David (Bear Creek Orchards Inc.). The letter commits to donate property from their tax lot as needed to build the roadway, see exhibits C and D. The right of way needed is approximately split evenly between two tax lots (see table below) totals nearly 80,000 square feet. Permanent Slope Easements and Temporary Construction Easements will also be needed.

NAME	TAX MAP	TAX LOT
Rogue Valley Manor	381W04	100
Bear Creek Orchards Inc.	371W04	501



Transportation Facility Development Findings & Conclusions:

Compliance with Criteria

Criterion (1): Transportation facility development projects shall be consistent with the Transportation Goals and Policies of the Comprehensive Plan.

Findings: Satisfied. The transportation facility project is consistent with various transportation goals and policies identified in the Comprehensive Plan. The relevant statements are identified below and are further explained about how they relate to this project.

Goal 1: To provide a multi-modal transportation system for the Medford planning area that supports the safe, efficient, and accessible movement of all people and goods, and recognizes the area's roles as the financial, medical, tourism, and business hub of Southern Oregon and Northern California.

Policy 1-B: The City of Medford shall use the Transportation System Plan as the legal basis and policy foundation for decisions involving transportation issues.

Policy 1-C: The City of Medford's top priority for the use of transportation funds shall be to address the maintenance, operational, and safety needs of the transportation system.

Policy 1-E: The City of Medford's third priority for the use of transportation funds shall be to fund capital improvements that add capacity to the transportation system. These improvements shall be prioritized based on availability of funds, reducing reliance on the automobile, improving safety, relieving congestion, responding to growth, and system-wide benefits.



Goal 1 Criteria – Analysis

The improvements to South Stage Road will provide multi-modal transportation while enhancing vehicular capacity and safety to the overall transportation system. The project will include separated sidewalks and bicycle lanes along both sides of the street and will provide safe travel to the future employment campus. The Transportation System Plan was used to establish the proposed roadway dimensions with no variances.

Goal 2: To provide a comprehensive street system that serves the mobility and multi-modal transportation needs of the Medford planning area.

Policy 2-E: The City of Medford shall design to enhance livability by assuring that aesthetics and landscaping are a part of Medford's transportation.

Policy 2-F: The City of Medford shall bring Arterial and Collector streets up to full design standards where appropriate, and facilitate improving existing local streets to urban design standards where appropriate.

Policy 2-1: The City of Medford shall promote transportation safety.

Goal 2 Criteria – Analysis

The improvements to South Stage Road will encourage multi-modal transportation with construction of separated sidewalks and bicycle lanes along both sides of the street and will provide safe pedestrian travel to the future employment campus. New street lights will be installed as part of the project which will provide illumination for vehicles, pedestrians, and bicyclists. The planter strips and median will be enhanced with landscaping where feasible.

Overall, the implementation of the typical Minor Arterial Street standards with no variances will provide a safer and enhanced roadway that will benefit vehicular traffic, bicyclists, and pedestrians.



Goal 5: To facilitate the increased use of pedestrian transportation in the Medford planning area.

Goal 5 Criteria – Analysis

The construction of sidewalks along both sides of the street, where none exist currently, will provide safe pedestrian travel to the future employment campus.

Criterion (1) Conclusion: The transportation facility project implements the Transportation System Plan and fulfills identified goals and policies of the Comprehensive Plan. The project satisfies Criterion 1.

Criterion (2): Transportation facility projects should not prevent development of the remainder of the property under the same ownership or development of adjoining land.

Findings: Satisfied. The transportation facility improvements create a new roadway that will abut commercial properties that have the potential to develop in the future.

Criterion (2) Conclusion: The proposal does not prevent development of the remainder of the property under the same ownership or development of adjoining land. This criterion is found to be satisfied.

Criterion (3): If the project includes the creation of new streets, such streets should be laid out to conform with the plats of land divisions already approved for adjoining property.

Findings: Satisfied. The proposal does create a new street based on the current Transportation System Plan. The proposed improvements also conform to the conceptual business campus master plan located on the south side of the new roadway.



Criterion (3) Conclusion: The proposal does conform to the plats of land divisions already approved for adjoining properties. This criterion is found to be satisfied.

Criterion (4): All transportation projects must be consistent with the adopted Transportation System Plan (TSP).

Findings: Satisfied. The transportation facility improvements will implement the typical cross section as shown for Minor Arterials in Exhibit 7 – Minor Arterial With Separated Bicycle Lanes (Low Stress for 40mph and Higher) with no variances.

Criterion (4) Conclusion: The proposal is consistent with the adopted Transportation System Plan. This criterion is found to be satisfied.

EXHIBIT A

RESOLUTION NO. 2016-104

A RESOLUTION supporting the continued improvement of the Foothill Road/North Phoenix Corridor.

WHEREAS, Foothill Road/North Phoenix Corridor improvements will provide improved freight mobility between Eagle Point, White City, Medford, and Phoenix by removing weight restrictions on portions of this corridor; and

WHEREAS, Foothill Road/North Phoenix Corridor improvements will relieve impacts to the multiple Interstate 5 interchanges by providing alternative north-south connectivity; and

WHEREAS, Foothill Road/North Phoenix Corridor improvements will reduce demand on Interstate 5, Highway 99, and Highway 62; and

WHEREAS, economic development along the Foothill Road/North Phoenix Corridor will be aided by the connectivity the Project will provide; and

WHEREAS, the Foothill Road/North Phoenix Corridor Project has the support of local staff of the Oregon Department of Transportation, Jackson County Roads and Parks, and the Public Works Department of the City of Medford; and

WHEREAS, Foothill Road/North Phoenix Corridor improvements will improve the resiliency of the Rogue Valley's regional transportation system in the event of a natural disaster such as a major seismic event by providing an improved connection to Highway 97 via Highway 140; and

WHEREAS, Foothill Road/North Phoenix Corridor improvements will improve safety, connectivity, and mobility throughout the Rogue Valley; and

WHEREAS, The City of Medford has invested millions of local dollars into improving the capacity of the Foothill Road/North Phoenix Corridor within City limits and ODOT has invested millions of dollars in rebuilding Interstate 5 Exit 24;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON,

That it supports the improvement of the Foothill Road/North Phoenix Corridor, considers it the top transportation priority for the City of Medford, and encourages all other stakeholders to give this corridor high priority for funding.

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///
///
///
///

PASSED by the Council and signed by me in authentication of its passage this 18 day of August, 2016.

ATTEST: Kaunin Speer
City Recorder

[Signature]
Mayor

EXHIBIT B

RESOLUTION NO. 2019-64

A RESOLUTION authorizing the City of Medford to provide \$20,500,000 in non-federal funding towards identified improvements to the North Phoenix/Foothill Road Corridor should a grant from the Better Utilizing Investments to Leverage Development (BUILD) grant be awarded.

WHEREAS, the City Council recently adopted the Medford Transportation System Plan with identified improvements needed to the North Phoenix/Foothill Road Corridor; and

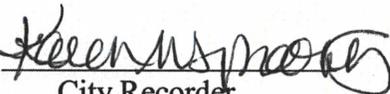
WHEREAS, the U.S. Department of Transportation is accepting applications through July 15, 2019 for \$900 million in funding available through the Better Utilizing Investments to Leverage Development (BUILD) grant program; and

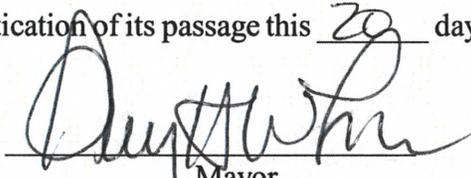
WHEREAS, the City of Medford has worked with Jackson County on an application for \$20.5 million in funding from the program that would support critical improvements of the Foothill Road/North Phoenix Road Corridor with a roadway extension to access the planned employment campus and future crossing over Interstate 5; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, that the City of Medford will provide \$20,500,000 in non-federal funding towards the project should the BUILD grant be awarded, in order to minimize the federal request amount from the highly competitive BUILD program.

PASSED by the Council and signed by me in authentication of its passage this 29 day of June, 2019.

ATTEST:


City Recorder


Mayor

July 1, 2019

Submitted Via Grants.gov

U.S. Department of Transportation
Office of the Secretary of Transportation
BUILD Transportation Grants Program Staff
Washington, DC

Re: National Infrastructure Investments Under the Consolidated Appropriations Act, 2019

To Whom it May Concern:

The City of Medford, Oregon is applying to the Department of Transportation ("DOT") under the Better Utilizing Investments to Leverage Development ("BUILD") grants program for a FY 2019 BUILD Transportation grant. The application is to fund the planning and construction of that portion of the City's Foothills/North Phoenix Road/South Stage Road corridor project (the "Corridor Project") located east of Interstate Highway 5 and west of North Phoenix Road (the "Eastern Portion Project"). The Corridor Project is identified in the City's 2019 Transportation Systems Plan. The City has initiated a request for voluntary donations of right-of-way property that the City can use as a "match" as part of its BUILD grant application. With this letter, Bear Creek Orchards, Inc. ("BCO") offers to donate approximately 2.41 acres of land for right-of-way purposes, described as "South Stage Right of Way Donation (2.41 Acres)" as shown in the attached Exhibit A (the "Donation"), subject to the conditions contained in this letter.

This offer is conditioned upon the following:

- The City of Medford is awarded sufficient funding through a FY 2019 BUILD grant to construct the Eastern Portion Project.
- The City of Medford identifies the Eastern Portion Project as a Tier 1 project in its Capital Improvement Program.
- The City of Medford agrees to bear all costs associated with requisite entitlements and mitigation for the Eastern Portion Project, including, but not limited to, wetlands mitigation or restoration, as well as any other requirements imposed by the State of Oregon, Jackson County, and/or DOT (including the Federal Highway Administration).
- The Donation is governed by a written agreement, the form and substance of which are approved by BCO in its sole discretion ("Donation Agreement").

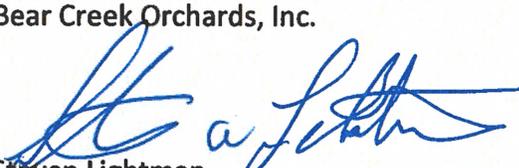
- The Donation and the Donation Agreement remain subject to all BCO-determined approvals (including, without limitation, all internal, corporate and third-party approvals), in the approving party's sole discretion.

BCO authorizes the City of Medford to submit this letter in connection with its BUILD grant application for FY 2019.

Thank you for your consideration.

Sincerely,

Bear Creek Orchards, Inc.



Steven Lightman
President

Enclosure

U.S. Department of Transportation
Office of the Secretary of Transportation
BUILD Transportation Grants Program Staff
Washington, DC

June 10, 2019

To Whom It May Concern:

Recital: The City of Medford Oregon, proposes to make application in 2019 under the Department of Transportation's National Infrastructure Investments Under the Consolidated Appropriations Act, 2019 funding to plan and construct a portion of its Foothills/North Phoenix Rd/South Stage Rd. corridor project as identified in Medford 2019 Transportation System Plan.

The City has initiated a request for voluntary donations of right of way property that the City can use as "match" for said "BUILD" grant application.

When a public improvement project requires any government agency or its contractor to acquire or enter upon private property, the owners of that property are entitled to compensation under federal and state law. Federal law is the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended, PL 91-646, and state law is in Oregon Revised Statutes, 35.510, as amended.

The above federal and state laws also allow property owners to donate necessary property rights if they wish. To accomplish a donation, you only need to acknowledge that the agency has informed you of the right to compensation and that you wish to donate.

With this letter, Mahar/Duke South Stage LLC commits to donate right of way totaling approximately 2.16 acres, to that depicted on Exhibit A (attached), contingent upon the following:

- The City of Medford is awarded funding provided for in the 2019 "BUILD" grant
- The City of Medford commits to the construction of, at a minimum, the portion of South Stage Rd. between North Phoenix Rd. and Interstate 5, "THE PROJECT"
- The City of Medford identifies "THE PROJECT" as a Tier 1 project in its Capital Improvement Program

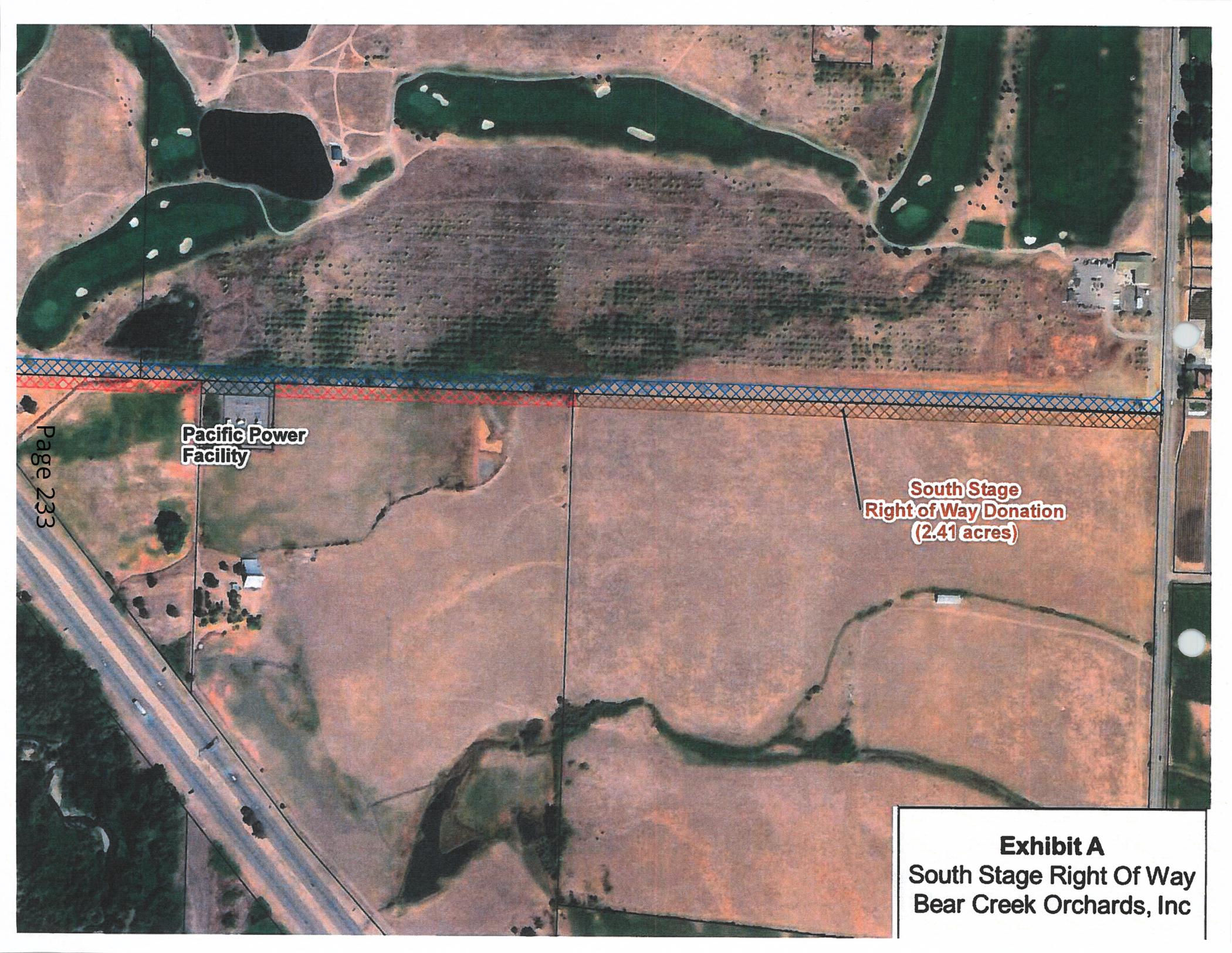
- The City of Medford agrees to bear all costs associated with requisite entitlements and mitigation for THE PROJECT, including but not limited to, wetlands, State of Oregon, Jackson County and FHWA.
- Development of a formal agreement, to be submitted and approved by Michael T. Mahar, managing member of the Mahar/Duke South Stage LLC.

Mahar/Duke South Stage LLC authorizes the City of Medford to submit this letter to Federal Highway Administration as partial match for its BUILD grant application.

Respectfully,
Mahar/Duke South Stage LLC by



Michael T. Mahar
Managing Member
815 Alder Creek Dr.
Medford, OR 97504
541-776-1200



**Pacific Power
Facility**

**South Stage
Right of Way Donation
(2.41 acres)**

Exhibit A
South Stage Right Of Way
Bear Creek Orchards, Inc



MEMORANDUM

To: Seth Adams, Planning Department
From: Chad Wiltrout, Building Department (541) 774-2363
CC: City of Medford, Public Works, Applicant
Date: February 11, 2020
Subject: TF-20-015; South Stage Road Extension

Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2019 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

Fees are based on valuation. Please contact Building Department front counter for estimated fees at (541) 774-2350 or building@cityofmedford.org.

For questions related to the Conditions or Comments, please contact me, Chad Wiltrout, directly at (541) 774-2363 or chad.wiltrout@cityofmedford.org.

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. Work is in the right-of-way and does not appear to reflect any building requirements.

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 2/4/2020
Meeting Date: 2/12/2020

LD File #: TF20015

Planner: Seth Adams

Applicant: City of Medford, Public Works

Site Name: n/a

Project Location: South Stage Road from North Phoenix Road to 1,000 feet west.

ProjectDescription: The City proposes to construct a new segment of South Stage Road from North Phoenix Road to 1,000 feet west. The new segment is proposed to be constructed as a minor arterial with two travel lanes (one each way), separated bike lanes, sidewalks, median, planter strips, landscaping, and street lighting.

Specific Development Requirements for Access & Water Supply

Reference	Comments	<u>Conditions</u> Description
OFC 508.5	<p>When water mains are installed along the new portions of S Stage Road, fire hydrants shall be provided according to the following requirement:</p> <p>Oregon Fire Code Appendix C Table C102.1 states: Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.</p>	<p>When fire hydrants are required, the approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site. In addition, blue reflective fire hydrant markers are required to be installed on the road surface to identify fire hydrant locations at night.</p> <p>Plans and specifications for fire hydrant system shall be submitted to Medford Fire-Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).</p>
OFC 503.5	<p>Parking shall be posted as prohibited in the fire department turn-around area.</p>	<p>Where parking is prohibited on public roads for fire department vehicle access purposes, NO PARKING signs shall be spaced at minimum 50' intervals along the fire lane (minimum 75' intervals in 1 & 2 family residential areas) and at fire department designated turn-around areas. The signs shall have red letters on a white background stating "NO PARKING".</p> <p>Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12).</p> <p>Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1).</p> <p>This restriction shall be recorded on the property deed as a requirement for future construction.</p> <p>Contact Public Works Transportation Manager Karl MacNair 541-774-2115 for further information.</p>

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards.

Medford Fire-Rescue, 200 S Ivy St. Rm 180, Medford OR 97501 541-774-2300

www.medfordfirerescue.org



PUBLIC WORKS DEPARTMENT STAFF REPORT

South Stage Road – New Segment City of Medford

Project: The City proposes to construct a new segment of South Stage Road from North Phoenix Road to 1,000 feet west. The new segment is proposed to be constructed as a minor arterial with two travel lanes (one each way), separated bike lanes, sidewalks, median, planter strips, landscaping, and street lighting.

Applicant: City of Medford, Public Works Department

Planner: Seth Adams, Planner III – Long Range Division

Public Works has no comments on the proposed Transportation Facility project.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs



MEMORANDUM

To: Seth Adams

From: Jennifer Ingram

Date: February 12, 2020

Subject: TF-20-015

The existing road segment to which this proposed segment will eventually connect is named *East South Stage Road*. Therefore, this segment, as well as any other segment(s) east of South Pacific Highway which would connect to this existing segment, should be named *East South Stage Road*.



JACKSON COUNTY

Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

February 4, 2020

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

RE: Proposed a new segment of South Stage Road - a proposed City maintained road.
Planning File: TF-20-015

Dear Seth:

Thank you for the opportunity to comment on a proposal to construct a new segment of South Stage Road from North Phoenix Road to 1,000 feet west. The new segment is proposed to be constructed as a minor arterial with two travel lanes (one each way), separated bike lanes, sidewalks, medians, planter strips, landscaping, and street lighting. Jackson County Roads has the following comments:

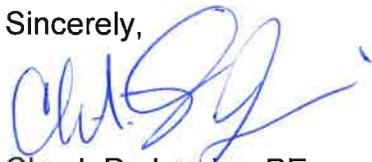
1. As provided in the Urban Reserve Management Agreement (URMA) between City and County, please expand the annexation to include North Phoenix Road right-of-way. Then, following annexation, City is required to request jurisdiction of this portion of North Phoenix Road. As provided in the URMA, the request for jurisdiction shall conform to ORS 373.270, except that conditions and compensation allowed by ORS 373.270(6) are not allowed.
2. Without a jurisdictional transfer of North Phoenix Road to the City of Medford, Jackson County will require the following:
 - a. Upon development, all existing road approaches from the property to North Phoenix Road will be closed. New approaches to North Phoenix Road will only be allowed if a traffic impact study, as required below, can demonstrate that new or replacement approaches will operate safely and effectively. Additional access to the site should be considered from Juanipero Way or the proposed extension of South Stage Road.
 - b. Prepare a traffic impact study to be reviewed and approved by the County. This study shall address the safety aspects of new or altered road approaches to North Phoenix Road and impacts to North Phoenix Road including stopping sight distance, traffic queuing, storage lengths, need for dedicated turn lanes or a median turn lane, and impacts to the North Phoenix Road and Juanipero Way intersection. The study shall also address impacts to Coal Mine Road and

Campbell Road or other lesser order public roads if access is provided to these facilities. Mitigation measures for each identified issue should be provided and will be reviewed and approved by Jackson County.

- c. As provided in the URMA, storm drain management within the annexed areas (including road right-of-way) become the responsibility of the City upon annexation.
3. Any new or improved roads inside the Urban Grow Boundary or expanded Urban Growth Boundary shall be permitted, inspected and become the sole jurisdiction of the City of Medford.
4. If county storm drain facilities are to be utilized, the applicant's registered Engineer shall provide a hydraulic report and plans for review and approval by Jackson County Roads. Storm drainage runoff is limited to that area currently draining to the County storm drainage system. Upon completion of the project the developer's Engineer shall certify that the construction of the drainage system was constructed per the approved plan. A copy of the certification shall be sent to Chuck DeJanvier at Jackson County Roads.
5. North Phoenix Road is a County Minor Arterial road and is maintained by the County. The Average Daily Traffic count was 10,529 on September 5, 2018, 225' south of Coal Mine Road.
6. ADA curb ramps must be located wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, including any intersection where it is legal for a pedestrian to cross the street, whether or not there is any designated crosswalk.
7. The radius for road intersection along a Minor Arterial road shall be a thirty-foot radius. The road approach shall be perpendicular to North Phoenix Road.
8. The applicant shall submit construction plans to Jackson County Roads, so we may determine if county permits will be required.
9. We would like to be notified of future development proposals, as county permits may be required.

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

Sincerely,



Chuck DeJanvier, PE
Construction Engineer



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: TF-20-015
PARCEL ID: 372W12A TL 800

PROJECT: The City proposes to construct a new segment of South Stage Road from North Phoenix Road to 1,000 feet west. The new segment is proposed to be constructed as a minor arterial with two travel lanes (one each way), separated bike lanes, sidewalks, median, planter strips, landscaping, and street lighting. Applicant, City of Medford, Public Works; Planner, Seth Adams.

DATE: February 12, 2020

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

CONDITIONS

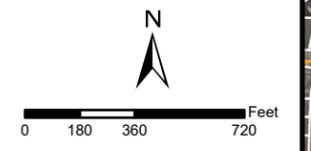
1. No Conditions at this time.

FUTURE CONDITIONS

1. At the time of Site Development south of Juanipero Way the installation of a "Developer Driven" 16-inch water line will be required to be installed on the west side of N Phoenix Road. This water line installation shall start at the existing 16-inch water line which is currently stubbed to the south right-of-way of Juanipero Way on the west side of N Phoenix Road. The "proposed" 16-inch water line will be required to be installed along the west side of N Phoenix Road and shall "Ultimately" terminate at the South Stage Road extension. Total approximate water line length of 4800-feet from Juanipero Way to the South Stage Road Extension project. All future development south of Juanipero Way will be conditioned for the installation of a projects "fair share" portion of 16-inch water line across individual properties along both sides of the N Phoenix Road street frontage.
2. The installation of a future "Developer Driven" 12-inch water line will be required to be installed in the South Stage Road extension project. Water line will be installed in a paved road and/or path section.

COMMENTS

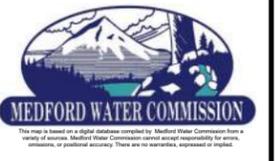
1. Off-site water line installation is required. (See Future Condition 1 and 2)
2. On-site water facility construction is not required at this time.
3. MWC-metered water service does not exist to this property.
4. Access to MWC water lines is available. There is an existing 16-inch water line (Zone 1A) that is currently stubbed to the south side of Juanipero Way.



**Water Facility Map
For
City of Medford
Foothill Road Street
Improvement Project
TF-20-015**

Legend

- Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plugs-Caps
- Water Meters:**
- Active Meter
- On Well
- Unknown
- Vacant
- Water Valves:**
- Butterfly Valve
- Gate Valve
- Tapping Valve
- Water Mains:**
- BBS Transmission Main
- Active Main
- Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line
- Boundaries:**
- Urban Growth Boundary
- City Limits
- Tax Lots
- MWC Facilities:**
- Control Station
- Pump Station
- Reservoir



MEDFORD PARKS & RECREATION FACILITIES MANAGEMENT

HEALTHY LIVES | HAPPY PEOPLE | STRONG COMMUNITY

TO: Seth Adams - Planning Department
FROM: Haley Cox – Parks Planner
SUBJECT: South Stage Road Improvements TF-20-015
DATE: February 12, 2020

The Parks, Recreation and Facilities Department has reviewed the application for South Stage Road Improvements and has the following comments:

The proposed cross section is consistent with the recently adopted Transportation System Plan. The Leisure Services Plan also indicates a shared-use pathway along this alignment, which is substantially achieved through the off-street bike lane configuration.

The Parks Department would be responsible for maintaining ROW landscaping, and would advise on plant selection and irrigation components. We recommend minimal landscaping in these locations, particularly in the median, where maintenance activities are difficult to accomplish without impacting transportation circulation. For this arterial corridor, the Department would recommend installation of decorative concrete medians, with planted buffers that can be reached from the off-street pathways.

EXHIBIT H



CONTINUOUS IMPROVEMENT | CUSTOMER SERVICE

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



COMMUNITY ENRICHMENT EXCELLENCE EXCEPTIONAL CUSTOMER SERVICE INNOVATION



ROGUE VALLEY SEWER SERVICES

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

February 3, 2020

City of Medford Planning Department
200 S. Ivy Street
Medford, Oregon 97501

Re: TF-20-015, Foothill Road South Stage Extension, 381W04 TL100, 371W04 TL501
Ref: PA-19-070

ATTN: Seth,

The proposed roadway corridor is within the RVSS sewer service boundary. However, RVSS does not currently have sewer facilities near the area. Future sewer location should be considered in the design and timing of roadway construction. Please note, sewer planning and construction will be largely developer driven and will require coordination with multiple stakeholders.

RVSS requests that consideration be made for sewer main crossings prior to full buildout of the South Stage Road connection.

Please feel free contact me with any questions.

Sincerely,

Nicholas R. Bakke, P.E.
District Engineer

MEMORANDUM

To: Seth Adams, Planning Department
From: Joseph Smith, Bicycle and Pedestrian Advisory Committee Chair
CC: Chris Olivier, Planning; Christina Charvat, Public Works
Date: Thursday, February 13, 2020
Subject: BPAC Comments for South Stage (TF-20-015) and Foothill (TF-19-001) Projects

Here are the following comments from the City of Medford Bicycle and Pedestrian Advisory Committee's February 10th, 2020 Meeting:

South Stage (TF-20-015)

- BPAC supports the road design for this project. It is in accordance with the Medford Transportation System Plan (TSP).

Foothill Project (TF-19-001)

- Due to the fact that the original proposal does not match with the TSP, BPAC passed a unanimous motion (6-0) that supports the alternative cross-section design that was shown during Seth's Foothill presentation.
- BPAC passed a unanimous motion (6-0) recommending the Hillcrest to McAndrews stretch of Foothill (which has not been rebuilt yet) have the same alternative cross-section design as the Foothill Project from McAndrews to Delta Waters (TF-19-001).
- BPAC strongly recommends the Foothill Project includes signalization with Delta Waters.
- Providing adequate lighting for the bicycle and pedestrian facilities, by either installing dedicated light poles or adding/modifying fixtures to the cobra poles is another recommendation.
- BPAC recommends where feasible, a reduction of the width of the median and increasing the width of the planter strips (which would aid adequate sizing for stormwater runoff and tree health).

To: Seth Adams, Planning Department
Re: BPAC Comments for South Stage and Foothill TF Projects
File No: TF-20-015, TF-19-001
Date: February 13, 2020

- BPAC supports healthy trees in the planter strips. Trees provide much needed shade and adds a buffer for cyclists and pedestrians from the predicted increase of freight traffic on this upgraded road. Thoughtful selection of tree species for the planter strips are encouraged. The City is encouraged to maintain the health of the trees.
- BPAC recommends the City provide routine pavement maintenance for the bike paths and sidewalks.