

PLANNING COMMISSION AGENDA MARCH 14, 2019



Commission Members

David Culbertson

Joe Foley

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Patrick Miranda

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

Public Hearing

March 14, 2019

5:30 PM

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

10. Roll Call

20. Consent Calendar/Written Communications (voice vote)

- 20.1 ZC-18-190** Request for consideration of a zone change from SFR-00 (Single Family Residential – 1 dwelling unit per existing lot) to C-R (Regional Commercial) on approximately 2.6 acres located east of Garfield Street, approximately 600 feet east of the Garfield Street and Center Drive intersection (371W32B5000 & 371W32C2401). Applicant & Agent: South Center II, LLC; Planner: Steffen Roennfeldt.

30. Minutes

- 30.1** Consideration for approval of minutes from the February 28, 2019, hearing.

40. Oral and Written Requests and Communications

Comments will be limited to 3 minutes per individual or 5 minutes if representing an 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.**

Continuance Request

- 50.1 ZC-18-189** Consideration of a request for a zone change of a 1.89-acre parcel located at 4199 Rachel Way from SFR-00 (Single-Family Residential, one dwelling unit per lot) to SFR-4 (Single-Family Residential, four dwelling units per gross acre) (371W22400); Applicant: Jane Erin Griffin-Hagle; Planner: Dustin Severs. **The applicant has requested to continue this item to the Thursday, March 28, 2019 Planning Commission meeting.**

Old Business

- 50.2 LDS-18-160** Consideration of a tentative plat for a six lot subdivision on approximately 3.08 acres within the SFR-2 (Single Family Residential – 2 dwelling units per gross acre) zoning district, located on Roxy Ann Road directly south of Autumn Park Drive (371W23DD TL 1800). Applicant: Rita Vinatieri; Agent: Neathamer Surveying Inc.; Planner: Liz Conner.

Meeting locations are generally accessible to persons with disabilities. To request interpreters for hearing impaired or other accommodations for persons with disabilities, please contact the ADA Coordinator at (541) 774-2074 or ada@cityofmedford.org at least three business days prior to the meeting to ensure availability. For TTY, dial 711 or (800) 735-1232.

New Business

- 50.3 **ZC-19-003 / LDS-19-004** Consideration of tentative plat approval for Hogue Heaven Estates – Phases 2 & 3, a proposed 5-lot residential subdivision, along with a request for a change of zone to SFR-10 (Single-Family Residential, ten dwelling units per gross acre), on a 0.91- acre parcel located at 884 Ross lane in the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (372W23DD700). Applicant: Billy Hogue; Agent: Scott Sinner Consulting, Inc.; Planner: Dustin Severs.
- 50.4 **PUD-18-152** Consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File No. PUD-98-023, to consider changes to the PUD boundary of approximately 233-acres of property and to demonstrate that the 'Commercial Village' is able to develop without any vehicle trip stipulations, located east of Interstate 5 between Ellendale and La Loma Drives, within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre), SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre), SFR-10(Single Family Residential – 6 to 10 dwelling units per gross acre), MFR-20 (Multiple Family Residential – 15 to 20 dwelling units per gross acre), MFR-30 (Multiple Family Residential - 20 to 30 dwelling units per gross acre) and C-C (Community Commercial) zoning districts. Applicant: Pacific Retirement services; Agent: Richard Stevens & Associates; Planner: Steffen Roennfeldt.

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. Remarks from the City Attorney**
- 90. Propositions and Remarks from the Commission**
- 100. Adjournment**

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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-18-190 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY SOUTH CENTER II LLC) **ORDER**

ORDER granting approval of a request for a zone change for *South Center II LLC*, described as follows:

A zone change from SFR-00 (Single Family Residential – 1 dwelling unit per existing lot) to C-R (Regional Commercial) on approximately 2.6 acres located east of Garfield Street, approximately 600 feet east of the Garfield Street and Center Drive intersection (371W32B5000 & 371W32C2401).

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning for *South Center II LLC*, as describe above; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Staff Report dated February 19, 2019, and the Findings contained therein – Exhibit “A,” and Legal Description – Exhibit “B” attached hereto and hereby incorporated by reference; now, therefore,

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

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

37 1W 32B Tax Lot 5000 and 37 1W 32C Tax Lot 2401

is hereby changed as described above.

Accepted and approved this 14th day of March, 2019.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

TELEPHONE
541-772-2782



L.J. FRIAR & ASSOCIATES P.C.

CONSULTING LAND SURVEYORS

FAX
541-772-8465

JAMES E. HIBBS, PLS

P.O. BOX 1947
PHOENIX, OR 97535

ljfriar@charter.net

LEGAL DESCRIPTION

Exhibit "B"

Commencing at the Northeast corner of Donation Land Claim No. 46, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence South 72°35'51" West (record South 72°54' West), 41.80 feet; thence South 50°57'13" West, 1358.02 feet (record South 51°16' West, 1360.2 feet) to the Southwest corner of Parcel 2 per Volume 365, Page 352, Jackson County Deed Records; thence along the West line thereof, North 15°26'46" West (record North 15°09' West), 541.83 feet to the Northeast corner of Belknap Road; thence North 71°32'07" East, 109.81 feet to the true point of beginning; thence North 38°52'57" West, 372.47 feet; thence North 51°02'23" East, 266.89 feet; thence South 38°57'31" East, 472.42 feet; thence South 71°32'07" West, 285.45 feet to the true point of beginning. Containing 112863 square feet, or 2.59 acres, more or less.

Basis of Bearings: Survey No. 21982.

TRACT TO BE ZONE CHANGED
(NEW HOTEL TRACT)
Galpin Gang, LLC
15-217
October 8, 2018

RECEIVED
DEC 18 2018
PLANNING DEPT.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
James E. Hibbs
OREGON
JULY 17, 1986
JAMES E. HIBBS
2234
RENEWAL DATE: 6-30-19



Planning Commission

Minutes

From Public Hearing on **February 28, 2019**

The regular meeting of the Planning Commission was called to order at 5:30 PM in the City Hall Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present

David McFadden, Vice Chair
David Culbertson
Joe Foley
Bill Mansfield
E.J. McManus
Jared Pulver
Jeff Thomas

Staff Present

Kelly Evans, Assistant Planning Director
Eric Mitton, Deputy City Attorney
Alex Georgevitch, City Engineer
Terri Richards, Recording Secretary
Steffen Roennfeldt, Planner III

Commissioner Absent

Patrick Miranda, Chair, Excused Absence
Mark McKechnie, Excused Absence

10. Roll Call

Vice Chair McFadden reported that the Planning Commission nominated Commissioner Pulver to the Transportation Commission at the previous Planning Commission meeting.

10.1 Election of Officers

Commissioner Foley nominated Commissioner McKechnie to serve as Chair for 2019.

Commissioner Mansfield nominated Commissioner Foley to serve as Vice-Chair for 2019. Commissioner Foley and Vice Chair McFadden seconded.

Voice Vote: Motion passed, 6-0-1 with Commissioner Foley abstaining.

10.2 Nomination for the Site Plan and Architectural Commission.

Commissioner Mansfield nominated Commission Culbertson to the Site Plan and Architectural Commission.

Roll Call Vote: Motion passed, 6-0-1, with Commission Culbertson abstaining.

Vice Chair McFadden stated that he and Commissioner Foley discussed that since tonight's agenda is small he will continue to Chair the meeting.

20. Consent Calendar/Written Communications. None.

30. Minutes

30.1 The minutes for February 14, 2019, were approved as submitted.

40. Oral and Written Requests and Communications.

40.1 Barbara Laskin, 583 Windsong Way, Medford, Oregon, 97504. Ms. Laskin serves on the City of Medford Budget Committee. She is present to request the Planning Commission consider requiring land development contractors provide solar panels wherever covered garage parking is not available. This would apply to both commercial and residential development. Although the energy tax credits are diminishing it would result in reduced energy cost but the real benefit would be to the environment. As Governor Brown stated at a meeting at Ms. Laskin's Rotary Club several weeks ago, the State of Oregon is the fastest growing state in the country. Clearly, Medford is on the cusp of great growth. In coming from the Bay Area it would be wonderful if the City of Medford could avoid many of the mistakes made by the public entities in that area. Precedence has been established by the State of Oregon with this 1.5% for green energy technology that requires public entities spend 1.5% of public building construction costs on green energy technology. It would be easy to leverage the Energy Trust of Oregon's solar planning resources. Medford could start with solar assessments of City buildings which could be fully funded. Once the best locations are identified it would be possible to leverage ETO incentives and Blue Sky grants from Pacific Power to get some projects launched. A good place to begin would be City of Medford employee parking lots. The County of Santa Clara where she lived and worked on land use issues with the Planning Commission installed solar panels in all of its employee parking lots. Needless to say, they were very popular.

Eric Mitton, Deputy City Attorney, read the Quasi-Judicial Statement.

50. Public Hearings – New Business

50.1 **ZC-18-190** Request for consideration of a zone change from SFR-00 (Single Family Residential – 1 dwelling unit per existing lot) to C-R (Regional Commercial) on approximately 2.6 acres located east of Garfield Street, approximately 600 feet east of the Garfield Street and Center Drive intersection (371W32B5000 & 371W32C2401). Applicant & Agent: South Center II, LLC.; Planner: Steffen Roennfeldt.

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

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

Steffen Roennfeldt, Planner III stated that the Zone Change approval criteria can be found in the Medford Land Development Code Section 10.204. The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report.

Commissioner Foley is concerned with this is not dealing with a legal created lot. Is that an issue or not? Kelly Evans, Assistant Planning Director reported that on page 39 of the agenda packet Mr. Proud is stating that the legal description of the area being rezoned is not actually a parcel. It is a portion of a parcel. There is no proposal at this time to create the area to be zoned as a parcel. If the applicant intends to do that the need to either file a partition or do a property line adjustment in order for the property lines match the zone boundary. There is nothing in the code that requires zoning to match a property line. The code tells how to interpret zone boundaries but it does not state that one cannot split zone property which is happening with this. Under the code what is happening is fine.

The public hearing was opened and there being no testimony the public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of ZC-18-190 per the staff report dated February 19, 2019, including Exhibits A through S.

Moved by: Commissioner Foley

Seconded by: Commissioner Pulver

Voice Vote: Motion passed, 7-0.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural met on Friday, February 15, 2019. He was unable to attend.

Ms. Evans reported that the Site Plan and Architectural Commission adopted the Final Order for the Delta Waters Lenders self-storage facility at Delta Waters Road and Crater Lake Highway.

There was a study session that followed. They had a presentation on ex parte contacts and conflicts of interest.

60.2 Transportation Commission

Commissioner Pulver reported that the Transportation Commission met yesterday, Wednesday, February 27, 2019. They discussed Public Works budget for the next budget cycle and Tier One projects from the TSP. Staff is looking to get the cross sections for

various street categories approved and in the code. There was an item on the agenda regarding concurrency change to the Code. The City's code reads are those facilities currently in place. The State prefers it to read are the projects accounted for in the 20 year time period be adequate to serve whatever project is being considered. It is a significant change in thought. It is advocated by staff and the State. Mr. Pulver's question is does the same sort of thought process come into play on other matters such as sewer? Ms. Evans was unable to answer his question. She believes it is mainly focused on traffic at this point in time.

Vice Chair McFadden asked who is Chair and Vice Chair for the Site Plan and Architectural Commission and the Transportation Commission. Commissioner Pulver stated that Al Densmore is Chair and Denny Conrad is Vice Chair for the Transportation Commission. Commissioner Culbertson reported that Jim Quinn is Chair and Bill Chmelir is Vice Chair for the Site Plan and Architectural Commission.

60.3 Planning Department

Ms. Evens reported that the next Planning Commission study session is scheduled for Monday, March 11, 2019. Discussion will be on Long Range Project Program and Cross Sections. There is interesting language about Legacy streets.

There is business scheduled for Thursday, March 14, 2019 and Thursday, March 28, 2019. There is not business scheduled at this point for Thursday, April 11, 2019 but staff will keep the Planning Commission updated. There is business scheduled for Thursday, April 25, 2019.

John Morgan is a land use expert in the State of Oregon. He has been City Manager and Planning Director for many small cities throughout Oregon. He consults and is coming to Medford to train staff on presentations and provide training for Commissioners on land use. It is scheduled for April 23, 2019. Staff will keep the Planning Commission updated on time and location.

City Council is discussing visioning this evening at a study session.

The Planning Department did not have any business at the last City Council meeting.

On Thursday, March 7, 2019 the City Council will hear the Sanitary Sewer Collection Master Plan and Lighting Standards.

70. Messages and Papers from the Chair.

70.1 Vice Chair McFadden stated this is his last meeting as Vice Chair and thanked the Commission for making his job easy. It is nice to run a meeting where everyone is up on what is happening, attentive and good comments. He thinks Chair Miranda would chime in on that one too.

80. Remarks from the City Attorney. None

90. Propositions and Remarks from the Commission. None.

100. Adjournment

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

Submitted by:

Terri L. Richards
Recording Secretary

Mark McKechnie
Planning Commission Chair

Approved: March 14, 2018



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT – CONTINUANCE REQUEST for a Type-III quasi-judicial decision: Zone Change

Project Hagle Zone Change
Applicant: Jane Erin Griffin-Hagle

File no. ZC-18-189

To Planning Commission *for March 14, 2019 hearing*

From Dustin Severs, Planner III

Reviewer Kelly Evans, Assistant Director

Date March 7, 2019

BACKGROUND

Proposal

Consideration of a request for a zone change of a 1.89-acre parcel located at 4199 Rachel Way from SFR-00 (Single-Family Residential, one dwelling unit per lot) to SFR-4 (Single-Family Residential, four dwelling units per gross acre) (371W22400).



Request

The applicant has requested that the item be continued to March 28, 2019, in order to provide additional time to complete a sewer study to support the zone change request.

EXHIBITS

- A Continuanace request, received March 6, 2019.
Vicinity Map

COMMISSION AGENDA:

FEBRUARY 14, 2019

MARCH 14, 2019

Dustin J. Severs

From: Copper Griffin <jhagle01@gmail.com>
Sent: Wednesday, March 6, 2019 7:37 PM
To: Dustin J. Severs
Subject: JHagle Rezoning Application

Hi Dustin,

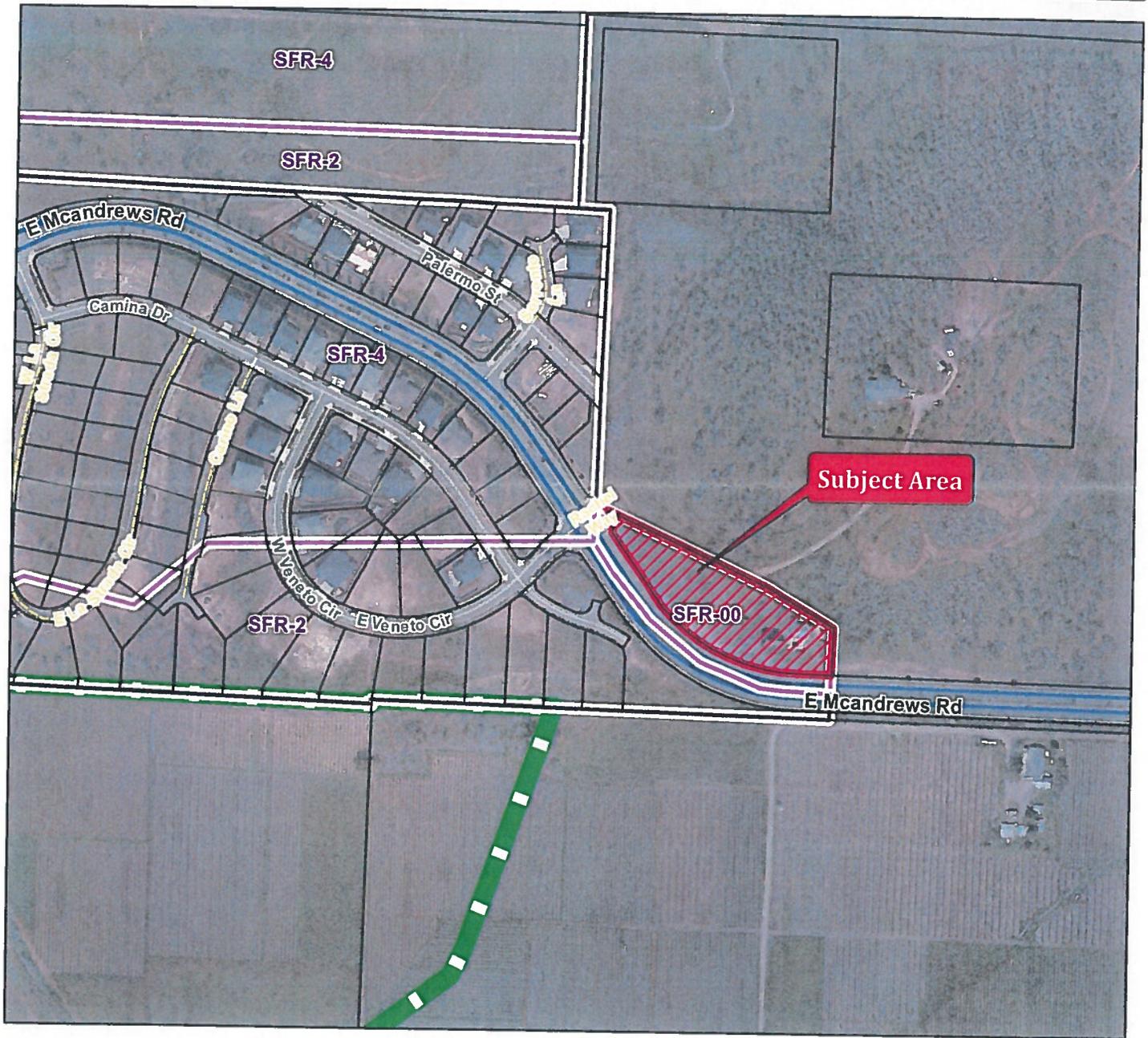
Sorry I have been unable to call you the last two days, as I have had extensive meetings at work and have also been traveling.

Anyway, I do not have the sewer study yet from CEC Engineering, so I believe I need another extension. I will leave a message for Tony Bakke and see if he has an estimated timeline, and then will let you know.

Thanks for your call.

Jane Hagle

541-821-5263



Project Name:

**Griffin-Hagle
Zone Change**

Map/Taxlot:

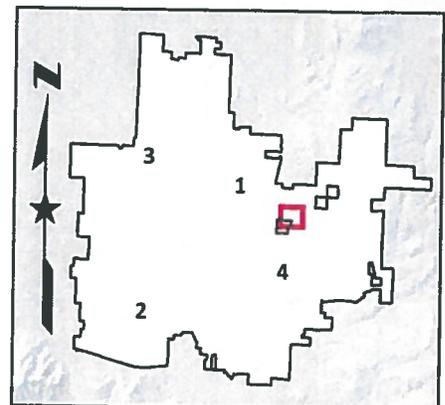
371W22 TL 400



Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots

12/19/18





City of Medford

Planning Department

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STAFF REPORT

for a Type-III quasi-judicial decision: **Subdivision**

Project Vinatieri Heights Subdivision
Applicant: Rita Vinatieri; Agent: Neathamer Surveying Inc.

File no. LDS-18-160

To Planning Commission *for March 14, 2019*

From Liz Conner, Planner II

Reviewer Kelly Evans, Assistant Planning Director *h.*

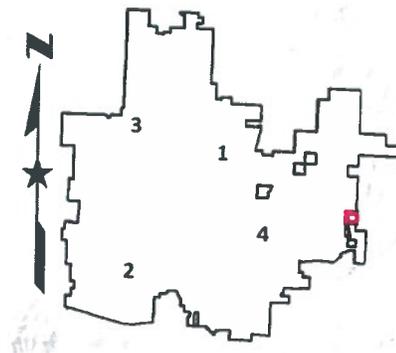
Date March 7, 2019

BACKGROUND

Proposal

Consideration of a tentative plat for a six lot subdivision on approximately 3.08 acres within the SFR-2 (Single Family Residential – 2 dwelling units per gross acre) zoning district, located on Roxy Ann Road directly south of Autumn Park Drive (371W23DD TL 1800).

Vicinity Map



Subject Site Characteristics

Zoning	SFR-2	Single family residential (2 dwelling units per gross acre)
GLUP	UR	Urban Residential
Use		Single Family Dwelling

Surrounding Site Characteristics

<i>North</i>	Zone:	SFR-2
	Use:	Single Family Dwellings
<i>South</i>	Zone:	SFR-2
	Use:	Single Family Dwelling
<i>East</i>	Zone:	RR-5 (County Zoning)
	Use:	Single Family Dwelling
<i>West</i>	Zone:	SFR-2
	Use:	Single Family Dwelling

Related Projects

Annexation A-05-282 ORD 2006-68
Zone Change ZC-06-307 SFR-00 to SFR-2 Approved December 28, 2006

Applicable Criteria

**SUBDIVISION TENTATIVE PLAT APPROVAL CRITERIA
FROM SECTION 10.202(E) OF THE MEDFORD LAND DEVELOPMENT CODE**

The 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 Articles 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 Planning Commission 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.

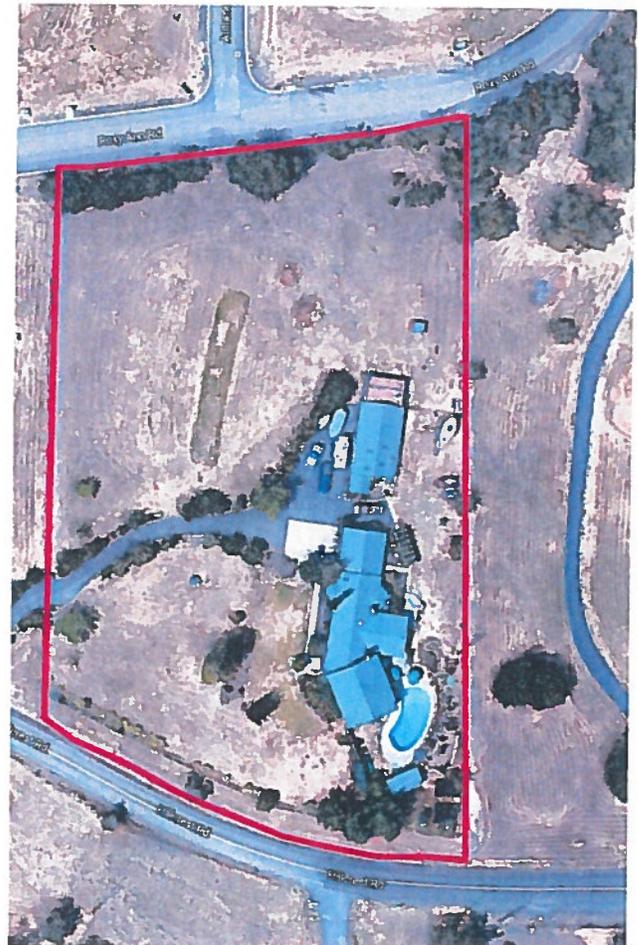
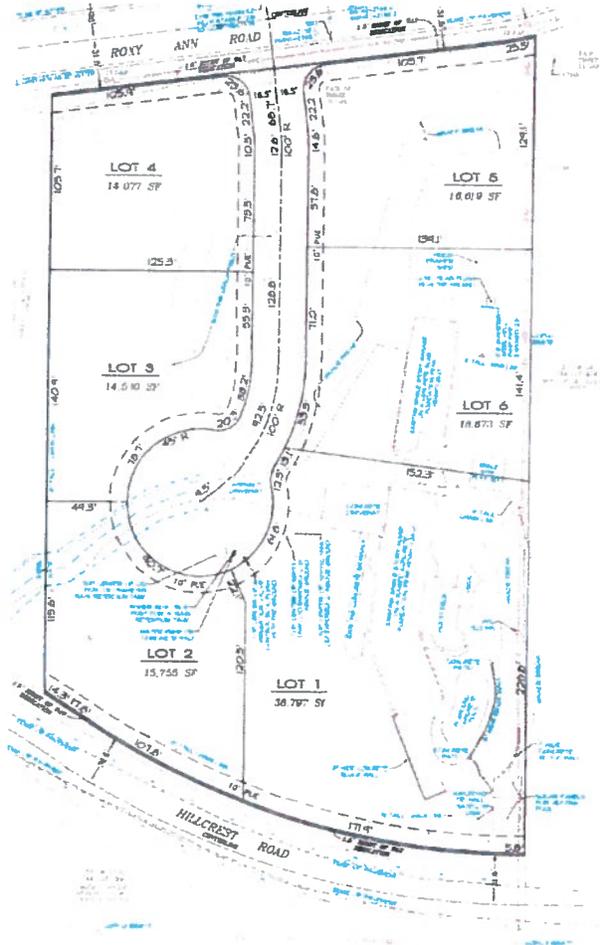
ISSUES AND ANALYSIS

Background

The subject property was annexed into the City limits by Ordinance 2006-68 and subsequently received a zone change approval to SFR-2.

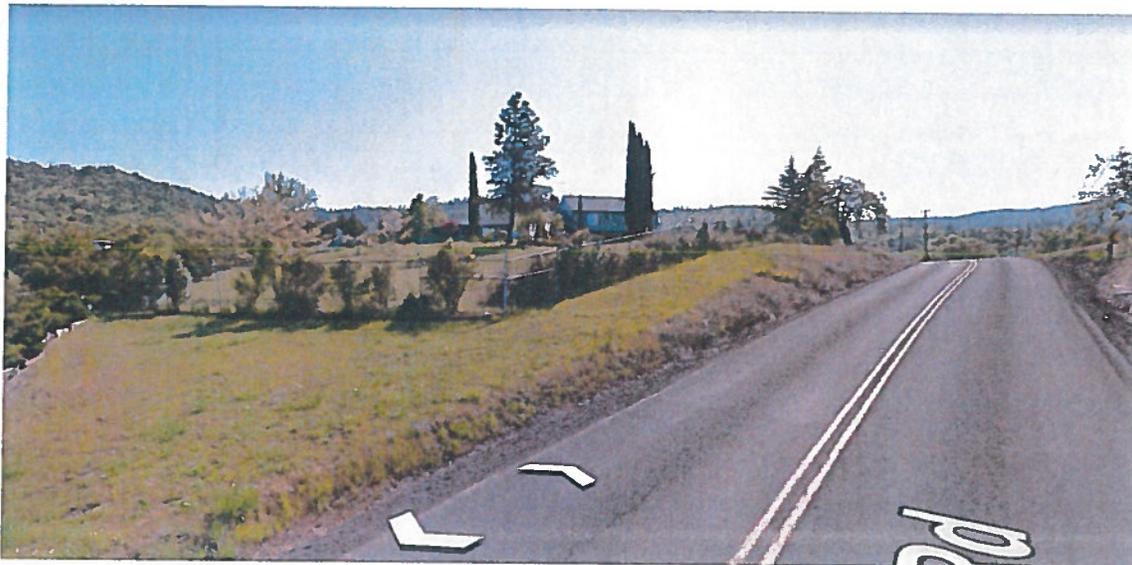
The applicant is requesting approval of a tentative plat for a six lot subdivision with cul-de-sac.

Proposed Tentative Plat

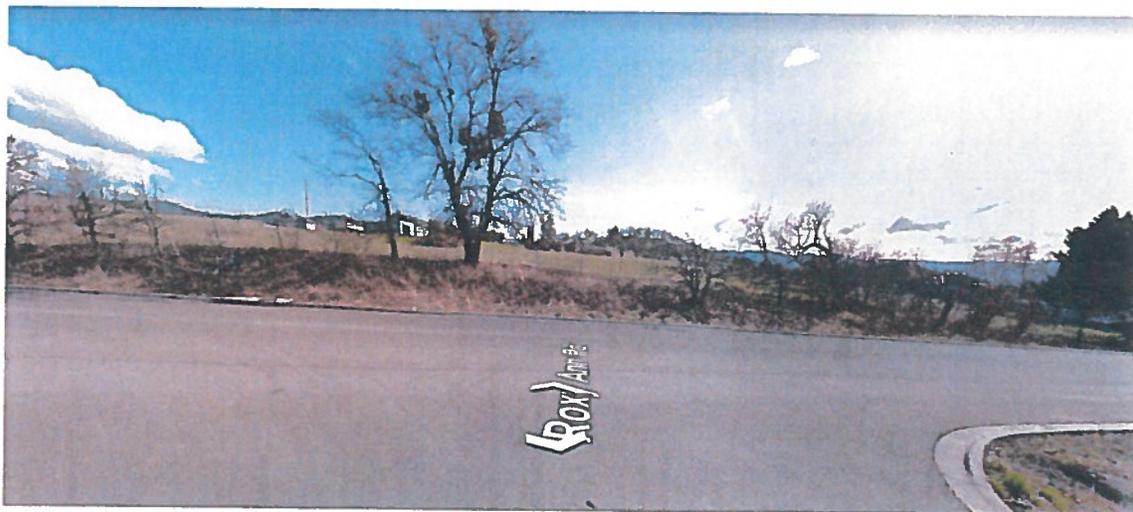


Site Photos

Looking Northeast



Looking South



Density

The proposal of six lots is within the density range permitted under the SFR-2 zone. The density calculation (Exhibit O) for approximately 3.5 gross acres 2 is a minimum of three dwelling units to 7 dwelling units.

Public Improvements

The Public Works staff report (Exhibit H) states that Hillcrest Road and Roxy Ann Road are classified as Standard Residential Streets.

Hillcrest Road - The applicant's slope analysis (Exhibit C) and the Steep Slope Development Report (Exhibit G) identifies slopes greater than 15% along the north side of Hillcrest Road. Per the Public Works Report the Applicant may elect to remove the planter and parking from the north side of the road. If so, the minimum required improvements shall be curb and gutter with a 5-ft curb tight sidewalk on the north side with two (2), 12-foot paved travel lanes plus pavement to the far south edge of the existing pavement. Otherwise, it shall be improved to Standard Residential street standards, in accordance with MLDC 10.430, which shall include improving the north half plus 12-feet south of the centerline, or to the far edge of the existing pavement, whichever is greater, along the frontage of this development. The Public Works report also states that the full width of the proposed residential lane, Autumn Park Drive shall be dedicated to comply with the required 33 feet.

Roxy Ann Road - All street section improvements, with the exception of a planter strip and sidewalk, have been completed in close conformance with current standards, including pavement, curb and gutter and street lights. Therefore, a 5-foot wide sidewalk with a planter strip will be required along this developments frontage.

Access and Circulation

MLDC Section 10.450 states that when a cul-de-sac is proposed, an accessway shall be provided consistent with Sections 10.464 through 10.466. The applicant's tentative plat (Exhibit B) shows that an accessway is proposed between Lot 1 and Lot 2. The applicant's Hillcrest Road Conceptual plan (Exhibit D) shows an accessway proposed.

Agency Comments

Jackson County Roads Department (Exhibit M)

The Jackson County Roads Department provided comments and requests that the applicant submit construction drawings to Jackson County and obtain any required permits through their agency. Jackson County Roads also requests the opportunity to review and comments on the hydraulic report and drainage plans. A condition of approval to comply with the Jackson County Roads Department's comments has been included (Exhibit A).

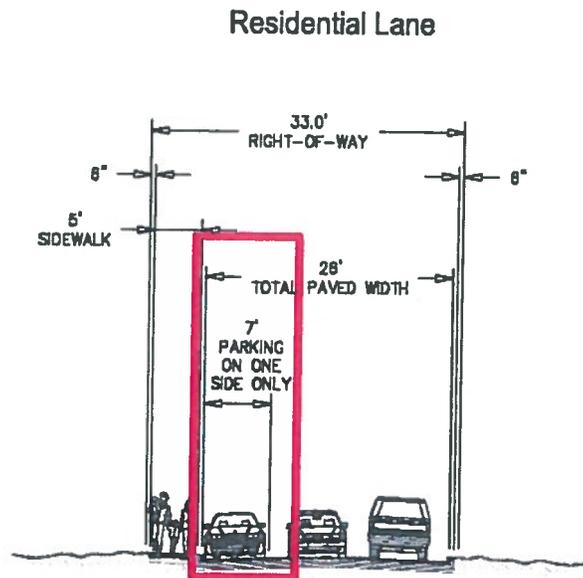
Addressing (Exhibit K)

Per the Address technician's staff memo, the address of the existing house at 5495 Hillcrest Road will need to be readdressed when the extension of Autumn Park Drive is constructed. A condition of approval to comply with the Address Technician's memo has been included (Exhibit A).

Medford Fire Department Report (Exhibit I)

The Medford Fire Department's report states that the property is within the Wildfire Urban Interface (WUI) zone. All development within the WUI shall comply with fire resistant rated roofing material.

No Parking shall be posted along one side of Autumn Park Drive in accordance with MLDC 10.430(3). A condition of approval to comply with the Medford Fire Department's Report has been included (Exhibit A).



No other issues were identified by staff.

CRITERIA COMPLIANCE

The proposed tentative plat is in compliance with the Comprehensive Plan and all applicable design standards set forth in Article IV and V.

The proposed tentative plat includes the development of the entire parcel with no land remaining to develop.

Vinatieri Heights is a name that has been approved by the Jackson County Surveyor.

The proposed development is not within an adopted circulation plan, and the proposed street is designed to match the existing centerlines at the intersection of Autumn Park Drive and Roxy Ann Road.

The proposed extension of Autumn Park Drive is a public street, and no private streets or alleys proposed.

As shown with the zoning map the proposed tentative plat is not adjacent to EFU (Exclusive Farm Use) zoned land.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit F) and recommends the Commission adopt the findings with the following modifications.

- With regard to the public accessway requirements in Sections 10.464 through 10.466, the applicant shall provide an accessway from Autumn Park Drive to Hillcrest Road as demonstrated by the proposed tentative plat (Exhibit B).

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of LDS-18-160 per the staff report dated March 7, 2019, including Exhibits A through O.

EXHIBITS

- A. Conditions of Approval, dated January 3, 2019
- B. Tentative Plat received March 7, 2019
- C. Slope Analysis received October 23, 2018
- D. Hillcrest Road Conceptual Improvements received March 5, 2019
- E. Conceptual grading and drainage plan received October 23, 2018
- F. Applicants findings and conclusions received October 23, 2018
- G. Steep Slope Development Report received October 23, 2018
- H. Public Works Staff received March 6, 2019
- I. Medford Fire Department report received December 19, 2018
- J. Medford Building Department Memo received December 19, 2018
- K. Address Technician Memo dated December 17, 2018
- L. Medford Water Commission Staff Memo dated December 19, 2018
- M. Jackson County Roads comments dated December 11, 2018
- N. Oregon Department of Transportation email dated December 13, 2018
- O. Density Calculation
Vicinity map

PLANNING COMMISSION AGENDA:

JANUARY 10, 2019
JANUARY 24, 2019
FEBRUARY 14, 2019
MARCH 14, 2019

EXHIBIT A

LDS-18-160
Conditions of Approval
March 7, 2019

CODE REQUIREMENTS

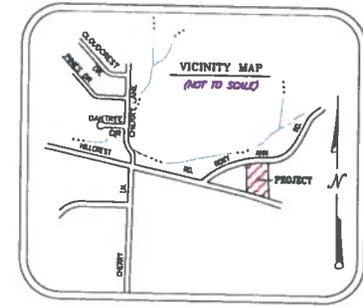
1. Prior to Final Plat approval, the applicant shall comply with the:
 - a. Public Works Department Staff Report dated March 6, 2019 (Exhibit H).
 - b. Medford Fire Department Report dated December 19, 2018 (Exhibit I).
 - c. Medford Building Department Memo dated December 19, 2018 (Exhibit J).
 - d. Medford Addressing Technician's Memo dated December 17, 2018 (Exhibit K).
 - e. Medford Water Commission Meme dated December 19, 2018 (Exhibit L).
 - f. Jackson County Roads letter dated December 11, 2018 (Exhibit M).

TENTATIVE PLAT FOR: VINATIERI HEIGHTS

Located In The Southeast One-quarter of the Southeast One-quarter of Section 23, Township 37 South, Range 1 West, Willamette Meridian, City Of Medford, Jackson County, Oregon.

PREPARED FOR:

JOHN VINATIERI
5495 HILLCREST
MEDFORD OR. 97504



LEGEND:

- Indicates a utility marked gas line.
- Indicates an existing gas valve.
- Indicates an existing gas sign.
- Indicates a utility marked sanitary sewer line.
- Indicates an existing sanitary sewer manhole.
- Indicates an existing sanitary sewer cleanout.
- Indicates a utility marked storm sewer line.
- Indicates an existing storm sewer manhole.
- Indicates an existing power pole and guy anchor.
- Indicates an existing overhead utility line.
- Indicates a utility marked buried electric line.
- Indicates a utility marked telephone line.
- Indicates an existing telephone pedestal.
- Indicates an existing mail box.
- Indicates a utility marked water line.
- Indicates an existing water meter.
- Indicates an existing water valve.
- Indicates an existing fire hydrant.
- Indicates an existing water valve for yard irrigation.
- Indicates a deciduous tree with drip-line diameter drawn to scale.
- Indicates a non-deciduous tree with drip-line diameter drawn to scale.
- $wv=1000'$ Indicates the elevation at the top of the valve nut for a water valve.
- n, ne, nw Indicates a general direction: northerly, northeasterly, northwesterly, etcetera.
- PUE Indicates a proposed public utility easement.
- SF Indicates the number of square feet within a closed area such as a lot.
- SN Indicates a survey recorded by number in the office of the Jackson County Surveyor.
- INST Indicates an instrument from the Official Records of Jackson County, Oregon.

PROJECT INFORMATION & NOTES:

SCHOOL DISTRICT:	549C
SANITATION DISTRICT:	RV56
GROSS ACRES:	3.44 ACRES
PROJECT AREA:	3.07 ACRES
EXISTING ZONING:	SFR-2
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	RESIDENTIAL

1-foot contour interval.
2-foot index contour interval.

All existing underground utilities, as depicted hereon, were located with reasonable accuracy, as marked on the ground by affected agencies and utility companies. Oregon Administrative Rules Chapter 452, Division 1, Definitions, 45-001-0100 (2), states: "Reasonable accuracy" means location within 24 inches of the outside lateral dimensions of both sides of an underground facility.

BASIS OF SURVEY:

Basis of Bearings is the centerline of Hillcrest Road per the plat of SADDLE RIDGE SUBDIVISION, PHASE I, as recorded on August 5, 2004, in Volume 30 of Plats at Page 48 of the Records of Jackson County, Oregon, and filed as Survey Number 18359 in the office of the Jackson County Surveyor, and as depicted hereon.

Basis of Elevations is City of Medford Bench Mark No. A-261, being a found brass cap in the northerly curb line of Hillcrest Road, at the northeasterly corner of its intersection with Cherry Lane. Published elevation = 2044.544 feet.

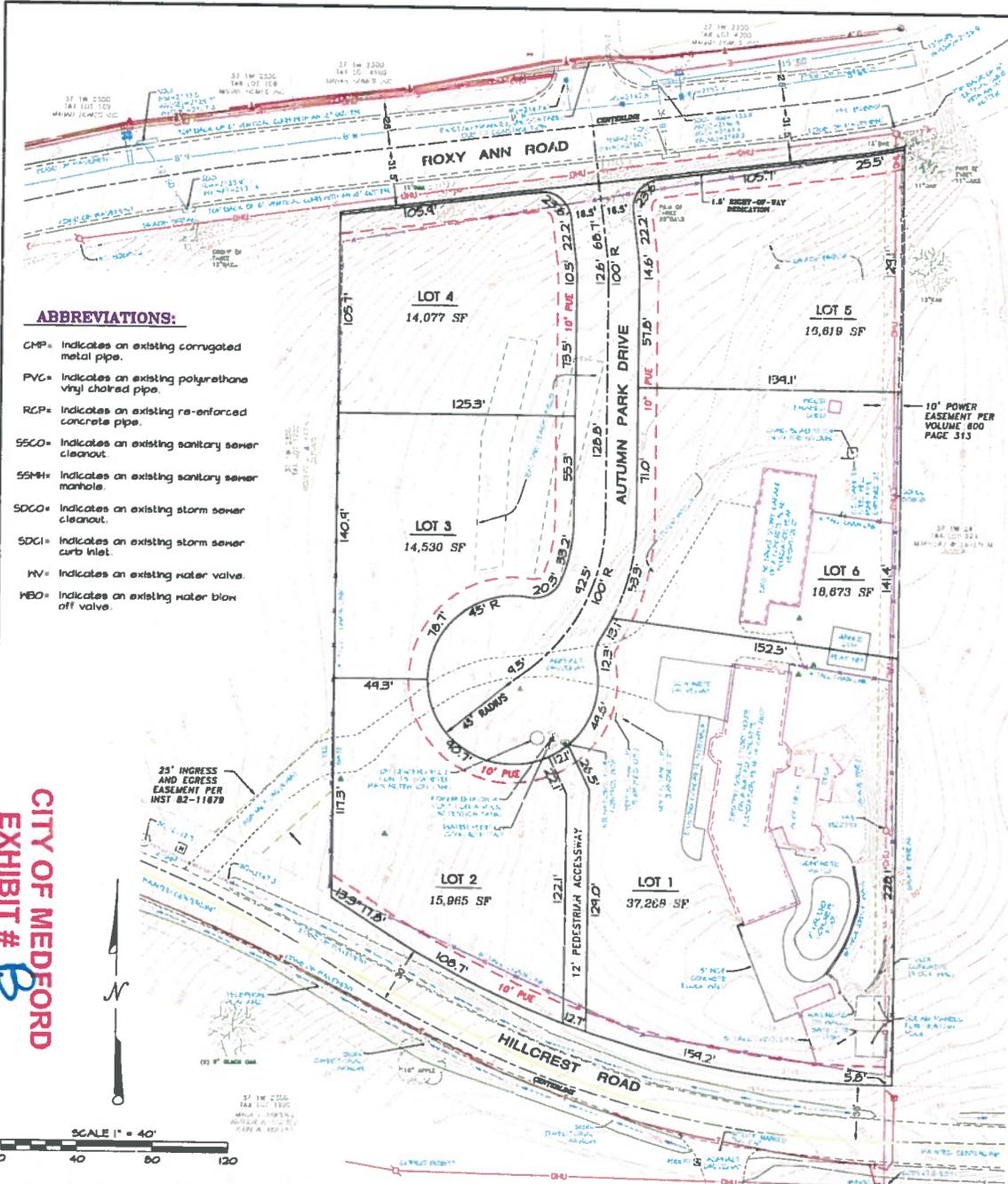
PREPARED BY: Neathamer Surveying, Inc.
3132 State St., Suite 110
P.O. Box 1584
Medford, Oregon 97501
Phone (541) 732-2889
FAX (541) 732-1382

PLOT DATE: March 7, 2019 PROJECT NUMBER: 15035-1
Sheet 1 of 1

REGISTERED PROFESSIONAL LAND SURVEYOR
JANUARY 18, 1984
ROBERT V. NEATHAMER
2875
RENEWAL DATE 12/31/20

ABBREVIATIONS:

- CMP = Indicates an existing corrugated metal pipe.
- PVC = Indicates an existing polyurethane vinyl chlorid pipe.
- RCP = Indicates an existing re-enforced concrete pipe.
- SSCO = Indicates an existing sanitary sewer cleanout.
- SSMH = Indicates an existing sanitary sewer manhole.
- SDCO = Indicates an existing storm sewer cleanout.
- SDCI = Indicates an existing storm sewer curb inlet.
- MV = Indicates an existing water valve.
- MBO = Indicates an existing water blow off valve.



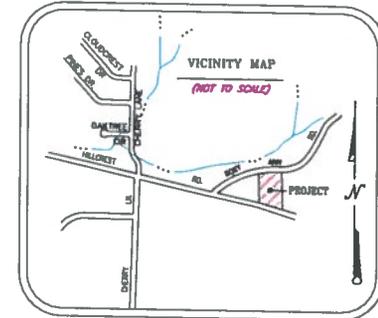
RECEIVED
MAR 07 2019
Planning Dept.

A SLOPE ANALYSIS FOR: VINATIERI HEIGHTS

Located in The Southeast One-quarter of the Southeast One-quarter of Section 23, Township 37 South, Range 1 West, Willamette Meridian, City of Medford, Jackson County, Oregon.

PREPARED FOR:

JOHN VINATIERI
5495 HILLCREST
MEDFORD OR. 97504



LEGEND:

 Indicates slopes 15% - 95%

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BASIS OF SURVEY:

Basis of bearings is the centerline of Hillcrest Road per the plat of SADDLE RIDGE SUBDIVISION PHASE 1, as recorded on August 5, 2004, in Volume 30 of Plats at Page 40 of the Records of Jackson County, Oregon, and filed as Survey Number 18359 in the office of the Jackson County Surveyor, and as depicted hereon.

Basis of Elevations is City of Medford Bench Mark No. A-261, being a found brass cap in the northerly curb line of Hillcrest Road, at the northwesterly corner of its intersection with Cherry Lane. Published elevation = 2044.544 feet.

PREPARED BY: Neathamer Surveying, Inc.
3128 State St, Suite 203
P.O. Box 1584
Medford, Oregon 97501
Phone (541) 732-2869
FAX (541) 732-1382

PLOT DATE: October 23, 2018 **PROJECT NUMBER:** 15035-A

Sheet 1 of 1 © NR

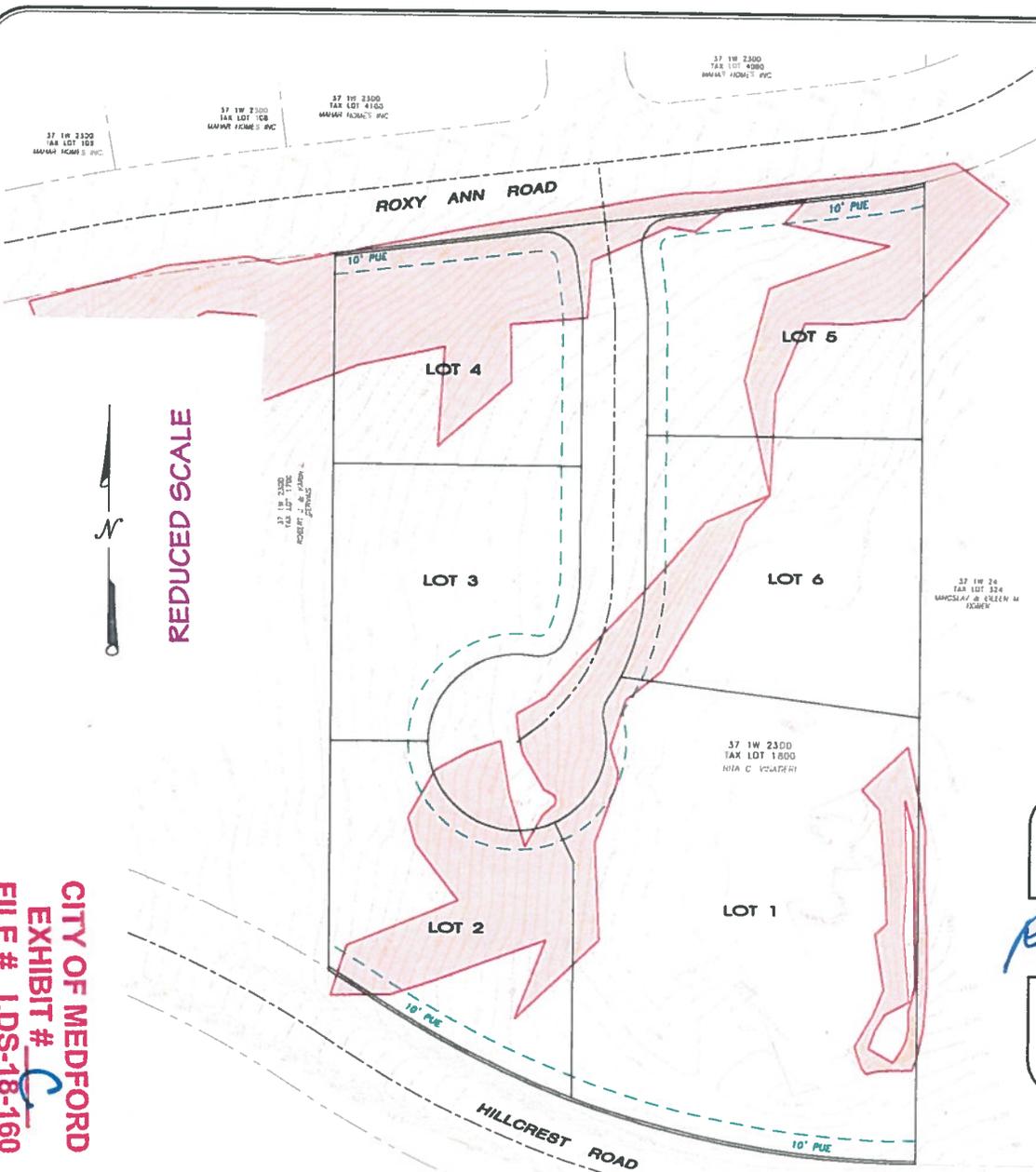
REGISTERED
PROFESSIONAL
LAND SURVEYOR

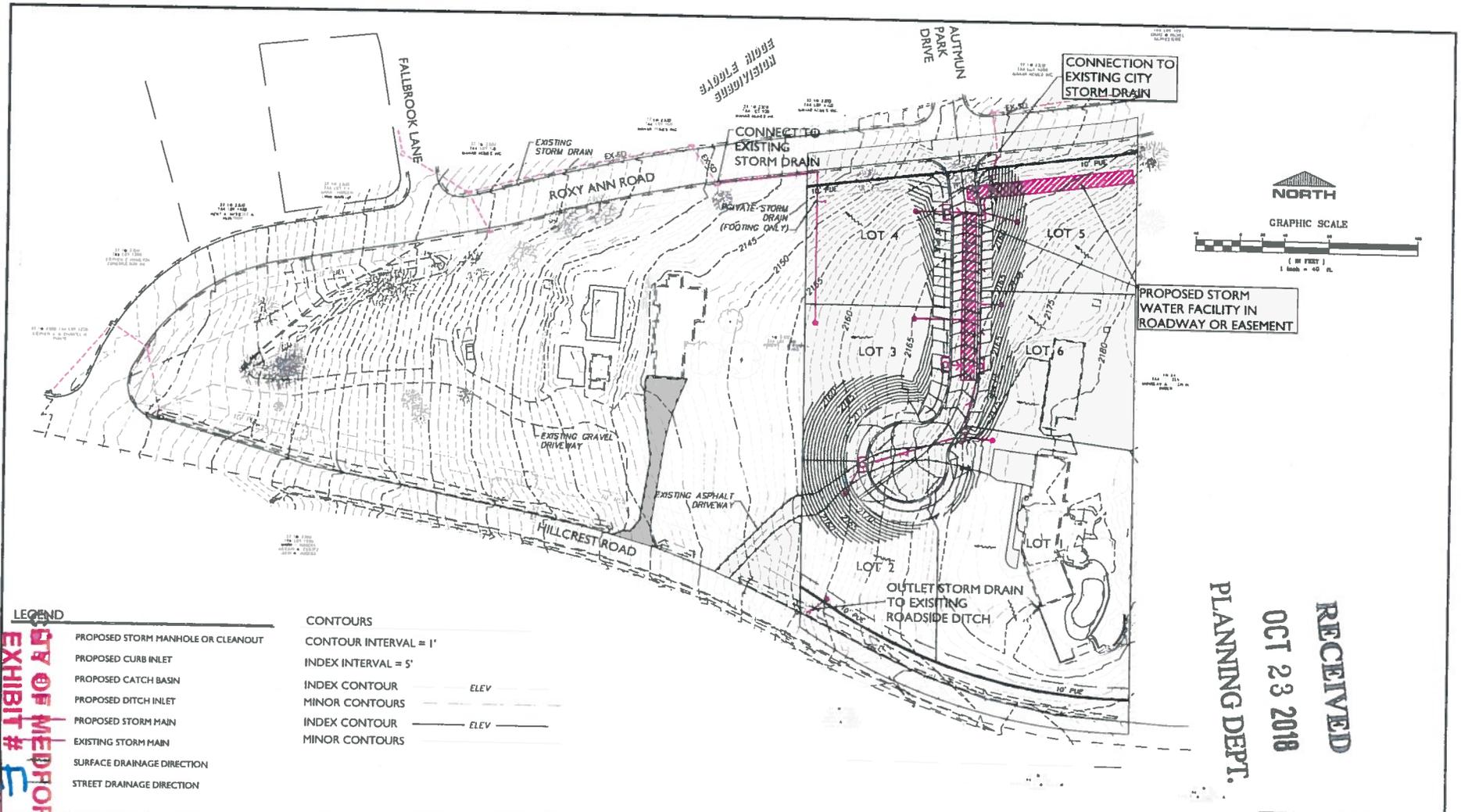
Robert V. Neathamer

OREGON
JULY 19, 1994
ROBERT V. NEATHAMER
2675

Renewal Date 12/31/18

REDUCED SCALE





PROPOSED STORM WATER FACILITY IN ROADWAY OR EASEMENT

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- LEGEND**
- PROPOSED STORM MANHOLE OR CLEANOUT
 - PROPOSED CURB INLET
 - PROPOSED CATCH BASIN
 - PROPOSED DITCH INLET
 - PROPOSED STORM MAIN
 - EXISTING STORM MAIN
 - SURFACE DRAINAGE DIRECTION
 - STREET DRAINAGE DIRECTION
- CONTOURS**
- CONTOUR INTERVAL = 1'
 - INDEX INTERVAL = 5'
 - INDEX CONTOUR ——— ELEV
 - MINOR CONTOURS ———
 - INDEX CONTOUR ——— ELEV
 - MINOR CONTOURS ———

EXHIBIT C1



1111 10th St. S.E. Medford, OR 97504
PH: (541) 773-3282

DRAWN BY: ZLZ	DATE: 10/18
CHECKED BY: TB	DATE: 10/18
	DATE:
	DATE:
	DATE:

NO	REVISION	DATE	BY



CITY OF MEDFORD	
VINATIERI HEIGHTS CONCEPTUAL GRADING & DRAINAGE PLAN	PROJECT NO. XX-XX DRAWING NO. 1

DATE PLOTTED: 10/18/18

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

**BEFORE THE CITY OF MEDFORD
PLANNING COMMISSION**

**IN THE MATTER OF AN APPLICATION
FOR THE TENTATIVE PLAT APPROVAL
OF VINATIERI HEIGHTS.**

APPLICANT: Rita Vinatieri
5495 Hillcrest Road
Medford, OR 97504

AGENT: Neathamer Surveying, Inc.
P.O. Box 1584
Medford, OR 97501

A. BACKGROUND INFORMATION

The subject property is located at 5495 Hillcrest Road (Jackson County Assessor's Map Number 37 1W 23DD, Tax Lot 1800), between Roxy Ann Road and Hillcrest Road. The property has a gross acreage of 3.49 acres, is currently zoned as Single Family Residential - 2 units/acre (SFR-2) and has a General Land Use Map (GLUP) designation of Urban Residential (UR).

There is an existing single-story residence with surrounding improvements that is intended to remain as an oversized, fully-developed lot (being proposed as Lot 1). Additionally, the applicant intends to retain proposed Lot 6 and the existing garage that is located on said lot.

Surrounding the subject site to the west, east and south are single-family residences on larger tracts of land. To the north lies the development known as Saddle Ridge Subdivision, Phase 2.

There are no other applications associated with the proposed development at this time.

B. SCOPE, PURPOSE, AND OVERVIEW OF THE APPLICATION

The purpose of this application is for the approval of a Tentative Plat for a 6-lot residential subdivision consisting of detached, single-family dwelling units. Included in the proposal is the southerly extension of Autumn Park Drive.

**CITY OF MEDFORD
EXHIBIT # F
FILE # LDS-18-160**

C. APPROVAL CRITERIA

CITY OF MEDFORD LAND DEVELOPMENT CODE

SECTION 10.270 – LAND DIVISION CRITERIA

Section 10.270 of the Medford's Land Development Code (MLDC) states that:

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.*

D. FINDINGS OF FACT AND CONCLUSIONS OF LAW

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;*

"F"

FINDINGS OF FACT

The proposed use and development are consistent with the Comprehensive Plan, and the existing surrounding uses. Furthermore, the development is consistent with all the relevant design criteria specified in Article IV and V of the MLDC.

It should be noted that there are slopes located on the property which exceed 15%. Pursuant to Section 10.450(1) of the MLDC, a cul-de-sac can be permitted when the approving authority finds any of the following conditions:

(a) One or more of the following conditions prevent a street connection: excess slope (15% or more), presence of a wetland or other body of water which cannot be bridged or crossed, existing development on adjacent property, presence of a freeway or railroad.

(b) It is not possible to create a street pattern which meets the design requirements for streets.

(c) An accessway is provided consistent with the standards for accessways in Section 10.464 through Section 10.466.

Due to the existing topography and slopes, a through street was not able to be safely constructed. As such, and as allowed by 10.450(1)(a), the proposed southerly extension of Autumn Park Drive ends in a cul-de-sac. Additionally, a pedestrian access has not been included in the proposal as there is no pedestrian circulation to connect with on Hillcrest Road.

CRITERION NO. 2

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

FINDINGS OF FACT

The proposed tentative application includes the development of the property in its entirety, no remainder is being proposed. As such, the approval of the land division contained herein will not prevent the development of the remainder of the property under the same owner, or the adjoining lands.

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 subdivision, Vinatieri Heights, is a name that has been approved by the Jackson County Surveyor on October 3, 2018. No new subdivision name is being proposed.

CRITERION NO. 4

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

FINDINGS OF FACT

The proposed development is not located within an adopted circulation plan. However, the proposed southerly extension of Autumn Park Drive has been designed to match the existing centerlines at the intersection of Autumn Park Drive and Roxy Ann Road. Refer to Criterion No. 1 for additional information relating to the proposed cul-de-sac.

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

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

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

There are no lands that adjoin the subject plat that have an EFU zoning.

CONCLUSION OF LAW

Based upon the submitted application materials and the above Findings of Facts, the Planning Commission concludes that the application complies with the applicable provisions of all city ordinances.

E. ULTIMATE CONCLUSION

The Planning Commission concludes that the application for Vinatieri Heights is consistent with the relevant criteria for a land division found in Section 10.270 of Medford's Land Development Code and can therefore be approved.

Respectively Submitted,

Neathamer Surveying, Inc.


Robert V. Neathamer, President

Agent for Applicant:
Rita Vinatieri

Dated: October 23, 2018



THE GALLI GROUP
Engineering Consulting

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PLANNING DEPT.

**STEEP SLOPE DEVELOPMENT REPORT
VINATIERI HEIGHTS SUBDIVISION
EAST MEDFORD, OREGON**

For: John Vinatieri
5495 Hillcrest Road
Medford, OR 97504

By: **THE GALLI GROUP**
612 NW Third Street
Grants Pass, OR 97526
(541) 955-1611

02-5198-01
August 11, 2016

CITY OF MEDFORD
EXHIBIT # 9
File # LDS-18-160

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Figure 2	Site Plan with Test Pit Locations
Figure 3	Slope Verification Map
Figure 4	Air Photo of Parcel

APPENDIX A: Test Pit Logs

APPENDIX B: Laboratory Test Results

APPENDIX C: Geology Seismicity and Geologic Hazards Report



THE GALLI GROUP
Engineering Consulting

STEEP SLOPE DEVELOPMENT REPORT VINATIERI HEIGHTS SUBDIVISION EAST MEDFORD, OREGON

1.0 INTRODUCTION

The owner of a 3.49 acre parcel extending between Hillcrest Road and Roxy Ann Road in East Medford proposes to subdivide it into a total of five separate lots. This would create four new building lots. This parcel is in an area that has slopes over 15%. Portions of the proposed site development such as driveway and building pads will take place in areas of the parcel with slopes greater than 15%. Therefore it is subject to the Hillside Ordinance in the City of Medford Land Development Code.

2.0 SITE AND PROJECT DESCRIPTION

This parcel is an elongated property bordered on the south by Hillcrest Road and on the north by Roxy Ann Road. Please see Figure 1, Vicinity Map and Figure 2, Site Plan, for a detailed site location and parcel orientation. The parcel is currently occupied by a single-family residence with associated garage, swimming pool, driveway and other site landscaping features. The ground slopes between 10% and 25%. The large majority of development will take place in areas with slopes of 15% or less.

Subsurface conditions in this area generally consist of a 2 to 5 foot thick layer of expansive clay or clayey silt over gravelly Clay. Below this, usually at depths of 5 to 15 feet, the underlying weathered sandstone is encountered.

As discussed above, this "project" consists of subdividing the parcel into a total of five lots. Lot No. 1 will contain the existing residence. Lot Nos. 2 thru 5 will be newly created building lots for single family dwellings. It appears that each lot would have a new access driveway off of either Hillcrest Road or Roxy Ann Road. These lots are shown on our Figure 2.

The purpose of this study is to show that the subject parcel development does not currently exhibit a risk of adverse slope stability. Also, that the proposed development may be accomplished without adversely affecting the current slope stability of this parcel (new 5 lots) and adjacent parcels. That it will not increase erosion and soil fines loss into local streams. That it will not affect surface water resources and groundwater resources. And that it will be able to be completed without other adverse impacts to the site or adjacent properties and will protect public safety.

3.0 SITE INVESTIGATION

This consisted of reviewing the inclination of slopes on the parcel, accomplishing a series of test pits across the parcel and collecting soil samples for laboratory tests to help determine soils characteristics. Lab testing is presented in section 4.0 of the report.

3.1 SLOPE VERIFICATION

As discussed, slopes on the parcel vary from less than 10% to approximately 25%. Figure 3 presents a general layout of areas that have slopes 15% or less, slopes between 15% and 35%. There are no slopes greater than 25% on the parcel. Most of the development activity will be in areas with slopes of 15% or less.

As can be seen, only a small portion of the parcel has slopes between 15% and 35%. Also note that all of the slopes greater than 20% are manmade fill slopes and will not be part of the development activity zone (grading).

3.2 SUBSURFACE INVESTIGATION

On July 7, 2016, Mel Galli, P.E., Project Engineer, visited the site to conduct the subsurface investigation. A total of eight (8) test pits were excavated with a Volvo EC 55B track-mounted excavator. The excavator, supplied by Starner Excavation, was equipped with a 30-inch wide bucket with 4 armored teeth. Test pits were excavated (two per each new lot to be developed) to depths between 5.1 feet in TP-4 to 9.2 feet in TP-3. All depths were measured from the adjacent ground surface at each pit.

These test pits were utilized to observe and document the shallow subsurface conditions and to collect soil samples for laboratory testing. Prior to test pit excavation the regional locate service was contacted and the site was staked and marked for full utility locate.

Our field engineer selected the final test pit locations in areas with no utility conflicts, observed and logged subsurface soil and groundwater conditions and collected soil samples for transport to our testing laboratory. When completed, all test pits were backfilled with moderate compaction by the excavator bucket. *If these test pits fall beneath areas of development such as driveways, parking, structures or fill areas they should be re-excavated and backfilled with structural fill during the construction process.*

4.0 LABORATORY TESTING

Due to the likelihood of expansive soils in the area, soil samples were tested for expansive potential. A total of four (4) Expansion Index tests were performed. The results and sample locations are listed below.

Table 1: Expansion Index (EI) Test Results

Test Pit	Lot No.	Depth (ft)	EI
TP-2	5	1.0	179
TP-6	3	1.2	139
TP-7	2	1.2	137
TP-7	2	4.2	96

These test results indicate that the site soils are Extremely Expansive (change in volume with change in moisture content). Given these high EI results these soils could have volume changes of as much as 15% to 18% between very wet and very dry periods of the year. Such shrink/swell cycles can have significant adverse impacts on structures and infrastructure if design of such items does not account for the expansive soils. Design requirements to mitigate this hazard will be part of the Geotechnical Design Report.

5.0 SUBSURFACE CONDITIONS

5.1 SOIL

Surficial subsurface conditions were relatively similar over the entire parcel. These consisted of highly expansive silty Clay to depths of between 1.9 feet and 3.9 feet. Below the expansive surface layer we encountered clayey Silt and sandy Silt or Clay in TP-2, TP-3, TP-5, TP-7 and TP-8. These extended to depths of between 3.2 feet to 7.4 feet. TP-1 and TP-6 encountered Gravels and Cobbles in a silty Clay matrix to depths of 2.6 feet to 4.2 feet. TP-1 extended to 6.1 feet with dense Cobbles in a soil matrix. TP-2, TP-4, TP-7 and TP-8 encountered highly weathered Siltstone/Sandstone bedrock at between 3.2 and 7.5 feet. TP-3, TP-5 and TP-6 had a deep zone consisting of dense, sandy Silt to clayey Sand.

Most soil conditions were stiff to hard or medium dense to very dense. Four of the pits encountered Soft (R0) bedrock. There were no cave-ins in the test pits during our investigation.

5.2 GROUNDWATER

Seepage or free groundwater was not encountered in any of the test pits. In TP-8 a zone of dense soil between 7.4 feet and 8.4 feet was wet. This appeared to be due to small amounts of "perched" groundwater on top of the underlying weathered rock. This test pit is close downslope to the residence and its surrounding grounds. It is possible this is a result of landscape watering or water from the swimming pool.

Because the test pits were excavated during a dry part of the year the observed water conditions may not represent those which exist during or just after wet winter months. It is likely that in wet months more perched water would be present on top of the dense underlying weathered rock or hard soil zones. Deep excavations which penetrate to these dense zones could exhibit seepage out of the toe during wetter months. This may increase sloughing and minor instability in such excavations. We would not anticipate

more than very minor pumping due to seepage, even during wetter months of the year. Recommendations regarding cut slopes would be part of the Geotechnical Design Report.

6.0 GEOLOGY SEISMICITY AND GEOLOGIC HAZARDS

6.1 GENERAL

The site geology, seismicity and geologic hazards evaluations are presented in Appendix C of this report. For ease of use the seismic design parameters are included below. Other relevant hazard issues such as slope stability are addressed in later sections of this report.

6.2 SITE SEISMICITY

The design earthquake for the project area is based upon established values and methodologies in the Oregon Structural Specialty Code (OSSC; 2014), International Building Code (IBC; 2012), and ASCE 07-10.

The Maximum Considered Earthquake (MCE_R) and spectral response accelerations were established as set forth in Section 1613 (IBC, 2012) and Section 11.4 (ASCE 7-10), and were obtained from the online USGS Seismic Design Maps (USGS, 2016b).

Table 2- DESIGN EARTHQUAKE (OSSC, 2014; IBC, 2012; ASCE 7-10)

Parameter	Value
Project Latitude/ Longitude- (Vinatieri Subdivision; Medford, OR 02-5198)	Lat. 42.33177N Long. 122.77776W
Occupancy/Risk Category (Table 1.5-1 ASCE/SEI 7-10)	II or III Risk Category II or III
Mapped Spectral Response Acceleration (MCE_R) - Short Period (S_S)	0.605g
Mapped Spectral Response Acceleration (MCE_R) - 1-Second Period (S_1)	0.319g
Site Class - (Table 20-3-1 ASCE/SEI 7-10)	<u>D</u>
Short Period Site Coefficient based on Site Class - (F_a)	1.316
1-Second Site Coefficient based on Site Class - (F_v)	1.763
MCE_R Spectral Response Acceleration - (S_{MS})	$S_{MS} = F_a \cdot S_S = 0.796g$
MCE_R Spectral Response Acceleration for 1-Second - (S_{M1})	$S_{M1} = F_v \cdot S_1 = 0.562g$
Design Spectral Response Acceleration for Short Periods - (S_{DS})	$S_{DS} = 2/3 S_{MS} = \underline{0.531g}$
Design Spectral Response Acceleration for 1-Second - (S_{D1})	$S_{D1} = 2/3 S_{M1} = \underline{0.374g}$
PGA= MCE_G PGA (Section 11.8.3.2; and Figures 22-7; ASCE/SEI 7-10)	PGA= 0.277g
F_{PGA} (Table 11.8-1 ASCE/SEI 7-10)	$F_{pga} = 1.246$
$PGA_M = F_{pga} \cdot PGA$ (EQ 11.8-1; ASCE/SEI 7-10)	$PGA_M = \underline{0.345g}$
Design PGA= $PGA_D = PGA_M \cdot 2/3$	$PGA_D = \underline{0.230g}$
Seismic Design Category (Section 11.6 and Table 11.6-1 and Table 11.6-2; ASCE/SEI 7-10)	<u>D</u>

7.0 SLOPE STABILITY SUMMARY

Based on the test pits accomplished and information provided in Appendix C by our Senior Engineering Geologist, this parcel (includes the four new lots) is relatively stable. The site has variable depth of expansive clay and colluvium over relatively shallow weathered bedrock. The slopes are not very steep (10% to 35%) and there is very little water present.

There is no evidence that it is a part of an active, recurring zone of instability. There is also no evidence that it is part of an ancient landslide mass that is now inactive. The minor grading required for access driveways and house construction when constructed properly and in accordance with the Geotechnical Design Report will not adversely impact the general slope stability of these lots or adjacent parcels.

Proper grading techniques and proper surface water control on all parts of these lots will also assure that the overall stability of this or adjacent parcels is not compromised.

Therefore, in our professional opinion, the subject proposed subdivision development will not adversely impact the slope stability of this or adjacent parcels and will maintain public safety of the immediate area.

8.0 EROSION POTENTIAL

The subject lots all have surficial layers of silty Clay or Clay. These soils are not subject to general erosion like silts or sands. Deeper zones in some test pits have less clay and more silt and sand. When excavations are made into these zones the soils will be mildly (some possibly moderately when disturbed) subject to erosion issues. In our opinion such potential erosion will be small. Proper grading techniques, surface water control and installed erosion control items will eliminate potential for off-site movement of soil fines.

It should also be noted that water draining off this parcel makes its way into a roadside ditch. This ditch empties through a culvert into a very small north to south trending shallow swale south of Hillcrest Road. This swale is vegetated and review of air photos indicate it rarely has any significant flow. The nearest stream would be nearly a mile away to the southwest where this periodic/ephemeral water course empties into the Larson Creek complex near N. Phoenix Road.

Therefore, in our professional opinion, with proper construction excavation, surface water control and erosion control techniques, the subject development will not significantly increase erosion or off-site movement of soil fines that could impact a stream or adjacent parcels.

9.0 IMPACTS ON WATER HYDROLOGY

9.1 SURFACE WATER

There are no subsurface or surface water resources on this parcel that will be adversely impacted by the proposed subdivision. As can be seen on Figure 2, the site topography shows no evidence of drainage swales or ephemeral stream channels. The air photo labeled Figure 4 shows the parcel in approximately its current condition. As can be seen there are not water courses, springs, ponds or other sources of water visible on the parcel. We also did not see any of these features during our site investigation.

Surface runoff currently takes place as general sheet flow across the planted and mowed grass covered slopes on the parcel. Some of the runoff (which does not appear to be great) is intercepted by the existing driveway and conveyed to the roadside ditch along Hillside Road. The remainder of the site runoff also finds its way to the roadside ditch or onto the private parcel to the west. This small amount of sheet flow runoff does not constitute useable surface water resources. All site runoff will end up in the same location downslope of the site as it does now.

Therefore, the proposed subdivision will not adversely impact surface water resources or alter these resources down basin of the site.

Groundwater. As noted in the Test Pit Logs and earlier sections of this report, no free groundwater or seepage was encountered in the eight (8) test pits scattered across the parcel. Minor perched water could be present on top of the dense rock zones during wet months of the year. However, accumulations in excavations would be small and pumping such accumulated water will have no impact on groundwater resources in the area. There are no shallow (less than 20 feet) groundwater levels at the parcel. Wells in the area draw from fractures deep into the rock, not from shallow soil deposits. There is no opportunity for the proposed development to impact subsurface water sources.

Therefore, in our professional opinion, this proposed subdivision will not have an adverse impact on groundwater resources on this or adjacent parcels.

10.0 GRADING AND DRAINAGE PROCEDURES

Proper grading procedures and surface water control will help maintain slope stability, reduce erosion and provide for good long-term performance of the subdivision.

10.1 GRADING ISSUES

In general, limiting cuts and fills to only what is necessary for driveways, parking and home construction and executing all cuts and fills properly (per Geotechnical Design Report, GDR, to be provided at a later date) will mitigate any adverse impacts of the grading work. Specific items which must be done are as follows:

1. Cuts and fills to be constructed at inclinations no steeper than recommended in the GDR.
2. Cuts will be limited to only the height necessary to create a driveway and benched home site (usually no more than 6 feet in height).
3. All fills must have a toe key per the GDR and be placed on level benches cut into the slope.
4. Subsurface drainage per the GDR must be installed below fills.
5. Use only those materials allowed/specified in the GDR for Structural Fill beneath the driveway and the structures.
6. Place and compact the structural fill in level lifts and to densities specified in the GDR.
7. Create site shape when grading to help convey site runoff to erosion protection collection and conveyance works.
8. Step larger houses foundations down the slope to limit the amount of cut and fill as described below.
9. Obtain a complete Geotechnical Design Report from a well experienced Geotechnical Engineer with all items listed above.
10. Have all portions of the excavation and grading observed and verified as in compliance with the GDR by the Geotechnical Engineer of Record.

10.2 WATER CONTROL ISSUES

Proper surface water runoff control is critical to the proper performance of any hillside development. The following items must be adhered to for this subdivision.

1. All concentrated runoff entering the lots must be intercepted.
2. Runoff from all new impermeable surfaces (driveways, parking, roof, etc.) must be collected in ditches or a piped system (gutters, downspouts and discharge pipe).
3. Do not allow collected runoff to flow over the crest and down cut or fill slopes.
4. Convey all collected runoff in solid wall drainage pipe/culverts or in erosion protected ditches/swales.
5. Discharge all conveyance pipes or swales into the public right away roadside ditch or other approved discharge location which is properly protected against erosion.
6. Verify all erosion control items on the parcel and within the conveyance systems are in place prior to construction and are performing properly.
7. Verify all water conveyance works will pass the 100 year, time of concentration storm with no damage to the development or adjacent parcels.
8. Utilize a design civil engineer well-experienced in water control and conveyance for such hillside parcels.
9. Have all drainage and conveyance works inspected and verified by the design engineer.

11.0 SUMMARY

The subject parcel will be subdivided into five (5) total lots. Portions of the development on the four new lots will be located in areas with slopes between 10% and 35%. Therefore, meeting the requirements of Medford's Steep Slope Ordinance is required. This report has discussed the following:

1. Surface and Subsurface Soils Conditions
2. Site and Area Geology and Seismicity
3. Site and Area Slope Stability Impacts
4. Other Geologic Hazards
5. Site and Area Surface and Groundwater Impacts
6. Erosion Potential at the Site
7. Minimum Grading Requirements
8. Minimum Surface Water Control

As stated in each section, the proposed subdivision of the existing parcel and construction of driveways and single family residences on each lot, when constructed according to a proper Geotechnical Design Report, will not adversely impact any of the areas listed on this or adjacent sites. Therefore, this should meet the requirements of the City of Medford's Hillside Ordinance, contained in the City's Land Development Code.

12.0 LIMITATIONS

The analyses, conclusions and recommendations contained in this report are based on site conditions and observations as they existed at the time of the study, and assume soils and groundwater conditions exposed and observed at the site are representative of soils and groundwater conditions throughout the site. If during construction, subsurface conditions or assumed design information is found to be different, we should be advised at once so that we can review this report and reconsider our recommendations in light of the changed conditions. If there is a significant lapse of time between submission of this report and the start of work at the site, or if conditions have changed due to acts of God or construction at or adjacent to the site, it is recommended that this report be reviewed in light of the changed conditions and/or time lapse.

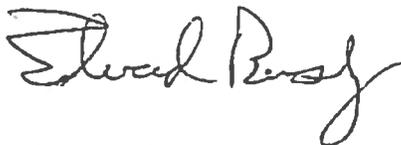
This report was prepared for the use of the owner and his design team in the development of the subject project. It should be made available to contractors for information and factual data only. This report should not be used for contractual purposes as a warranty of site subsurface conditions. It should also not be used at other sites or for projects other than the one intended.

We have performed these services in accordance with generally accepted geotechnical engineering and engineering geology practices in Oregon, at the time the study was accomplished. No other warranties, either expressed or implied are provided.

THE GALLI GROUP
GEOTECHNICAL CONSULTING



William F. Galli, P.E.
Principal Engineer

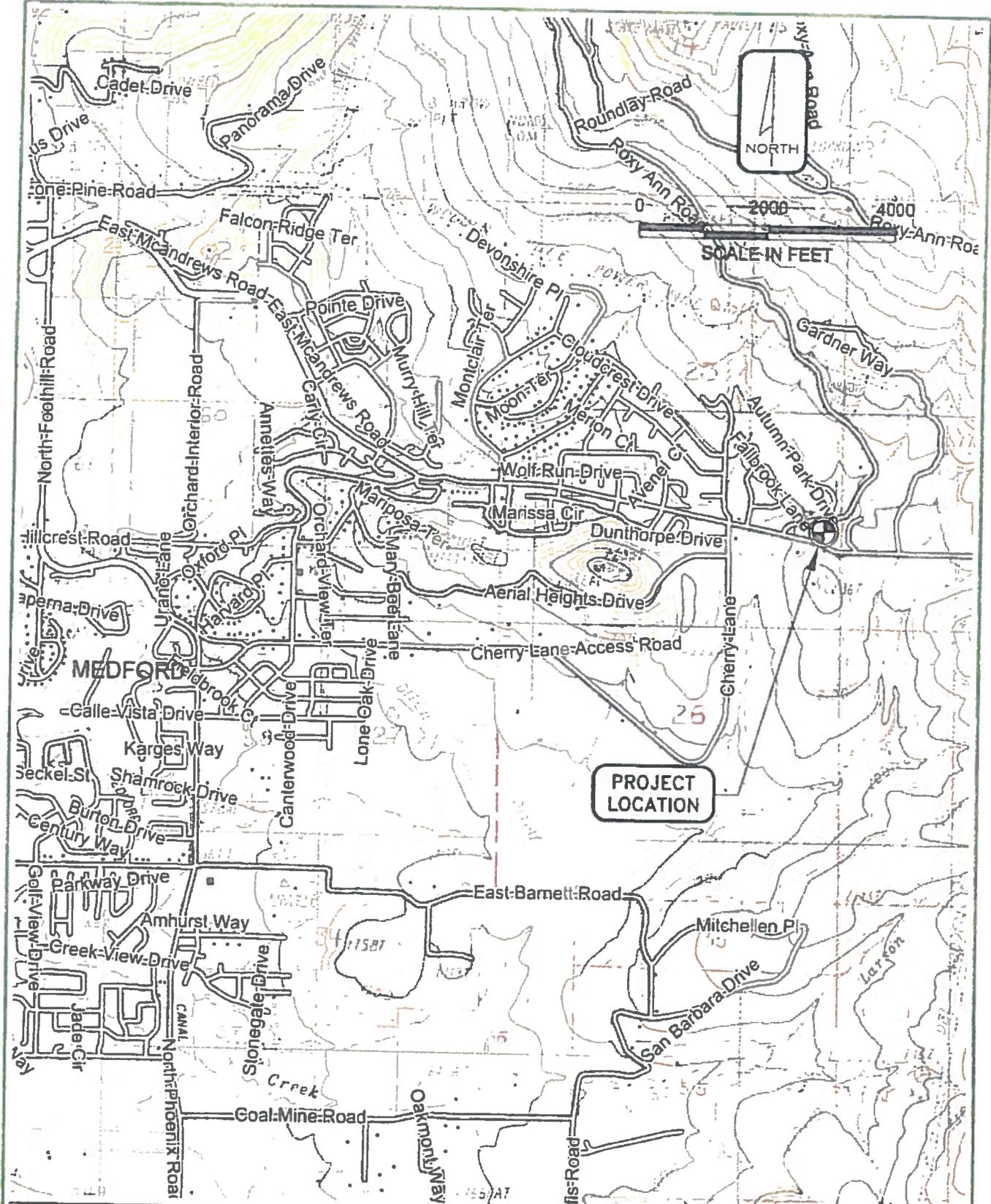


Edward Busby, P.G., C.E.G., H.G.
Senior Engineering Geologist



EXPIRES: 6/17






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 GEOTECHNICAL CONSULTING
 612 NW 3rd Street
 Grants Pass, OR 97526

VICINITY MAP
VINATIERI HEIGHTS
MEDFORD, OREGON

DATE: JULY 2016
 JOB NO: 02-5198-01
 REV: 7/15/2016 4:49 PM
 PREPARED BY: MG3
© 2016 The Galli Group, Inc. All rights reserved.

FIGURE:
1

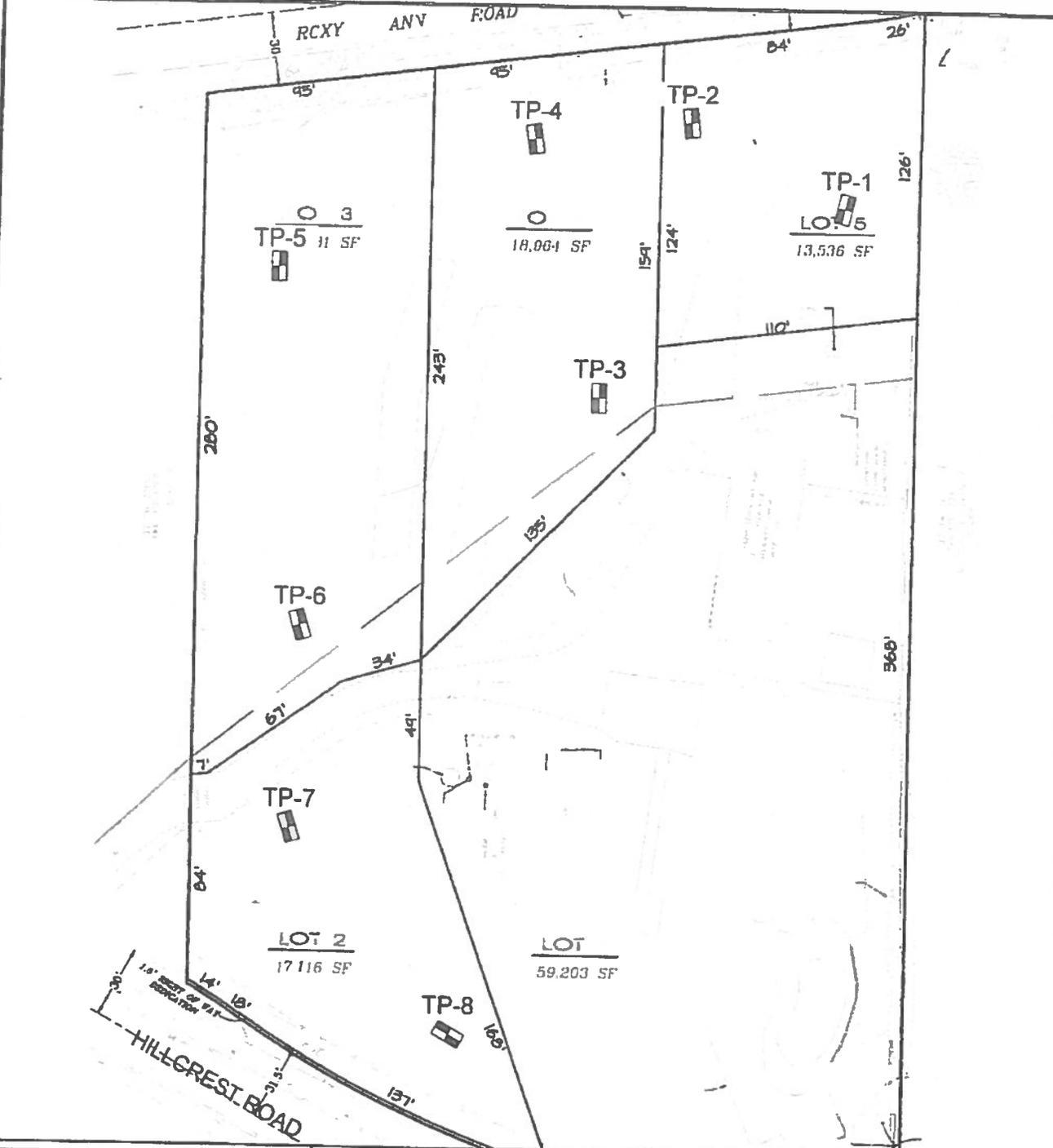
GK

LEGEND

TP-1 TEST PIT NUMBER AND APPROXIMATE LOCATION



SITE PLAN AND CONTOURS PROVIDED BY NEATHAMER SURVEYING, INC.



THE GALLI GROUP
GEOTECHNICAL CONSULTING
612 NW 3rd Street
Grants Pass, OR 97526

SITE PLAN WITH TEST PIT LOCATIONS
VINATIERI HEIGHTS
MEDFORD, OREGON

DATE: JULY 2016
JOB NO: 02-5198-01
REV: 7/20/2016 9:58 AM
PREPARED BY: MG3

FIGURE:
2

G¹

TENTATIVE PLAT FOR VINATIERI HEIGHTS

Located in The Southeast One-quarter of the Southeast One-quarter of Section 23 Township 37 South, Range 1 West, Willamette Meridian, City Of Medford, Jackson County Oregon

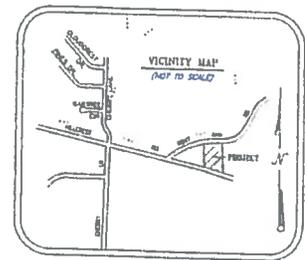
PREPARED FOR:

JOHN VINATIERI
5448 HILLCREST
MEDFORD OR. 97504

5495

LEGEND:

- Indicates a utility marked gas line.
- Indicates an existing gas valve.
- Indicates an existing gas sign.
- Indicates a utility marked sanitary sewer line.
- Indicates an existing sanitary sewer manhole.
- Indicates an existing sanitary sewer cleanout.
- Indicates a utility marked storm sewer line.
- Indicates an existing storm sewer manhole.
- Indicates an existing power pole and guy anchor.
- Indicates an existing overhead utility line.
- Indicates a utility marked buried electric line.
- Indicates a utility marked telephone line.
- Indicates an existing telephone pedestal.
- Indicates an existing mail box.
- Indicates a utility marked water line.
- Indicates an existing water meter.
- Indicates an existing water valve.
- Indicates an existing fire hydrant.
- Indicates an existing water valve for irrigation.
- Indicates a decision tree with crop-tree diameter drawn to scale.
- Indicates a non-decision tree with crop-tree diameter drawn to scale.
- Indicates the elevation at the top of the valve pit for a water valve.
- Indicates a general direction, northerly, northeasterly, northerly, westerly, westerly, southerly.
- Indicates a proposed public utility easement.
- Indicates the number of square feet within a closed area such as a lot.
- Indicates a survey recorded by number in the office of the Jackson County Surveyor.
- Instrument from the Office of Jackson County, Oregon.
- Instrument from the Deed Records of Jackson County, Oregon.



PROJECT INFORMATION & NOTES:

SCHOOL DISTRICT:	544C
SANITATION DISTRICT:	RV96
GROSS ACREAGE:	8.44 ACRES
PROJECT AREA:	8.07 ACRES
EXISTING ZONES:	SPR-2
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	RESIDENTIAL

1-foot contour interval
2-foot index contour interval
All existing underground utilities, as depicted hereon, were located with reasonable accuracy on markers on the ground by affected agencies and utility companies, Oregon Administrative Rules Chapter 852, Division 1, Definitions, 852-001-0010 (2) states, "reasonable accuracy" means location within 24 inches of the outside lateral dimension of both sides of an underground facility.

BASIS OF SURVEY:

Basis of bearings is the centerline of Hillcrest Road per the plat of SADDLE RIDGE SUBDIVISION, PHASE 1, as recorded on August 2, 2004, in Volume 30 of Plats at Page 46 of the Records of Jackson County, Oregon, and filed on Survey Number 10394 in the office of the Jackson County Surveyor and as depicted hereon.

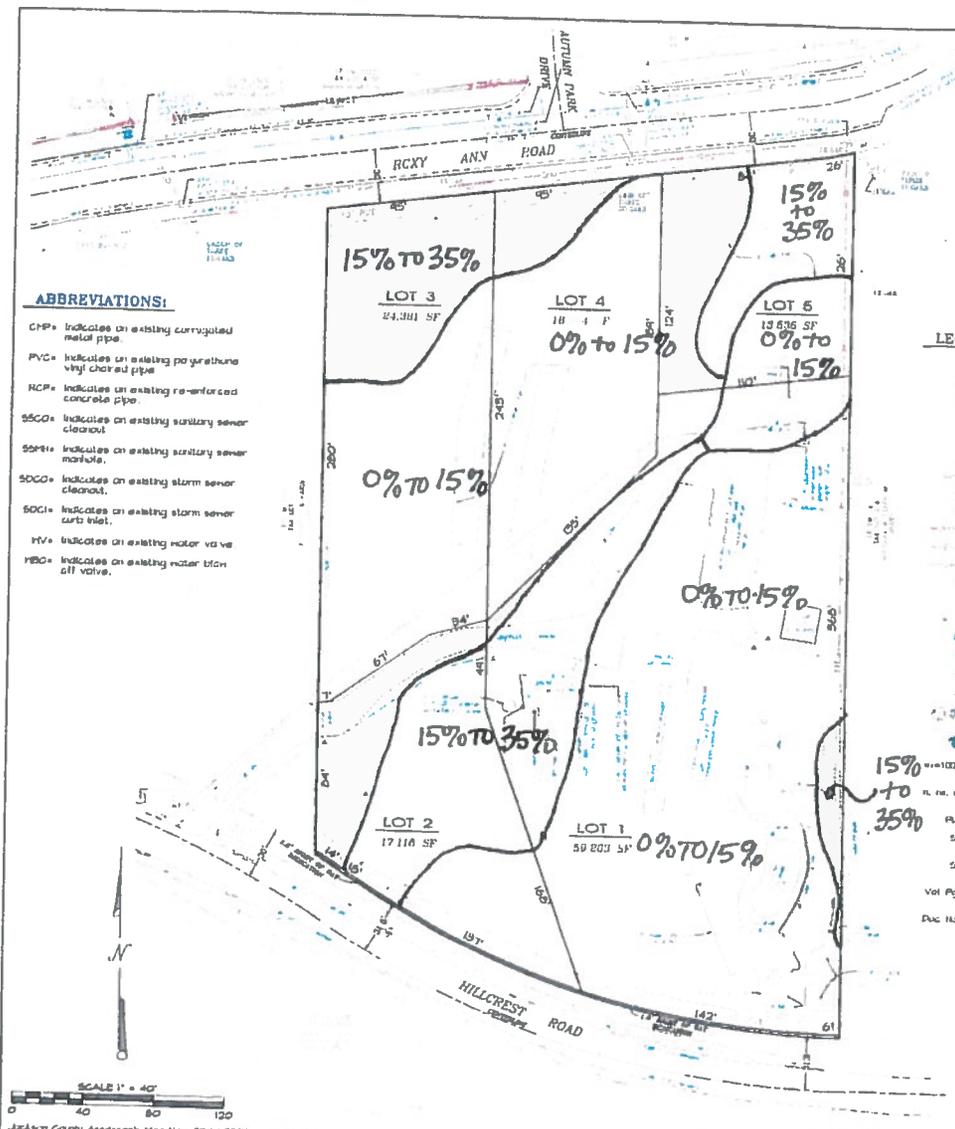
Basis of Elevations is City of Medford Bench Mark No. A-261 being a fixed brass cap in the northern curb line of Hillcrest Road at the northwesterly corner of its intersection with Cherry Lane. Published elevation = 2044.544 feet.

02-5198-01 **FIG. 3**
SLOPE VERIFICATION MAP
VINATIERI HEIGHTS SUBDIVISION
MEDFORD, OREGON

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
AUG. 16, 1984
ROBERT V. NEATHAMER
2873

Renewal Date 12/31/16



ABBREVIATIONS:

- CMP= Indicates an existing corrugated metal pipe.
- PVC= Indicates an existing polyethylene vinyl chlorid pipe.
- RCP= Indicates an existing re-enforced concrete pipe.
- SSCO= Indicates an existing sanitary sewer cleanout.
- SSM= Indicates an existing sanitary sewer manhole.
- SSCO= Indicates an existing storm sewer cleanout.
- SOC= Indicates an existing storm sewer curb inlet.
- WV= Indicates an existing water valve.
- WBO= Indicates an existing water flow off valve.



Jackson County Assessor's Map No. 57 IN 2300 Tax Lot 1000

Drawing No. V6 Projects Vinatieri, John 12025 Vinatieri Heights 15028, Tent - Copy 1/16

9



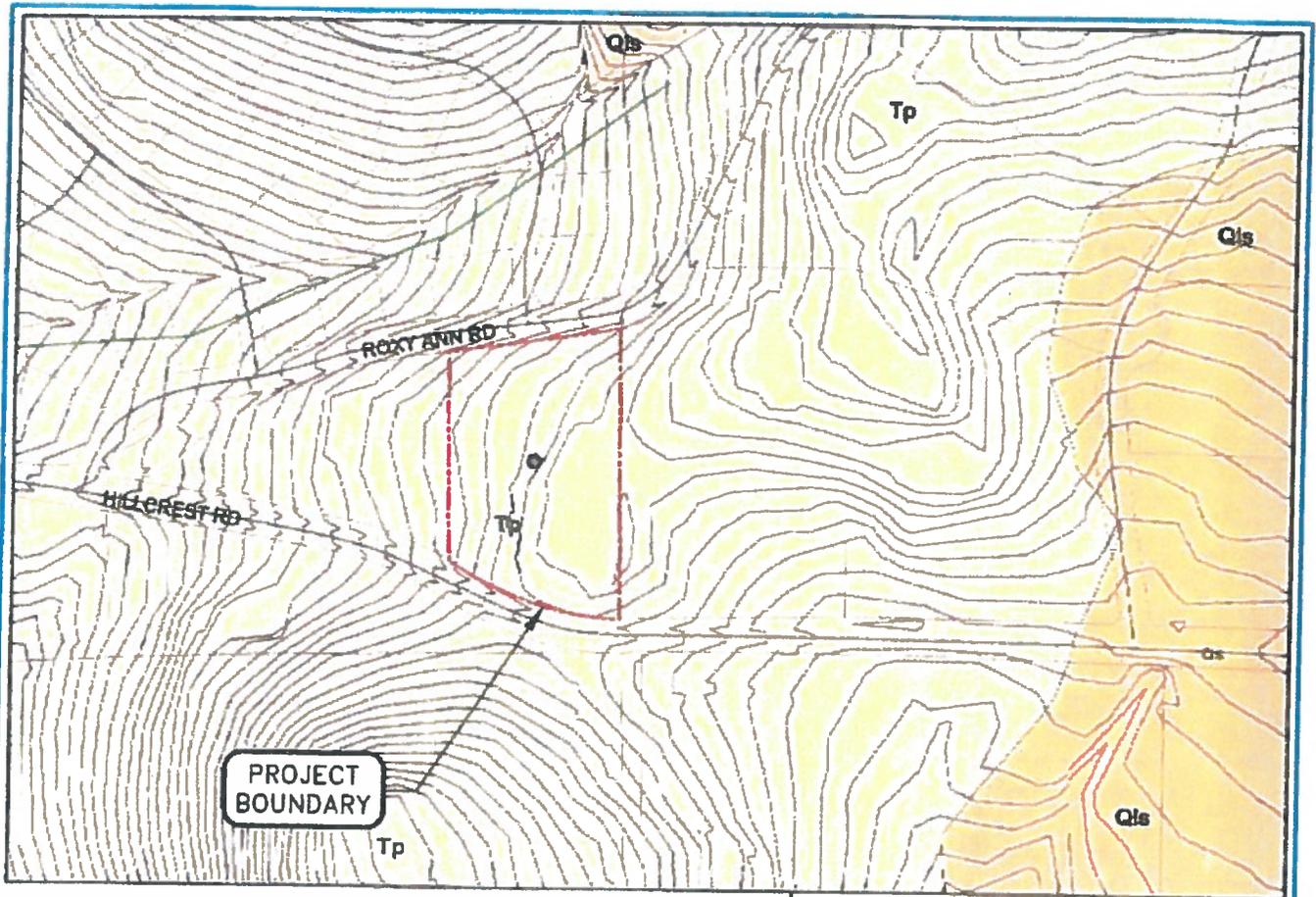
Google earth

feet
meters



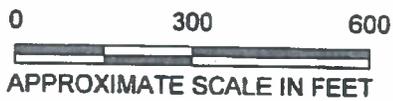
AIR PHOTO OF SITE
FIGURE 4

VINATIERI HEIGHTS SUBDIVISION
MEDFORD, OREGON
02-5198-01



LIST OF GEOLOGIC UNITS

- Qls** Quaternary landslide deposits
- Tp** Payne Cliffs - undivided (Eocene sandstone, conglomerate, siltstone)



LEGEND

— Contact; dashed where approximate.

Geologic Map from OGDC-5, 2009;
Wiley and Smith, 1993

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Grants Pass, OR 97526

GEOLOGIC MAP
VINATIERI HEIGHTS
MEDFORD, OREGON

DATE: JULY 2016
JOB NO: 02-5198-01
REV: 7/18/2016 3:55 PM
PREPARED BY: MG3
5198 Vinatieri Subd - 03 - Geo Map.dwg

FIGURE:
C1

"G"

**Figure C2:
Landslide Deposits in Project area (SLIDO, 2016)**



APPENDIX A

TEST PIT LOGS

"6"

TEST PIT LOGS

Please note that the soil descriptions given below are representative of how the field representative observed and classified them at the time of test pit excavation. However, these should not be used as a guarantee of subsurface conditions across the site. Any interpretation or estimates made by others based on these logs, is done at their risk.

TP-1

- 0.0 – 0.3 Topsoil/Rootzone
- 0.3 – 1.0 Stiff to very stiff, dark gray to black, silty CLAY; dry to slightly moist.
- 1.0 – 2.6 Medium dense, brown, GRAVELS & COBBLES in a silty CLAY soil matrix; varies somewhat, rounded to subangular gravels & cobbles, scattered fine root hairs, damp.
- 2.6 – 6.1 Dense, tan and orange gray, silty, sandy GRAVELS; rounded to subangular, scattered to numerous cobbles and boulders - increasing with depth, occasional cemented soils, damp to dry.

No Free Groundwater or Seepage Observed.
Bottom of Test Pit at 6.1 Feet.

TP-2

- 0.0 – 0.3 Topsoil/Rootzone
- 0.3 – 2.3 Very stiff, dark brown gray, silty CLAY; scattered angular to subangular, soft gravels and occasional cobbles, scattered fine roots, dry to damp/moist.
- 2.3 – 3.2 Very stiff, mottled/streaked tan & brown gray, sandy CLAY; increasing sand with depth, some slightly cemented zones, damp.
- 3.2 – 5.5 Very dense, orange tan, slightly cemented silty SAND; numerous subrounded Gravels & Cobbles within cemented zone, dry to damp [extremely soft (R0), weathered Siltstone/Sandstone/Conglomerate].

No Free Groundwater or Seepage Observed.
Bottom of Test Pit at 5.5 Feet.

TP-3

- 0.0 – 0.2 (FILL) Topsoil/Rootzone
 0.2 – 1.0 (FILL) Stiff, dark brown and orange brown, gravelly CLAY with sand; varies, soft gravels, dry to damp.
 1.0 – 3.9 Very stiff, dark brown gray, silty CLAY; trace gravels, damp to moist.
 3.9 – 6.5 Very stiff, dark brown to brown with white streaks, sandy, clayey SILT; varies somewhat, moist.
 6.5 – 9.2 Very stiff to hard, brown with white streaks, sandy, SILT; scattered cemented zones/soft gravels, moist.

No Free Groundwater or Seepage Observed.
 Bottom of Test Pit at 9.2 Feet.

TP-4

- 0.0 – 0.2 Topsoil/Rootzone
 0.2 – 1.9 Very stiff, dark gray, silty CLAY; ¼ in. to ½ in. roots scattered to 1 ft., dry to damp.
 1.9 – 5.1 Extremely soft (R0), tan orange with dark gray, highly weathered SILTSTONE/SANDSTONE Conglomerate; occasional rounded gravel pieces within soft rock.

No Free Groundwater or Seepage Observed.
 Bottom of Test Pit at 5.1 Feet.

TP-5

- 0.0 – 0.2 Topsoil/Rootzone
 0.2 – 1.9 Stiff to very stiff, dark brown, silty CLAY; trace gravels, dry to damp.
 1.9 – 3.7 Stiff to very stiff, light gray brown with white streaks, sandy, clayey SILT; gravels at interface, damp to moist.
 3.7 – 8.5 Medium dense to dense, mottled orange, tan and gray with white streaks, clayey, silty SAND; varies, occasional sand seams & pockets, moist.

No Free Groundwater or Seepage Observed.
 Bottom of Test Pit at 8.5 Feet.

TP-6

- 0.0 – 0.3 Topsoil/Rootzone
 0.3 – 2.8 Stiff to very stiff, dark gray to black, silty CLAY; scattered roots to 1.5 ft., dry to damp.
 2.8 – 4.2 Dense, orange brown and yellow, subrounded GRAVELS & COBBLES in a silty Clay to silty Sand soil matrix; moist.
 4.2 – 8.0 Dense, tan gray with white streaks, clayey, silty SAND; scattered to numerous gravels, fine sand, moist to damp.

No Free Groundwater or Seepage Observed.
 Bottom of Test Pit at 8.0 Feet.

TP-7

- 0.0 – 0.2 Topsoil/Rootzone
 0.2 – 3.1 Hard to very stiff, dark gray, silty CLAY; fine root hairs, dry in upper 1.2 ft., then moist.
 3.1 – 7.5 Very stiff to hard, light brown with white streaks, clayey, sandy SILT; varies, fine sand, moist.
 7.5 – 8.1 Extremely soft (R0), orange gray, highly weathered SILTSTONE/SANDSTONE.

No Free Groundwater or Seepage Observed.
 Bottom of Test Pit at 8.1 Feet.

TP-8

- 0.0 – 0.2 Topsoil/Rootzone, some rounded gravels exposed.
 0.2 – 3.0 Hard to very stiff, dark brown gray, silty CLAY; scattered fine root hairs throughout, dry to damp.
 3.0 – 7.4 Very stiff, light brown with white stains and streaks, clayey, sandy SILT; moist then wet from 6.4' – 7.4' (perched).
 7.4 – 7.9 Extremely soft (R0), tan, orange, gray and white, SILTSTONE/SANDSTONE.

Wet Soils, Slight Perched Water at 6.4 to 7.4 Feet.
 Bottom of Test Pit at 7.9 Feet.

APPENDIX B

LABORATORY TEST RESULTS

"6"



THE GALLI GROUP
Geotechnical Consulting

Expansion Index Worksheet (ASTM D-4829)

Client: Neathamer Surveying
Project: Vinatieri Heights
Job No: 02-5198-01
Test Date: 42559
Sample Location: TP-2/S-1 @ 1.0'
Sample Date: 42558
Description of Soil: Brown, silty Clay

Expansion Index measured (E_m):

$E_m = \Delta H / H_{orig} * 1000$
begin dial : 0.0555
end dial: 0.2314
E_m: 176

Weight of ring (g): 365.29
Wt. Wet sample in ring(g): 690.66
Sample Wet Weight (g): 325.37
Sample Length (in.): 1
Sample Diameter (in.): 4.01
Volume of sample (ft³): 0.007309
Sample Unit Wt. (PCF): **98.1**
Sample Dry Unit Wt. (PCF): **81.3**

Saturation (S):

$S = (SG)(w) / \gamma_d / ((SG) * 62.4) - \gamma_d$
SG: 2.7
 γ_d : 81.3
%w: 20.6
S = 52

As prepared for testing:

can no. G-3
wet weight of soil + can (g) 446.7
dry weight of soil + can (g) 402.91
weight of can (g) 190.36
weight of dry soil (g) 212.55
weight of water (g) 43.79
moisture content (% of dry weight) 20.60221

E₅₀ Calculation:

$E_{50} = E_m - (50 - S_m) * [(65 + E_m) / (220 - S_m)]$
E_M 175.9
S 51.88363817
E₅₀ = 178.5991331

After testing:

can no. E
wet weight of soil + can (g) 579.12
dry weight of soil + can (g) 448.17
weight of can (g) 180.39
weight of dry soil (g) 267.78
weight of water (g) 130.95
moisture content (% of dry weight) 48.90208

#4 + (dry w 10.01 g
#4 - (dry wt 1128 g
% Passing #4 Sieve = **99.1**

Tested By: Aaron Reeser



THE GALLI GROUP
Geotechnical Consulting

Expansion Index Worksheet (ASTM D-4829)

Client: Neathamer Surveying
Project: Vinatieri Heights
Job No: 02-5198-01
Test Date: 42559
Sample Location: TP-6/S-1 @ 1.2'
Sample Date: 42558
Description of Soil: Brown, silty Clay

Expansion Index measured (El_m):

$El_m = \Delta H / H_{orig} * 1000$
begin dial: 0.0306
end dial: 0.1719
El_m: 141

Weight of ring (g): 191.54
Wt. Wet sample in ring(g): 512.96
Sample Wet Weight (g): 321.42
Sample Length (in.): 1
Sample Diameter (in.): 4.01
Volume of sample (ft³): 0.007309
Sample Unit Wt. (PCF): 96.9
Sample Dry Unit Wt. (PCF): 81.4

Saturation (S):

$S = (SG)(w) / \gamma_d / ((SG) * 62.4) - \gamma_d$
SG: 2.7
 γ_d : 81.4
%w: 19.1
S = 48

As prepared for testing:

can no. G-2
wet weight of soil + can (g) 574.4
dry weight of soil + can (g) 512.96

weight of can (g) 190.8
weight of dry soil (g) 322.16
weight of water (g) 61.44
moisture content (% of dry weight) 19.1

El₅₀ Calculation:

$El_{50} = El_m - (50 - S_m) * ((65 + El_m) / (220 - S_m))$
El_M 141
S 48

El₅₀ = 139

After testing:

can no. D-22
wet weight of soil + can (g) 564.64
dry weight of soil + can (g) 434.99
weight of can (g) 173.55
weight of dry soil (g) 261.44
weight of water (g) 129.65
moisture content (% of dry weight) 49.6

#4 + (dry wt.) 0 g
#4 - (dry wt.) 786.4 g
% Passing #4 Sieve = 100.0

Tested By: Aaron Reeser



THE GALLI GROUP
Geotechnical Consulting

Expansion Index Worksheet (ASTM D-4829)

Client: Neathamer Surveying
Project: Vinatieri Heights
Job No: 02-5198-01
Test Date: 42559
Sample Location: TP-7/S-1 @ 1.2'
Sample Date: 42558
Description of Soil: Brown, silty Clay

Expansion Index measured (E_m):

$E_{m} = \Delta H / H_{orig} * 1000$

begin dial : 0.019
end dial: 0.1559

E_m: 137

Weight of ring (g): 365.27
Wt. Wet sample in ring(g): 698.3
Sample Wet Weight (g): 333.03
Sample Length (in.): 1
Sample Diameter (in.): 4.01
Volume of sample (ft³): 0.007309
Sample Unit Wt. (PCF): **100.4**
Sample Dry Unit Wt. (PCF): **84.9**

Saturation (S):

$S = (SG)(w) / \gamma_d / ((SG) * 62.4) - \gamma_d$

SG: 2.7
 γ_d : 84.9
%W : 18.3

S = 50

As prepared for testing:

can no. G-1
wet weight of soil + can (g) 510.65
dry weight of soil + can (g) 461.18

weight of can (g) 190.34
weight of dry soil (g) 270.84
weight of water (g) 49.47
moisture content (% of dry weight) 18.3

E₅₀ Calculation:

$E_{50} = E_{m} - (50 - S_m) * [(65 + E_{m}) / (220 - S_m)]$

E_M 137

S 50

E₅₀ = 137

After testing:

can no. AD-1
wet weight of soil + can (g) 584.87
dry weight of soil + can (g) 459.61
weight of can (g) 181.82
weight of dry soil (g) 277.79
weight of water (g) 125.26
moisture content (% of dry weight) 45.1

#4 + (dry wt) 0 g
#4 - (dry wt.) 514.2 g
% Passing #4 Sieve = 100.0

Tested By: Aaron Reeser





THE GALLI GROUP
Geotechnical Consulting

Expansion Index Worksheet (ASTM D-4829)

Client: Neathamer Surveying
Project: Vinatieri Heights
Job No: 02-5198-01
Test Date: 42559
Sample Location: TP-7/S-2 @ 4.2'
Sample Date: 42558
Description of Soil: Light brown, sandy, silty Clay

Expansion Index measured (E_m):

$EI_m = \Delta H / H_{orig} * 1000$
begin dial : 0.0168
end dial : 0.1008
E_m : 84

Weight of ring (g): 365.32
Wt. Wet sample in ring(g): 728.56
Sample Wet Weight (g): 363.24
Sample Length (in.): 1
Sample Diameter (in.): 4.01
Volume of sample (ft³): 0.007309
Sample Unit Wt. (PCF): **109.5**
Sample Dry Unit Wt. (PCF): **91.5**

Saturation (S):

$S = (SG)(w)\gamma_d / ((SG) * 62.4) - \gamma_d$
SG: 2.7
 γ_d : 91.5
%w : 19.7
S = 63

As prepared for testing:

can no. G-4
wet weight of soil + can (g) 494.81
dry weight of soil + can (g) 444.76

weight of can (g) 190.55
weight of dry soil (g) 254.21
weight of water (g) 50.05
moisture content (% of dry weight) 19.7

E₁₅₀ Calculation:

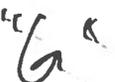
$EI_{50} = EI_m - (60 - S_m) * [(65 + EI_m) / (220 - S_m)]$
E_m 84
S 63
E₁₅₀ = 96

After testing:

can no. AD-3
wet weight of soil + can (g) 586.1
dry weight of soil + can (g) 481.37
weight of can (g) 181.11
weight of dry soil (g) 300.26
weight of water (g) 104.73
moisture content (% of dry weight) 34.9

#4 + (dry wt.) 0 g
#4 - (dry wt.) 1206.5 g
% Passing #4 Sieve = 100.0

Tested By: Aaron Reeser



APPENDIX C

GEOLOGY, SEISMICITY AND GEOLOGIC HAZARDS VINATIERI HEIGHTS SUBDIVISION MEDFORD, OREGON



GEOLOGY, SEISMICITY AND GEOLOGIC HAZARDS VINATIERI HEIGHTS SUBDIVISION MEDFORD, OREGON

1.0 GEOLOGY

1.1 REGIONAL GEOLOGIC SETTING

The project is located in southwestern Oregon, at the eastern edge of the city of Medford. The site is within the broad Bear Creek Valley, formed by Bear Creek, the Rogue River, and their smaller tributaries. These drainage systems developed upon the relatively softer sedimentary deposits, including the Hornbrook and Payne Cliffs Formations, which underlie the Bear Creek Valley. Bear Creek Valley is bounded on the west by mountains within Oregon's Klamath Mountain Geologic Province, and, immediately east of the valley, begins the foothills of the Cascade Volcanic Geologic Province.

The Klamath Mountain Geologic Province consists of exotic terranes originating in island archipelago environments during the Paleozoic to Mesozoic Eras. The terranes were transported eastward by plate motions, where they were accreted as individual east-dipping lithologic units against the North American Plate. Accretion of the terranes began in middle to late Jurassic and ended by early Cretaceous Period. The province contains several northeast trending intrusive granitic belts which were typically intruded after accretion of the individual terranes. The Mount Ashland, Gold Hill, Jacksonville, and Grants Pass plutons are examples of the intrusive units. Seven individual terranes are identified in the Klamath Province, which covers approximately 12,000 square miles in northern California and southern Oregon (Orr and Orr, 2012).

The Hayfork subterrane occurs along the western border of the Bear Creek Valley area, and is comprised of volcanoclastic arc rocks (cherts, argillites, limestone, and meta-andesite). The Hornbrook Formation, Cretaceous marine sedimentary rocks ranging from sandstone, siltstone, mudstone, and conglomerate, overlies the Hayfork subterrane, and is observed in outcrops approximately two miles west of the project. The Hornbrook Formation was deposited in an extensive seaway which transgressed into what is now southwestern Oregon in early to middle Cretaceous time (approximately 100 to 75 Ma) (Nilsen, 1984).

The Payne Cliff formation, upper Eocene fluvial braided-stream deposits of sandstone, conglomerate, mudstone and minor coal deposits, underlies the project area, and is the bedrock unit for the project (Wiley et al, 2011).

The Western Cascade sub-province of Oregon's Cascade Geomorphic Province begins in the foothills immediately east of the project; less than 1/3 mile to the east. Deposition of the Western Cascade volcanic units in this region began in early Oligocene (approximately 36 million years ago), and ended in early to middle Miocene (approximately 25 million years ago), (Wiley and Smith, 1993; Wiley et al, 2011). The Western Cascades are faulted and mildly folded and have a regional dip of 10-15 degrees to the east. Softer volcanic units are highly dissected and drainages are well established along structure and the more easily eroded geologic units.

Numerous older landslide deposits are mapped in the general vicinity of the project, along the eastern boundary of Medford. These deposits have likely had intermittent activity over the last hundred to thousands of years, and risk of reactivation should be considered (SLIDO, 2016).

Four stages of Quaternary alluvial fans and valley fill have been mapped in the Bear Creek Valley area, and several of these units are present immediately west of the project location (Wiley and Smith, 1993; Parsons and Herriman, 1976).

A Geologic Map of the immediate project area is attached. It should be noted that the extent of landslide deposits (Qls) has been extended in the SLIDO, 2016 map (Figure 1 of this geology report) compared to deposits shown in the Geologic Map (OGDG-5, 2009). However, these terminate outside of the subject parcel.

Oregon's Klamath Mountain Province experienced regional uplift and faulting into the Tertiary Period. Faults are observed to offset formations as young as late Miocene in the Rogue Valley area. No Quaternary fault activity, however, has been established for the immediate project area within the Rogue Valley (Walker and MacLeod, 1991; Wiley and Smith, 1993; Madin and Mabey, 1996; Wiley et al, 2011; USGS; 2016a).

1.2 SITE GEOLOGY

The project area is located in the Medford East 7.5 minute USGS topographic quadrangle (see Vicinity Map, Figure 1 in the main report). Mapped geologic units at the project area consist primarily of the Payne Cliffs Formation. The bedrock lithology is comprised of sandstone, conglomerate, mudstone and some localized coal deposits, which are interpreted to be fluvial deposits ((Tp)- OGDG-5, 2009; (Tpcu)- Wiley and Smith, 1993; and (Tep)- Wiley et al, 2011). Geologic mapping (Wiley et al, 2011; SLIDO, 2016) indicates landslide deposits are present very near the eastern boundary of the project parcel, but not on the parcel.

In east Medford, near the eastern boundary of the Bear Creek Valley, numerous landslide features (Qls) have been mapped (OGDG-5, 2009; Wiley and Smith, 1993; and Wiley et al, 2011; SLIDO, 2016). The landslide deposits are considered Holocene and Pleistocene age, and some may have been active in the last hundred to thousand years. The landslides include slumps, earthflow, block glides, debris flows, and rockfall deposits (Wiley and Smith, 1993). Many slides have formed in the Western Cascade geologic units, particularly where resistant lava flows are undercut by the erosion of underlying, softer tuffaceous units. Potential impact of these landslide deposits on the project parcel are discussed in more detail in the "Landslide" section of this report. However, these old deposits are not mapped on the subject parcel.

A total of eight test pits were excavated across the project parcel. The depth below ground surface (bgs) of the test pits ranged from 5.1 feet to 9.2 feet. Test Pits 2, 4, 7, and 8 terminated in the sandstone/siltstone bedrock unit; typically at a depth of 1.9 to 7.5 feet. The remaining test pits (1, 3, 5, and 6) terminated in variable sand, silt, and gravel mixtures interpreted to be colluvium.

No groundwater or seepage was observed in any of the eight test pits at the time of our subsurface investigation (July, 2016). Seasonal perched zones of groundwater, with relatively

small yields, may occur throughout the bedrock unit (weathered and un-weathered sections), and at the interface between overlying soils and bedrock. The potential for such seepage will be addressed in the main report with regard to subsurface drainage methods which might be required.

2.0 SITE SEISMICITY

2.1 2014 OSSC AND 2012 IBC DESIGN EARTHQUAKE

The design earthquake for the project area is based upon established values and methodologies in the Oregon Structural Specialty Code (OSSC; 2014), International Building Code (IBC; 2012), and ASCE 07-10.

The Maximum Considered Earthquake (MCE_R) and spectral response accelerations were established as set forth in Section 1613 (IBC, 2012) and Section 11.4 (ASCE 7-10), and were obtained from the online USGS Seismic Design Maps (USGS, 2016b).

Table 1- DESIGN EARTHQUAKE (OSSC, 2014; IBC, 2012; ASCE 7-10)

Parameter	Value
Project Latitude/ Longitude- (Vinatieri Subdivision; Medford, OR 02-5198)	Lat. 42.33177N Long. 122.77776W
Occupancy/Risk Category (Table 1.5-1 ASCE/SEI 7-10)	II or III Risk Category II or III
Mapped Spectral Response Acceleration (MCE_R) - Short Period (S_S)	0.605g
Mapped Spectral Response Acceleration (MCE_R) - 1-Second Period (S_I)	0.319g
Site Class - (Table 20-3-1 ASCE/SEI 7-10)	D
Short Period Site Coefficient based on Site Class - (F_a)	1.316
1-Second Site Coefficient based on Site Class - (F_v)	1.763
MCE_R Spectral Response Acceleration - (S_{MS})	$S_{MS} = F_a \cdot S_S = 0.796g$
MCE_R Spectral Response Acceleration for 1-Second - (S_{MI})	$S_{MI} = F_v \cdot S_I = 0.562g$
Design Spectral Response Acceleration for Short Periods - (S_{DS})	$S_{DS} = 2/3 S_{MS} = \mathbf{0.531g}$
Design Spectral Response Acceleration for 1-Second - (S_{DI})	$S_{DI} = 2/3 S_{MI} = \mathbf{0.374g}$
PGA = MCE_G PGA (Section 11.8.3.2; and Figures 22-7; ASCE/SEI 7-10)	PGA = 0.277g
F_{PGA} (Table 11.8-1 ASCE/SEI 7-10)	$F_{pga} = 1.246$
PGA _M = $F_{pga} \cdot$ PGA (EQ 11.8-1; ASCE/SEI 7-10)	PGA _M = 0.345g
Design PGA = PGA _D = PGA _M * 2/3	PGA _D = 0.230g
Seismic Design Category (Section 11.6 and Table 11.6-1 and Table 11.6-2; ASCE/SEI 7-10)	D

3.0 GEOLOGIC OR SEISMIC INDUCED HAZARDS

Expansive Soil. Natural Resources Conservation Services mapping indicates the project area is mantled with Carney clay- soil unit 27D (NRCS, 2016). This soil unit is considered a CH material in the Unified Soil Classification system, and has a Plasticity Index range of 40-50. It is considered to be potentially expansive, with a shrink/swell index of 1.0.

Several Expansion Index tests (ASTM D-4829) were completed in the lab from samples obtained during our subsurface investigation. The results of the EI testing are summarized in Table 2.

Table 2- Summary of Expansion Index (EI) Tests at Site

Sample location	Depth (ft)	EI
TP-2; S-1	1.0	179
TP-6; S-1	1.2	139
TP-7; S-1	1.2	137

Table 3- Expansion Index and Potential Expansion (From ASTM D-4829)

Expansion Index	EI Potential Expansion
0-20	Very Low
21-50	Low
51-90	Medium
91-130	High
> 130	Very High

Based on the ASTM criteria listed in Table 3, EI test results indicate upper soil units at the site have "Very high" expansion potential. Normal engineering design and construction can mitigate expansive soil risks. Design considerations for potential expansive soil conditions would be included in the Geotechnical Design Report.

Landslides/Slope Instability. The project is situated on a relatively broad, east-west trending bedrock "nose" or ridge, as shown on the 7.5 minute USGS topographic. This convex geomorphic feature has native slopes typically in the range of 10%-20%, with several zones of 25% slope. Flatter slopes are present near the center of the eastern parcel boundary. A more detailed site-specific measurement of slopes at the project is provided in the main report.

The bedrock forming the broad convex slope is Payne Cliff Formation siltstone/sandstone, and is mantled with relatively thin, variable thicknesses of colluvium. A total of eight test pits were excavated across the project parcel. The depth below ground surface (bgs) of the test pits ranged from 5.1 feet to 9.2 feet. Test pits 2, 4, 7, and 8 terminated in bedrock siltstone/sandstone at depths ranging from 1.9 to 7.5 feet. The remaining test pits, up to a depth of 9.2 feet (TP-1, 3, 5, and 6), did not hit bedrock and terminated in the variable sand, silt, and gravel mixtures of colluvium which mantle the site.

Landslide deposits are mapped in the immediate project area (OGDG-5, 2009; SLIDO, 2016; Wiley and Smith, 1993; Wiley et al, 2011). These deposits (SLIDO, 2016) are shown in Figure 2 of this Geology report, with the red star indicating the project area. The mapped landslides include slumps, earthflows, block glides, debris flows, and rockfall deposits (Wiley and Smith, 1993; Wiley et al, 2011). Many slides have formed in the Western Cascade geologic units, particularly where resistant lava flows are undercut by the erosion of underlying, softer tuffaceous units. The landslide deposits are considered Holocene and Pleistocene age, and some may have been active in the last hundred to thousand years (Wiley and Smith, 1993).

The Qls units mapped near the project appear to be debris slide/flow deposits which had source zones upslope near drainage headwalls north and east of the deposit.

No mapped landslides occur on the project parcel. One landslide deposit is mapped up to, but not including, the eastern edge of the project parcel. The site is not in a mapped hazard zone for rapidly moving landslides (Hofmeister and others; 2002). Historical photos of the project site, dating back to 1994, were reviewed (JCGIS, 2005; Google Earth, 2016). In addition, LIDAR imagery of the project area was reviewed in the office (DOGAMI 2016). Based on our office review of this imagery, field reconnaissance, and subsurface investigation, no active slope instability impacts the project parcel.

Relatively shallow bedrock exists at the site, and variable thicknesses of colluvium mantle the bedrock. Recommendations for any site grading and proper methods of cut-and-fill construction will be discussed in the Geotechnical Design Report. It is essential these recommendations be followed closely in order to minimize man-made slope instability both during and after construction. Similarly, recommendations addressing surface and subsurface drainage in the project area, as well as erosion control measures, will be provided in that report, and must be followed during construction to maintain slope stability in the project area. In-progress grading inspections should be made during construction to note any adverse conditions which could negatively affect cut slopes.

Flooding. The project is not within the 100-year flood zone as mapped on the Jackson County FEMA Special flood Hazard Area (SFHA), effective May 3, 2011 (JC; 2016).

Liquefaction. A general screening of liquefaction hazard includes evaluation of the following: historic occurrence of liquefaction; seismic source potential to cause liquefaction; depth to the water table; and geologic age and composition of subsurface material, including density of material.

The project area is subject to seismic shaking from local Basin and Range faults as well as the Cascadia Subduction Zone megathrust. A seismic source potential is certainly present. No historic occurrence of liquefaction is documented for the relatively thin colluvial surficial units present at the project site.

The entire project is underlain at relatively shallow depths (< ± 10 feet) by siltstone/sandstone bedrock, and no regional shallow groundwater was observed in the test pits. It is possible small, isolated zones within the colluvium could experience seasonal perched ground water conditions. The colluvium was a variable mix of sand, silt, and gravels, and typically had a consistency of

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very stiff to hard or relative density of dense to very dense. Based on this information, potential liquefaction hazard is considered to be very low at the project site.

Seismic Ground Amplification or Resonance. No hazardous amplification or resonance effects from seismic waves have been associated with soil/bedrock subsurface conditions in the project area. Based on the subsurface information from the 8 test pits, and other projects in the immediate other, a Site Class D was established for the project site. Potential amplification or resonance effects from seismic waves associated with the subsurface soil conditions in the project area are accounted for in the ASCE 7-10 and IBC 2012 seismic design methods, as prescribed in OSSC, 2014.

Tsunami/Seiche Hazard. The project is located nearly 80 miles inland and above an elevation of 1,200 feet, and is not subject to tsunami hazard. The project site is not located adjacent to any large lake or body of water, and, therefore, no seismically induced seiche hazard exists for the project. No large reservoirs are located in a drainage area upslope from the project site; the project site is not subject to hazard from seismically induced reservoir failure.

Surface Rupture. No active fault traces or local faults are mapped within the project site (Walker and MacLeod, 1991; Wiley and Smith, 1993; Madin and Mabey, 1996; Wiley et al, 2011; USGSa; 2016). Damage due to surface rupture is considered to be very low at the project.

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CITY OF MEDFORD

LD Date: 12/19/2018
Revised Date: 3/6/2019
File Number: LDS-18-160

PUBLIC WORKS DEPARTMENT STAFF REPORT Vinatieri Heights Subdivision (TL 1800)

- Project:** Consideration of a tentative plat for a six lot subdivision on approximately 3.08 acres within the SFR-2 (Single Family Residential – 2 dwelling units per gross acre) zoning district.
- Location:** Located on Roxy Ann Road directly south of Autumn Park Drive (371W23DD TL 1800).
- Applicant:** Applicant, Rita Vinatieri; Agent, Neathamer Surveying Inc; Planner, Liz Conner.

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

Roxy Ann Road is classified as a Standard Residential Streets within the Medford Land Development Code (MLDC) 10.430. The Developer shall dedicate for public right-of-

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PUBLIC WORKS DEPARTMENT
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CITY OF MEDFORD

EXHIBIT # H

FILE # LDS-18-160

way, sufficient width of land along the frontage to comply with the half width of right-of-way, which is 31.5-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

Hillcrest Road is classified as a Standard Residential Streets within the Medford Land Development Code (MLDC) 10.430. No additional right-of-way is required as Applicant has provided a slope analysis showing that the hillside ordinance (MLDC 10.931) is applicable.

Autumn Park Drive is proposed as a Residential Lane within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the full width of right-of-way, which is 33-feet. The proposed cul-de-sac at the south terminus shall be dedicated per MLDC 10.450, and have a minimum 45-foot radius. Please note, all existing facilities (e.g., septic, water pump, irrigation box) located within the proposed public right-of-way/public utility easement dedications for Autumn Park Drive shall be abandoned and removed accordingly.

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

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

Slope easements shall be provided for the proposed street and shall terminate at a minimum 10-feet from the boundary of the development

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

Hillcrest Road – The site has identified slopes greater than 15%. A slope analysis shows steep slopes along Hillcrest Road. Therefore, the Applicant may elect to remove the planter and parking from the north side of the road. If so, the minimum required improvements shall be curb and gutter with a 5-ft curb tight sidewalk on the north side with two (2), 12-foot paved travel lanes plus pavement to the far south edge of the existing pavement. Otherwise, it shall be improved to Standard Residential street standards, in accordance with MLDC 10.430, which

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shall include improving the north half plus 12-feet south of the centerline, or to the far edge of the existing pavement, whichever is greater, along the frontage of this development.

As an option, the Developer may elect to provide evidence of the existing structural section to Public Works for consideration in order to determine if the extent of construction may be reduced. Depending on the results, the Developer still may be responsible for the improvements noted above or at minimum improve the remainder of street from a point 1-foot inside the existing edge of pavement.

If the Hillcrest Road improvements meet the deferral criteria, and are elected to be deferred, the Developer shall deposit with the City of Medford a financial deposit acceptable to the City in the amount of 125 percent of the City Engineer's estimate of the costs for the deferred street improvements, in lieu of the Developer constructing the street improvements. This financial deposit shall be deposited with the City prior to issuance of building permits (MLDC, Section 10.432).

Roxy Ann Road – All street section improvements, with the exception of a planter strip and sidewalk, have been completed in close conformance with current standards, including pavement, curb and gutter and street lights. **Therefore, a 5-foot wide sidewalk with a planter strip will be required along this developments frontage.**

Autumn Park Drive shall be constructed to Residential Lane standards, in accordance with MLDC 10.430. The proposed cul-de-sac shall be constructed in accordance with MLDC 10.450.

b. Street Lights and Signing

The Developer shall provide and install in compliance with Section 10.495 of the Medford Municipal Code (MMC). Based on the preliminary plan submitted, the following number of street lights and signage will be required:

Street Lighting – Developer Provided & Installed:

- A. 4 – Type R-100

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

- A. 1 – Street Name Sign
- B. 1 – No Outlet Sign

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

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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 the Developer.

c. Pavement Moratoriums

There is no pavement moratorium currently in effect along Hillcrest Road or Roxy Ann Road.

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

The applicant shall provide an accessway consistent with the standards in Section 10.464 through section 10.466 from the end of the cul-de-sac to Hillcrest Road.

Driveways shall be built in accordance with MLDC 10.550.

f. 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 which are not constructed within the street section.

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.

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

Hillcrest Road, Roxy Ann Road, Autumn Park Drive: In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square footage of right-of-way per dwelling unit for dedications. The proposed development has 6 dwelling units and will improve approximately 625 lineal feet of roadway

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which equates to 104 lineal feet per dwelling unit. Also the development will dedicate approximately 11,138 square feet of right-of-way, which equates to approximately 1,856 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was pervious phases of Summerfield Subdivision located between Stanford and Lone Oak and Cherry Lane and Shamrock and consisted of 152 dwelling units. The pervious development improved approximately 7,530 lineal feet of roadway and dedicated approximately 425,230 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 49.5 lineal feet of road per dwelling unit and approximately 2,800 square feet of right-of-way per dwelling unit.

- a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 6 Lots within the City of Medford and increase vehicular traffic by approximately 56 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development. There is also sufficient space for on-street parking.
- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.
- c. Dedication will provide access and transportation connections at urban level of service standards for this development. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.
- d. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.

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

B. SANITARY SEWERS

The proposed development is situated within the Medford sewer service area. The Developer shall provide one service lateral to each buildable lot prior to approval of the Final Plat.

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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.

Upon completion of the project, the developer's design engineer shall provide written certification 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.

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

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

All public storm drain mains shall be located in paved public streets or within easements. All manholes shall be accessible by paved, all-weather roads. All easements shall be shown on the Final Plat and the public improvement plans.

5. 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.

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.

Align proposed Autumn Park Drive to existing Autumn Park Drive by survey resolution (i.e., one survey monument at the intersection with Roxy Ann Road).

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

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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. Easements

Easements shall be shown on the Final Plat for all sanitary sewer laterals and storm drainage laterals that cross lots other than the one being served by the laterals.

6. 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.

7. System Development Charges (SDCs)

Buildings in this development are subject to SDC fees. These SDC fees shall be paid at the time

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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 with the approval of the final plat.

8. Construction and Inspection

Contractors proposing to do work on public streets, sewers, or storm drains shall 'prequalify' with the Engineering Division prior to starting work. Contractors shall work off a set of public improvement drawings that have been approved by the City of Medford Engineering Division. Any work within the County right-of-way shall require a separately issued permit 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
Revised by: Doug Burroughs

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SUMMARY CONDITIONS OF APPROVAL

Vinatieri Heights Subdivision
(TL 1800)

LDS-18-160

A. Streets

1. Street Dedications to the Public:

- **Roxy Ann Road** – Dedicate additional right-of-way.
- **Hillcrest Road** – No additional right-of-way.
- Dedicate full width right-of-way on **Autumn Park Drive**.
- Dedicate 10-foot public utility easements (PUE).
- Provide slope easements.

2. Improvements:

Public Streets

- Improve **Hillcrest Road** in accordance with Hillside Ord or half plus 12', to Standard Residential street standards.
- **Roxy Ann Road** – Street improvements have been completed, aside from sidewalk.
- Construct **Autumn Park Drive** to Residential Lane standards, including the Cul-de-sac.

Lighting and Signing

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

Access and Circulation

- The applicant shall provide an accessway consistent with the standards in Section 10.464 through section 10.466 from the end of the cul-de-sac to Hillcrest Road.
- Driveways shall be built in accordance with MLDC 10.550.

Other

- 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 certification of stormwater facility construction.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide Erosion Control Permit from DEQ.

D. Survey Monumentation

- Provide all survey monumentation.
- Align proposed Autumn Park Drive to existing Autumn Park Drive.

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.

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Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 12/13/2018
Meeting Date: 12/19/2018

LD File #: LDS18160

Planner: Liz Conner

Applicant: Rita Vinatieri

Project Location: Located on Roxy Ann Road directly south of Autumn Park Drive

Project Description: Consideration of a tentative plat for a six lot subdivision on approximately 3.08 acres within the SFR-2

Specific Development Requirements for Access & Water Supply

Reference	Comments	Conditions Description
OFC 508.5	One fire hydrant required mid-block in front of lot #3.	<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 D107	Because this area is only served by one access road in (Hillcrest Road) and this road serves more than 30 homes, all of these homes will be required to be protected with home fire sprinkler systems.	<p>D107.1. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required. 2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official. <p>Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses (D104.3).</p>
WUI	Wildfire risk zone requirements and recommendations.	<p>This development is located in a wildfire risk zone. A minimum fire resistant rated Class A or B rated roof is required.</p> <p>In addition, it is recommended that the following measures be taken to reduce the possibility of home ignition during a wildfire:</p> <p>Fire Resistant Structure Planning including: Non-combustible siding Vent screening using corrosion resistant maximum 1/8" grid wire mesh Non-combustible rain gutters Solid skirting around the bottom of decks Non-combustible fencing attached to house</p>

CITY OF MEDFORD
EXHIBIT # 1
FILE # LDS-18-160

OFC
503.5

Parking shall be posted as prohibited along one side of the narrow portion of Autumn Park Drive.

Landscaping Planning including:
0-5 feet perimeter non-combustible zone (concrete or non-combustible ground covering)
Utilize fire resistant vegetation (See Oregon State University's "Fire Resistant Shrubs and Trees in SW Oregon")
Fully grown tree crown positioning to provide a minimum 10' horizontal clearance to chimneys or any part of structure
Fully grown tree crown positioning to provide a minimum 15' clearance to other fully grown tree crowns
Consider ladder fuels (vegetation like taller shrubs below trees that will spread fire into tree crown)

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".

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).

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).

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

Contact Public Works Transportation Manager Karl MacNair 541-774-2115 for further information.

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 combustibile 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

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Memo



To: Elizabeth Conner, Planning Department
From: Mary Montague, Building Department
CC: Rita Vinatieri, Applicant; Neathamer Surveying Inc., Agent
Date: December 18, 2018
Re: LDS-18-160 Vinatieri Heights

Building Department:

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

1. Applicable Building Codes are 2017 ORSC; 2017 OPSC; and 2014 OMSC. 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 Go to "City Departments" at top of screen; click on "Building"; click on "ELECTRONIC PLAN REVIEW (ePlans)" for information.
3. Site Excavation permit required to develop, install utilities.
4. Demo Permit is required for any buildings being demolished.
5. A site specific soils geotech report is required by a Geotech Engineer prior to foundation inspections. The report must contain information per Section R403.1.9 and R403.1.10 and on how you will prepare the lot for building and a report confirming the lot was prepared per their recommendations.
6. This area is in the Wildfire High Risk area and should reference Section R327.
7. This area is in the Hillside Ordinance area. Must follow guidelines as set forth in the Municipal code Section 10.929 – 10.933.
8. Separate Permit to abandon septic or well.

STAFF MEMO

To: Liz Conner
From: Jennifer Ingram, Address Technician
Date: December 17, 2018
Subject: LDS-18-160

1. When the proposed extension of Autumn Park Drive is constructed, the address of the existing house at 5495 Hillcrest Road will need to be readdressed to an Autumn Park Drive address.



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDP-18-160

PARCEL ID: 371W23DD TL 1800

PROJECT: Consideration of a tentative plat for a six-lot subdivision on approximately 3.08 acres within the SFR-2 (Single Family Residential – 2 dwelling units per gross acre) zoning district, located on Roxy Ann Road directly south of Autumn Park Drive (371W23DD TL 1800). Applicant, Rita Vinatieri; Agent, Neathamer Surveying Inc; Planner, Liz Conner.

DATE: December 19, 2018

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. Installation of an 8-inch water line is required in the proposed street and shall terminate at the cul-de-sac south of Roxy Ann Road.
4. Applicant shall coordinate with Medford Fire Department for possible Fire Hydrant installation.
5. The existing well located on this parcel it is required to be abandoned per state regulations. Applicant shall contact Jackson County Water Master for abandonment requirements.
6. If a well is located on this parcel it will be required to be abandoned per state regulations or the installation of approved backflow prevention devices will be required to be installed behind the proposed water meters to protect the public water system from potential contamination.

COMMENTS

1. Off-site water line installation is not required.

Continued to Next Page

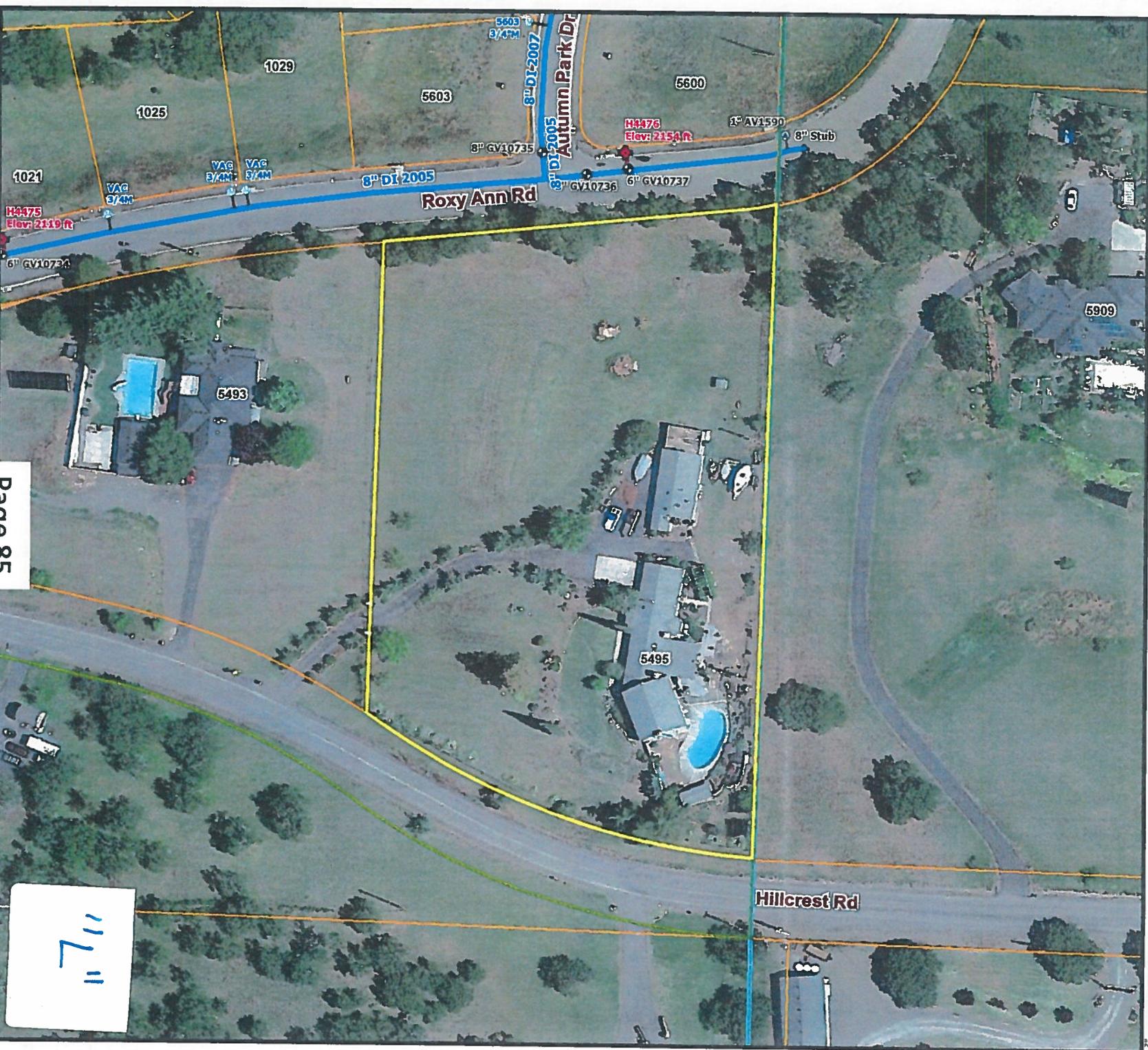
CITY OF MEDFORD
EXHIBIT # L
FILE # LDS-18-160



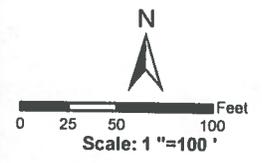
Continued from Previous Page

2. On-site water facility construction is required. (See Condition 3 above)
3. Maximum static water pressure in this area ranges from 65 psi at the intersection of Roxy Ann Road and the proposed Cul-de-sac, to 70 psi at the center of the proposed cul-de-sac.
4. MWC-metered water service does not exist to this property. (See Condition 2 above)
5. Access to MWC water lines is available. There is an existing 8-inch water line in Roxy Ann Road.

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Water Facility Map
City of Medford
Planning Application:
LDS-18-160
(37-1W-23DD-1800)
December 5, 2018

Legend

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

Water Meters:

- ⊕ Active Meter
- On Well
- Unknown
- Vacant

Water Valves:

- ⊕ Butterfly Valve
- ⊕ Gate Valve
- ⊕ Tapping Valve

Water Mains:

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

Boundaries:

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

MWC Facilities:

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



This map is based on a digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission is not responsible for errors, omissions, or outdated information. There are no warranties, express or implied.



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

December 11, 2018

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

RE: Tentative plat off Roxy Ann Road – a city maintained road
and Hillcrest Road – a county maintained road.
Planning File: LDS-18-160

Dear Elizabeth:

Thank you for the opportunity to comment on the tentative plat for a six-lot subdivision on approximately 3.08 acres within the SFR-2 (Single Family Residential – 2 dwelling units per gross acre) zoning district, located between Roxy Ann Road and Hillcrest Road directly south of Autumn Park Drive at 5495 Hillcrest Road (37-1W-23DD TL 1800). Jackson County Roads has the following comments:

1. No road approaches will be permitted off Hillcrest Road.
2. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.
3. Hillcrest Road is a County Minor collector and is county-maintained. The Average Daily Traffic Count on the City of Medford's 2016 traffic count map was 3,100 ADT.
4. If frontage improvements are required, they shall be permitted and inspected by the City of Medford.
5. We would like to be notified of future development proposals, as county permits may be required.
6. Jackson County's General Administration Policy #1-45 sets forth the County's position as it relates to the management of County roads located within existing or proposed city limits or Urban Growth Boundaries (UGB). The County has no current plans for improvements to Hillcrest Road. Jackson County Roads recommends that the city request road jurisdiction.
7. Storm water should meet City of Medford requirements that also include water quality.
8. Jackson County Roads would like to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the

December 11, 2018
Page 2 of 2

drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads.

9. Roads recommend the removal of any existing driveways not being used on Hillcrest Road.

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

Sincerely,



Chuck DeJanvier
Construction Engineer

Liz A. Conner

From: HORLACHER Ian K <Ian.K.HORLACHER@odot.state.or.us>
Sent: Thursday, December 13, 2018 11:53 AM
To: Liz A. Conner
Cc: MCDONALD John
Subject: LDS-18-160

ODOT has no comment on this project at this time. Thank you.

Ian K. Horlacher
MPO Senior Planner
ODOT Region 3, District 8 (Central Point)
RVCOG Ph: (541) 423-1362
ODOT Cell: (541) 727-2597
RST Office (Medford): (541) 842-2545
RVCOG Fax: (541) 664-7927

"Unless commitment is made, there are only promises and hopes...but no plans." - Peter Drucker



DENSITY CALCULATION FORM

For all residential LDP, LDS, PUD, and AC Application Files

File No.	LDS-18-160
Planner	Liz Conner
Date	January 3, 2018

GROSS ACREAGE	
Tax Lot Numbers 371W23DD1800	3.08 AC
	AC
	AC
	AC
	AC
Existing ROW to Centerline	0.40 AC
Gross Acres	3.48 AC
Effective Acres (Gross - Subtracted)	3.48

SUBTRACTED ACREAGE	
Large Lots for Existing Development	AC
Reserved Acreage	AC
Other ¹	AC
	AC
	AC
	AC
Subtracted Acres	-
	AC

DENSITY RANGE	
Zoning District	SFR-2
Density Range	
Minimum	0.8
Maximum	2
No. DU Proposed	6
No. DU Permitted Min.	3
No. DU Permitted Max.	6
Minimum	2.79
Maximum	6.97
Percentage of Maximum	86.09%

EXISTING R-O-W CALCULATION					
Street Name	LF	Width	SF	Acreage	
Roxy Ann Road	300.00		28.78	8,634.00	0.20
Hilcrest Road	300.00		30.00	9,000.00	0.21
			-	-	-
			-	-	-
			#####	-	-
				0.40	

¹ Such as future ROW dedication, resource protection areas, common open space, other dedication areas, etc.



Project Name:
**Vinatieri Heights
 Subdivision**

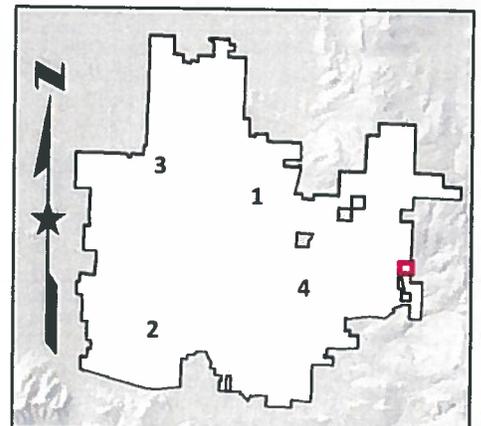
Map/Taxlot:
371W23DD TL 1800



11/02/2018

Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots





STAFF REPORT

for a type-C quasi-judicial decision: **Land Division & Zone Change**

PROJECT Hogue Heaven Estates – Phases 2 & 3
Applicant: Billy Hogue
Agent: Scott Sinner Consulting, Inc.

FILE NO. LDS-19-004 / ZC-19-003

TO Planning Commission

for March 14, 2019 hearing

FROM Dustin Severs, Planner III

REVIEWER Kelly Evans, Assistant Planning Director

DATE March 7, 2019

BACKGROUND

Proposal

Consideration of tentative plat approval for Hogue Heaven Estates – Phases 2 & 3, a proposed 6-lot residential subdivision, along with a request for a change of zone to SFR-10 (Single-Family Residential, ten dwelling units per gross acre), on a 0.91-acre parcel located at 884 Ross lane in the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (372W23DD700).

Vicinity Map



Subject Site Characteristics

Zoning: SFR-4 (Single-Family Residential, four dwelling units per gross acre)
GLUP: UR (Urban Residential)
Overlay(s): AC (Airport Area of Concern)
Use(s): Single-Family residence

Surrounding Site Characteristics

North Zone: SFR-10
Use(s): single-family residence, Hogue Heaven Estates – Phase 1

South Zone: SFR-00 (Single-Family Residential, one dwelling unit per lot)
Use(s): single-family residence

East Zone: SFR-10
Use(s): Single-family residences, Silky Oaks Subdivision

West Zone: SFR-10
Use(s): single-family residences, Northwest Meadows Subdivision

Related Projects

LDS-18-049 Hogue Heaven Estates

Applicable Criteria

MLDC 10.270: Land Division Criteria

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

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

Medford Land Development Code §10.204, Zone Change Criteria

The Planning Commission shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (1) through (3) below:

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

(b) For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one of the following conditions must exist:

- (i) At least one parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or*
- (ii) The area to be re-zoned is five acres or larger; or*
- (iii) The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five acres.*

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

- (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.*

- (b) Adequate streets and street capacity must be provided in one (1) of the following ways:
- (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
 - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
 - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one (1) of the following occurs:
 - (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
 - (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
 - (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
 - (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation, returned to the Planning Department, and may include, but are not limited to the following:

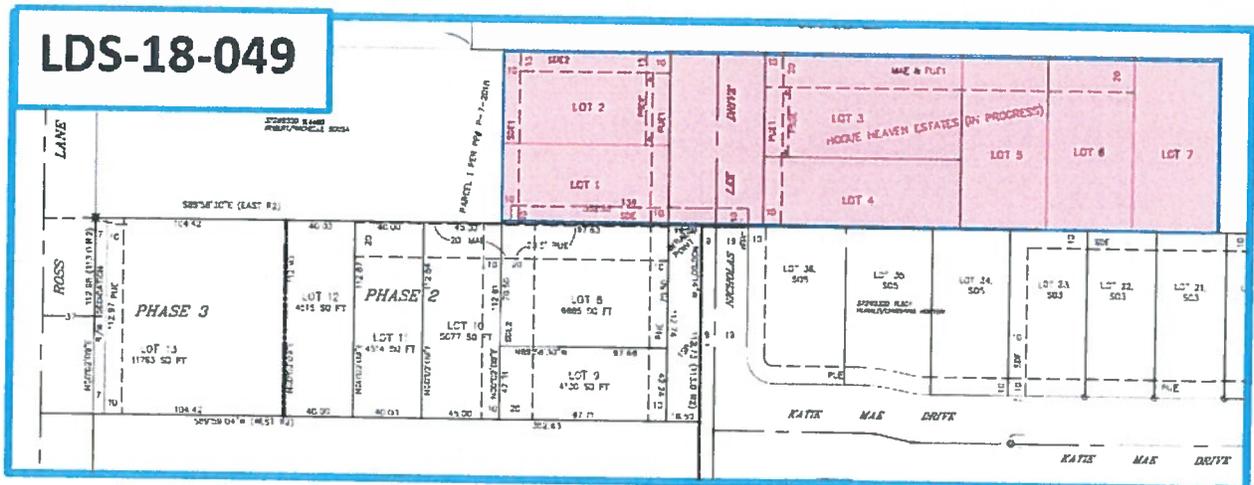
- (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,
- (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
- (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

ISSUES AND ANALYSIS

Project Summary

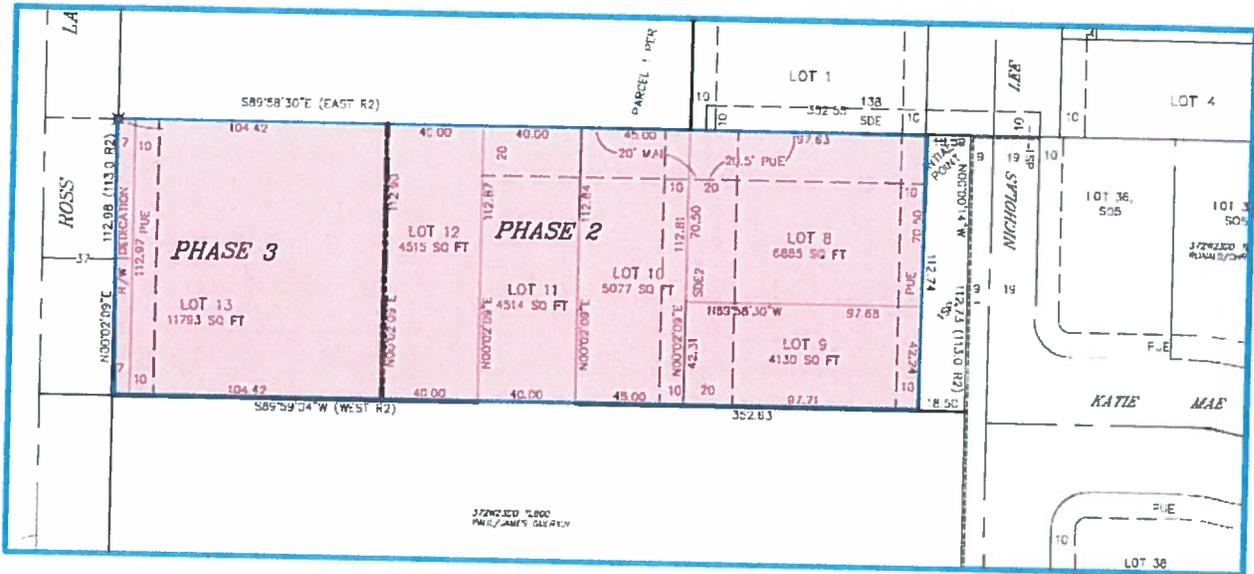
Site History

The subject site consists of a 0.91-acre parcel, which currently contains a single-family residence with several accessory structures, and owned by the applicant, Mr. Hogue. The applicant was approved for the first phase of Hogue Heaven Estates (LDS-18-049) on July 12, 2018, for development of a 7-lot residential subdivision (lots 1-7) on the 0.95-acre parcel abutting the subject site along its northeasterly boundary (shown below). Hogue Heaven Estates has yet to receive final plat approval.



Current Proposal

As shown on the submitted tentative plat (Exhibit B), the applicant is now proposing Hogue Heaven Estates – Phases 2 & 3, adding lots 8-13 to the residential subdivision. The subdivision is proposed to be developed in two phases, with Phase 2 consisting of lots 8-12, and Phase 3 consisting solely of lot 13, which contains the existing single family residence. The applicant will be required to improve the westerly portion of Nicholas Lee Drive, located along the sites easterly boundary (lots 8 – 9), to Minor Residential street standards – curb and gutter, planter strip, and sidewalk.



Density

Density Table

SFR-10	Allowed	Shown
Min. /Max. Density 6.0 to 10.0 dwelling units per gross acre	5 min. / 10 max.	6 lots

As shown on the Density Table above, based on 0.98 gross acres of land, the creation of six lots, as identified on the submitted tentative plat, falls within the minimum/maximum range permitted for the SFR-10 zoning district as per MLDC 10.710.

Development Standards

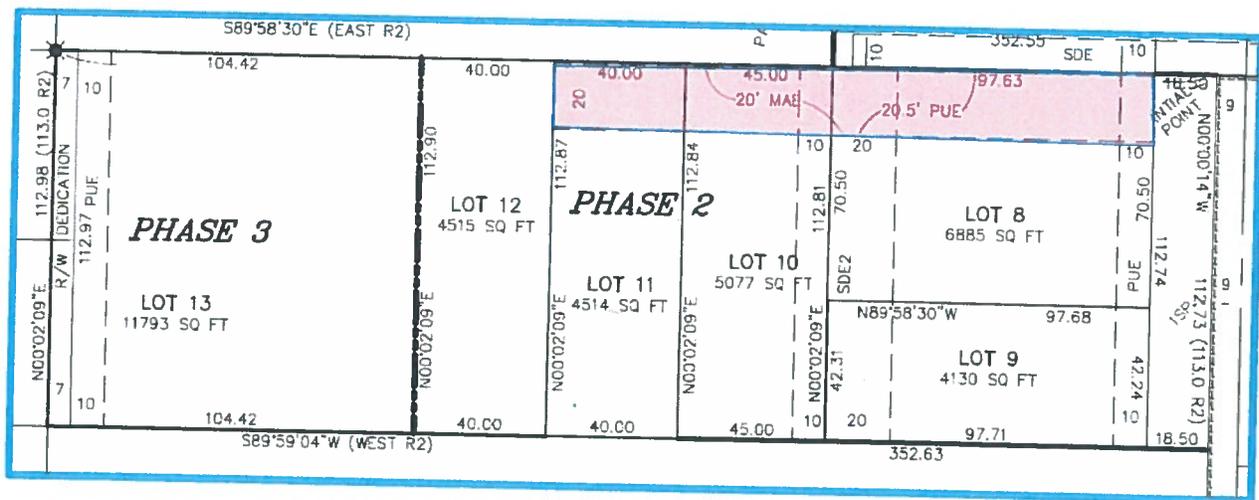
Site Development Table

SFR-10	Lot Area	Min. lot Width (Interior)	Min. lot Depth	Min. Lot Frontage
Required	3,600 to 8,125	40 feet	90 feet	30 feet
Shown	4,130 to 6,885	40 feet (lowest)	97.7 feet (lowest)	42.3 feet (lowest)

As shown in the Site Development Table above, it can be found that the six proposed lots meet all the dimensional standards for the SFR-10 zoning district as found in Article V of the Medford Land Development Code.

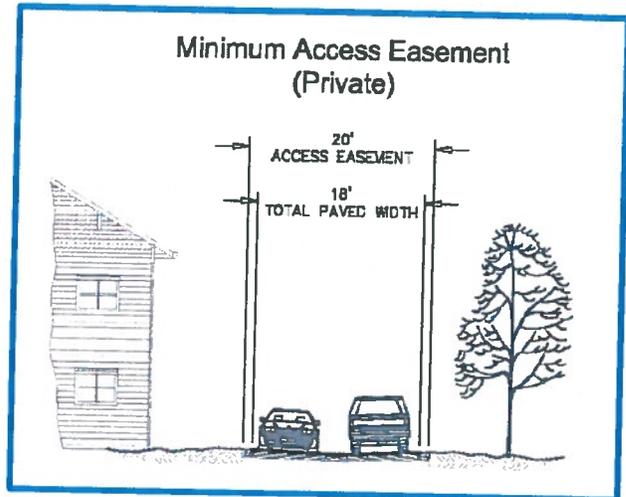
Minimum Access Easement

The tentative plat identifies three lots (Lots 10-12) taking access from Nicholas Lee Drive via a 20-foot wide Minimum Access Easement (MAE) provided by Lot 8 along the site's northerly boundary. Lots 8-9 are proposed to take direct access from Nicholas Lee Drive, and lot 13 will continue to take access off of North Ross Lane.



Pursuant to MLDC 10.430(A), a MAE is described as follows:

An easement containing a shared driveway having the sole function of providing direct access to immediately adjacent residentially zoned land, and upon which a minimum of two (2) and maximum of three (3) dwelling units (not including Accessory Dwelling Units-ADU's) take access. A minimum access easement must meet the minimum driveway turnaround standards in Section 10.746(11). Minimum access easements are permitted subject to Section 10.450. A minimum access easement



does not have sidewalks or planter strips. No parking is permitted on a minimum access easement. A minimum access easement is considered a street for purposes of meeting lot frontage requirements, and for setback purposes. Therefore, a minimum access easement creates street side yards and corner lots. A minimum access easement does not create a through lot.

Per MLDC 10.450 cited below, the approving authority shall only permit the creation of a Minimum Access Easement when an applicant effectively demonstrates in their findings that certain conditions exist to warrant its creation.

10.450 Cul-de-sacs, Minimum Access Easements, and Flag Lots.

(1) Cul-de-sacs, minimum access easements and flag lots shall only be permitted when the approving authority finds that any of the following conditions exist:

(a) One or more of the following conditions prevent a street connection: excess slope (15% or more), presence of a wetland or other body of water which cannot be bridged or crossed, existing development on adjacent property, presence of a freeway or railroad.

(b) It is not possible to create a street pattern which meets the design requirements for streets.

(c) An accessway is provided consistent with the standards for accessways in Section 10.464 through Section 10.466.

The applicant's submitted supplemental findings (Exhibit L) state the following:

The proposed development is an infill development. The historic land development pattern in the area established extremely long and narrow parcels.

The approval of previous plats created a circulation pattern in the area that limits options for a street connection and circulation pattern in the vicinity. The minimum access easement proposed to provide access for lots 10 11 and 12.

The existing development on adjacent parcels meet the criteria for the approval of the use of the MAE as provided in MLDC 10.450 (1) (a).

Staff concurs with the applicant's findings. The use of Minimum Access Easements, as found in MLDC 10.450 above, provide alternative infill strategies for developments constrained by historic development patterns surrounding vacant/developable land. In the interest of promoting greater housing density and efficient use of land within the City – as identified in the *Housing Element* of the *Medford Comprehensive Plan* and Goal 10 of the *Oregon Statewide Planning Goals* – permitting the use of Minimum Access Easements for infill projects is encouraged as a way of accommodating needed population growth within the City's existing urban growth boundary.

Driveway Access

Per the Public Works staff report (Exhibit F), the existing driveway serving lot 13 (existing residence) will be required to be reconstructed with a turnaround consistent with MLDC 10.746(11). The applicant will also be required to create a shared access easement along the property line to facilitate the conversion of said driveway into a shared access with the adjacent property upon its development.

As a condition of approval, the applicant will be required to reconstruct the existing driveway serving lot 13, as identified on the tentative plat, with a turnaround consistent with MLDC 10.746(11), and shall identify a shared access easement on the final plat consistent with MLDC 10.550(3)(3), with the first phase of development.

Criteria Compliance (Zone Change)

GLUP/TSP Consistency

The General Land Use Plan (GLUP) designation for the subject site is UR (Urban Residential), and according to the General Land Use Plan Element of the *Comprehensive Plan*, the SFR-10 zoning district is a permitted zone within the UR GLUP designation.

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. A traffic Impact Analysis (TIA) is required when an application has the potential of generating more than 250 net Average Daily Trips (ADT) or the Public Works Department has concerns due to operations or accident history. The Public Works Department determined that the subject property, fully built-out, would not exceed this 250 ADT threshold, and therefore a TIA was not required (Exhibit G).

It can be found that the applicant's findings adequately demonstrate that the proposed zone change is consistent with the goals outlined in the City's *Comprehensive Plan* and TSP, and accordingly, this demonstration of consistency assures compliance with the Oregon Transportation Planning Rule.

Locational Criteria

The subject zone change proposal requires an assessment of the locational criteria for the SFR-10 zoning district. The locational criteria for the SFR-10 zone as outlined in MLDC 10.204(b), reads as follows:

(b) For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one of the following conditions must exist:

- (i) *At least one parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or*
- (ii) *The area to be re-zoned is five acres or larger; or*
- (iii) *The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five acres.*

The subject property abuts the SFR-10 zoning district along its northerly, westerly, and easterly property lines, and therefore it can be found that the proposed zone change meets all the applicable locational criteria for the SFR-10 zone as outlined in MLDC 10.204(b).

Facility Adequacy

MLDC 10.204(3) requires demonstration that Category A facilities (storm drainage, sanitary sewer, water and streets) must already be adequate in condition, capacity and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

The agency comments included in Exhibits F-J, demonstrate that, with the imposition of the condition of approval contained in Exhibit A, Category A facilities can be made to be adequate to serve the property.

Facility Adequacy

Per the agency comments submitted to staff, including the Rogue Valley Sewer Services (Exhibits F-J), it can be found that there are adequate facilities to serve the future development of the site.

Other Agency Comments

Rogue Valley Sewer Services (RVSS) (Exhibit J)

The subject property is within RVSS service area. In their submitted report, RVSS requires that future sewer improvements be designed and constructed in accordance with RVSS standards. As a condition of approval, the applicant will be required to comply with the conditions of RVSS.

Committee Comments

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

FINDINGS AND CONCLUSIONS

Land Division

Staff finds the subdivision plat consistent with the Comprehensive Plan and all applicable design standards set forth in Article 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 (Hogue Heaven Estates), which has been reviewed and approved by the City's Address Technician; and criteria 4 - 6 are not applicable to the subject development.

Zone Change

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposal is consistent with the UR General Land Use Plan Map designation and the Transportation System Plan. The Commission can find that this criterion is met.
- With regard to Criterion 2, there is adequate evidence in the record to demonstrate that the proposal meets the locational criteria for the SFR-10 zoning district. The Commission can find that this criterion is met.
- With regard to Criterion 3, the agency comments included as Exhibits F-J, demonstrate that with the imposition of the condition of approval contained in Exhibit A, Category A facilities can be made to be adequate to serve the property at the time of issuance of a building permit for vertical construction. The Commission can find that this criterion is met.

Staff recommends that the Commission adopt the Findings of Fact as recommended by staff.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-19-004 & ZC-19-003 per the staff report dated March 7, 2019, including Exhibits A through L.

EXHIBITS

- A Conditions of Approval, dated March 7, 2019.
- B Tentative Plat, received January 4, 2019.
- C Conceptual Grading & Drainage Plan, received January 4, 2019.
- D Applicant's Findings of Fact (LDS), received January 4, 2019.
- E Applicant's Findings of Fact (ZC), received January 4, 2019.
- F Public Works Staff Report (LDS), received February 20, 2019.
- G Public Works Staff Report (ZC), received February 20, 2019.
- H Medford Water Commission memo & associated map, received February 20, 2019.
- I Medford Fire Department Report, received February 20, 2019.
- J Rogue Valley Sewer Services (RVSS) report, received February 11, 2019.
- K City Surveyor comments, received February 19, 2019.
- L Supplemental findings (MAE criteria), received February 25, 2019.
Vicinity map

PLANNING COMMISSION AGENDA:

MARCH 14, 2019

EXHIBIT A

Hogue Heaven Estates – Phases 2 & 3
LDS-19-004 / ZC-19-003
Conditions of Approval
March 7, 2019

CODE REQUIRED CONDITIONS

Prior to the approval of the final plat, the applicant shall:

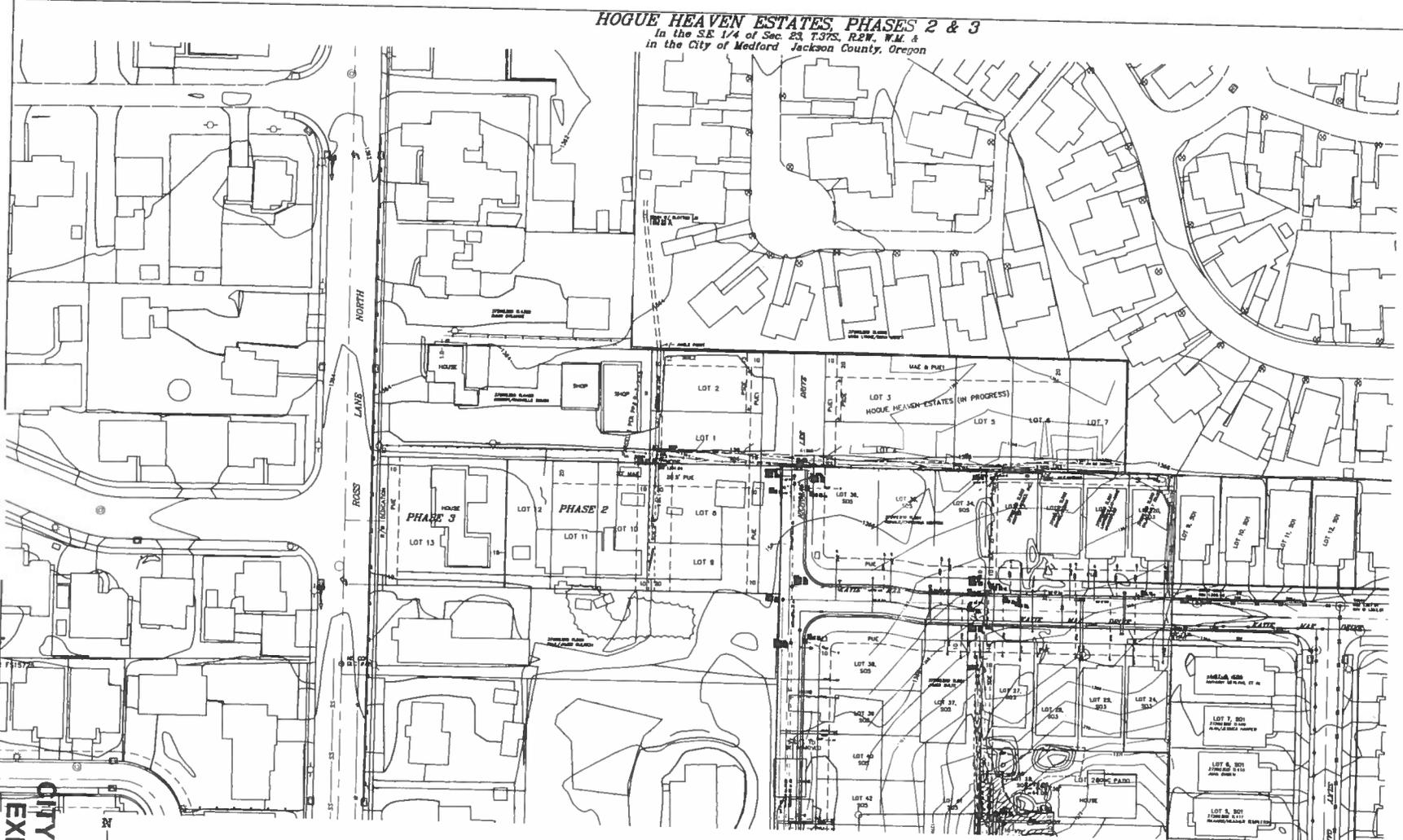
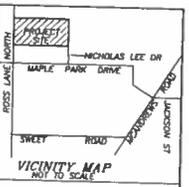
1. Comply with all conditions stipulated by the Medford Public Works Department (Exhibit F)
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit H).
3. Comply with all applicable conditions stipulated by the Rogue Valley Sewer Services (RVSS) (Exhibit J).
4. Comply with all requirements of the Medford Fire Department (Exhibit I).

Prior to the approval of the final plat for the first phase of the development, the applicant shall:

5. Reconstruct the existing driveway serving the existing residence located at 884 North Ross Lane (proposed lot 13) with a turnaround consistent with MLDC 10.746(11), and identify a shared access easement on the final plat with the adjoining property to the north (914 North Ross Lane), consistent with MLDC 10.550(3)(3).

CITY OF MEDFORD
EXHIBIT # A
FILE # LDS-19-004/ZC-19-003

HOGUE HEAVEN ESTATES, PHASES 2 & 3
 In the S.E. 1/4 of Sec. 23, T.37S., R.2W., W.M. 4
 in the City of Medford Jackson County, Oregon



Page 104

FILE # LDS-19-004ZC-19-003

CITY OF MEDFORD
 EXHIBIT #

DRAINAGE NOTES:
 UPON DEVELOPMENT, EXCESS STORAGE WILL BE REMOVED BY THE CONTRACTOR FROM THE PROJECT. IF, IN FACT, IT WILL CREATE ANGLE OF DRAINAGE ONTO EXISTING PROPERTIES

UTILITY NOTE:
 UPON ESTIMATE SUBMISSION, PLAT APPROVAL, COMPREHENSIVE CONCEPT DRAINAGE PLANS WILL BE PROVIDED FOR CITY ENGINEERING APPROVAL WHICH WILL DETERMINE THE FINAL LOCATION OF UTILITIES AND SITE CORNER.

NOTES:
 SCHOOL DISTRICT: MEDFORD S.W.C.
 FIRE FIGHTING DISTRICT: 4110 (CURRENTLY BEING ASSESSED)
 NET ACREAGE = 0.813 AC. ± 0.001 AC
 PRE-APPROVED PUBLIC UTILITY EASEMENT,
 PUBLIC STORM DRAINAGE EASEMENT,
 SCHEDULED DATE: PHASE 1
 SCHEDULED DATE: PHASE 2
 PRE-APPROVED PUBLIC STORM DRAINAGE EASEMENT,
 PRE-APPROVED PUBLIC UTILITY EASEMENT,
 ALL UTILITIES ACCESS EASEMENTS (NORTH LINE LIES 6.5' SOUTH OF NORTH P.V.L.)
 ALL STRUCTURES IN PHASE 2 TO REMAIN.
 ALL STRUCTURES IN PHASE 3 TO BE REMOVED.

PHASING NOTE:
 PHASE 1 - LOT 11
 PHASE 2 - LOT 9-12

DATE	11/11/19
PROJECT	HOGUE HEAVEN ESTATES
PREPARED BY	JANIS R. HILLY
CHECKED BY	
DATE	

REGISTERED PROFESSIONAL LAND SURVEYOR Janis R. Hilly JULY 11, 1988 JAMES C. HILLY 2344 MEDFORD, OREGON 97504	CONCEPTUAL DRAINAGE PLAN SHEET NO. 8 37292400 TL700 HOGUE HEAVEN, LLC 1041 ROSSON ROAD MEDFORD, OR 97504	DATE 10 JUN 2019 TIME 1:08:10 PM DRAWN BY JRH CHECKED BY JRH PLOTTED JRH SHEET NO. 8 TOTAL SHEETS 10
	L.J. FRANK & ASSOCIATES P.C. 1000 S. W. 10TH PORTLAND, OREGON 97209	DATE 6-10-19

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

RECEIVED

JAN 04 2018

IN THE MATTER OF AN APPLICATION FOR)
A LAND DIVISION FOR THE PROPERTY IDENTIFIED AS)
T372W23DD TAX LOT 700)
HOGUE HEAVEN LLC APPLICANT)
SCOTT SINNER CONSULTING, INC. AGENT)

FINDING OF FACT)
AND)
CONCLUSIONS)
OF LAW)

PLANNING DEPT.

I. BACKGROUND INFORMATION

Applicant:

Hogue Heaven LLC
Billy Hogue, Member
3565 Dodson Road
Medford, OR 97504
joan.joan.taylor@gmail.com

Agent:

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
scottsinner@yahoo.com

Property:

37 2W 23DD TL 700
884 Ross Lane
Medford, OR 97501

.913 acres net
SFR-4 zoning district, SFR -10 zone change application submitted with the land division application

Owner
Hogue Heaven LLC
3565 Dodson Road
Medford, OR 97504

Project Summary:

The subject property is currently zoned SFR-4, an application for a zone change to the SFR-10 zoning district has been consolidated with this application for a land division.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

The subject property is adjacent to the approved Hogue Heaven Estates. This application will be for Hogue Heaven Estates phase 2 and 3. Phase 2 is will develop lots 8-12 and will be developed with access from Nicholas Lee Drive. Phase 3 creates 1 lot, lot 13, with the existing dwelling and frontage on Ross Lane.

The subject property is a challenging infill development the parent parcel is 352' by 112 feet wide. The 6 lot subdivision retains the existing dwelling taking access from Ross Lane as Lot 13. This lot is 12,583 square feet and is larger than the maximum lot size for the requested SFR-10 zoning district. Medford Land Development Code (MLDC) section 10.702 (3)(a) provides for oversize lots when a parcel contains existing dwellings and improvements.

The remaining 5 new lots will take access from the existing Nicholas Lee Drive. Lots 8 and 9 take access directly from Nicholas Lee Drive and lots 10, 11, and 12 will use a minimum access easement for access.

Approval Criteria:

The relevant approval criteria for the requested land division is found within MLDC 10.202 (E) as provided below:

(E) Land Division Approval Criteria.

The 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 Articles 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;*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

(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 Planning Commission 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.*

Findings of Fact:

(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 Articles IV and V;*

The Oregon Transportation Planning Rule requires a jurisdiction considers all modes of transportation in a land use decision. A review of this property determines water and rail transportation are not available.

The subject property is 3.1 miles from the Rogue Valley International Airport, and 1.9 miles from Interstate Highway 5 (I-5). The subject property has frontage on Nicholas Lee Drive and Ross Lane.

The nearest RVTD bus stop is located at Ross Lane and West Main approximately .6 miles for the site.

Ross Lane is classified as a major collector. The Ross Lane frontage of the subject property is developed with a paved section, curb, gutter, and sidewalk. The paved section included bike lanes. Bike lanes and sidewalks promote multimodal transportation opportunities.

Nicholas Lee Drive is proposed as a minor residential street an will be developed on this property with sidewalks on both sides of the street. The standard design for a minor residential street does not provide bike lanes, however the low traffic volumes anticipated with a minor residential street to promote both bicycle and pedestrian transportation opportunities.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

The standards are consistent with the Medford Transportation System Plan, therefore also consistent with the Oregon Transportation Planning Rule.

The subject property is within the General Land Use Plan Map (GLUP) UR Urban Residential map designation. The UR designation allows for the SFR-2, SFR-4, SFR-6 and SFR-10 zoning districts, and the applicant has applied for a zone change to be included in the SFR-10 zoning district. The requested zoning is consistent with the GLUP designation.

The City Council has not adopted a street circulation plan for the area of the subject parcel.

Conclusions of Law:

The Planning Commission can conclude this application is with the Comp Plan, the TSP and there are no neighborhood circulation plans. The application is consistent with the adopted Medford Transportation System Plan and the Oregon Transportation Planning Rule, and the SFR-10 zoning district is appropriate within the UR GLUP designation.

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

Findings of Fact:

The 2-phase subdivision fully develops the subject property at urban densities. The properties to the east have been developed as Silky Oaks Phase 5.

The property to the north has been approved as Hogue Heaven Phase 1 and is currently in the construction design phase.

The property to the south has access to both Ross Lane and Nicholas Lee Drive and can be developed at urban densities.

Conclusions of Law:

The Planning Commission can conclude the entire property is available for development and the adjoining properties are not prevented from development.

(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

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

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 proposed subdivision is proposed as Hogue Heaven Estates Phase 2 and Phase 3.

The proposed plat is adjacent to Hogue Heaven Estates and meets the locational criteria for a phased subdivision name.

Conclusions of Law:

The Planning Commission can conclude the application is consistent with the criteria as the proposed subdivision name is unique...

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

Findings of Fact:

The land division proposed with this application proposes the development of the western portion of Nicholas Lee Drive for lots 8 and 9, a minimum access easement for lots 10, 11 and 12 and lot 13 will utilize the existing Ross Lane frontage for the existing dwelling.

Nicholas Lee Drive was developed with the approval of Silky Oaks Subdivision, Phase 5. The segment of Nicholas Lee Drive from Maple Park Drive to Katie Mae Drive was developed as a minor residential street with a total developed right of way width of 55 feet. 35.5 feet of the street was developed with the Silky Oaks Phase 5 development and the remainder of the street will be developed when the properties on the west of the right of way develop.

The segment of Nicholas Lee Drive north of Katie Mae Drive was developed as a residential lane. Hogue Heaven was approved with a minor residential street section. The applicant coordinated with the Public Works and Planning staff to create an opportunity for development of the properties west of the centerline as a minor residential street with paved section, curb, gutter park strip and sidewalk.

At full buildout of Nicholas Lee Drive, the entire west side of the street will be built to a minor residential street standard with curb, gutter planter strip and sidewalk. The east side will also be a 55-foot minor residential street with the exception on the one lot north

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

of Katie Mae Drive will have a curb tight sidewalk. According to the engineering for Silky Oaks Phase 5, the center line of the street is in alignment through the transition.

The street circulation pattern initiated, reviewed and approved in reviewed in prior land use approvals for Silky Oaks phases 4 and 5. Katie Mae Drive was intended to terminate at Nicholas Lee Drive without connecting to Ross Lane. The connection of Katie Mae Drive would either misalign with Stonefield Way or consume the subject parcel and the parcel to the south with right of way.

Conclusions of Law:

The Planning Commission can conclude the proposed plat conforms with new and existing street patterns in the area.

(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;

This application extends Nicholas Lee Drive, a public street. Access for lots 10, 11, 12 are from a Minimum Access Easement (MAE) and the plat is noted. The MAE will also include a public utility easement to provide services for these lots. Lot 13 will continue to be served from Ross Lane, a public street.

Conclusions of Law:

The Planning Commission can conclude the tentative plat has provided public streets and these streets are labeled as required by the MLDC

(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 parcel does not abut any properties in the County Exclusive Farm Use (EFU) zoning district.

Conclusions of Law:

The Planning Commission can conclude the subject property does not abut any properties or agricultural lands in the EFU zoning district and no mitigation is applicable.

Additional Criteria

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Two additional criteria relevant to this application are the Hillside Ordinance and the Block Length Ordinance.

Hillside Ordinance

10.929 Hillside Ordinance, Purpose; Applicability

Sections 10.929 to 10.933 establish procedural requirements for development on Slopes in excess of fifteen percent (15%) to decrease soil erosion and protect public safety. Sections 10.929 to 10.933 apply in addition to all other requirements set forth by ordinance. In the case of conflict between Sections 10.929 to 10.933 and other requirements set forth by ordinance, Sections 10.929 to 10.933 shall govern.

The subject property is located in the Ross Lane / Maple Park Drive area. As per the referenced section of the MLDC, the site is not within a high slope area and the requirements to comply with the hillside ordinance requirements, including the constraints analysis do not apply to this property and the current development application.

As required by the MLDC, this application contains the submittal the City of Medford Hillside Development Constraints Analysis Status Form signed by Staff and indicating the side has slopes of less than 2% and the requirements of the Hillside Ordinance have been met.

Conclusions of Law

The Planning Commission can conclude the application complies with the requirements for compliance with the submittal requirements contained within the Medford Hillside Ordinance and the requirements of the relevant sections are not applicable to this application.

Block Length Ordinance

The MLDC includes the following Block Length sections to assure the City provides circulation and connectivity in land division applications.

10.426 Street Circulation Design and Connectivity

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:

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

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.*

B. Street Connectivity and Formation of Blocks Required.

1. *Block layouts shall substantially conform to adopted neighborhood circulation plans for the project area if applicable. Street arrangement and location may depart from the adopted plan if the project will result in a comparable level of overall connectivity. Projects that depart from the neighborhood circulation plan shall conform to planned higher order streets adopted in the City of Medford Transportation System Plan.*
2. *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. When a development proposes a cul-de-sac, minimum access easement or flag lot to address such factors, the provisions of Section 10.450 apply.*
3. *Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops and other neighborhood activity centers such as schools, office parks, shopping areas, and parks.*
4. *Streets shall be constructed or extended in projections that maintain their function, provide accessibility, and continue an orderly pattern of streets and blocks.*

C. Maximum Block Length and Block Perimeter Length.

1. *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.*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

MAXIMUM BLOCK LENGTH AND PERIMETER LENGTH Table 10.426-1		
Zone or District	Block Length	Block Perimeter Length
a. Residential Zones	660'	2,100'
b. Central Business Overlay District	600'	1,800'
c. Transit Oriented Districts (Except SE Plan Area)	600'	1,800'
d. Neighborhood, Community, and Heavy Commercial Zones; and Service Commercial-Professional Office Zones	720'	2,880'
e. Regional Commercial and Industrial Zones	940'	3,760'

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:*

- a. *Topographic constraints, including presence of slopes of 10% or more located within 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,*
- c. *The area needed for a proposed Large Industrial Site, as identified and defined in the Medford Comprehensive Plan Economic Element, requires a block larger than provided by section 10.426 C.1.e. above. In such circumstances, the maximum block length for such a Large Industrial Site shall not exceed 1,150 feet, or a maximum perimeter block length of 4,600 feet*
- d. *Proximity to state highways, interstate freeways, railroads, airports, significant unbuildable areas or similar barriers that make street extensions in one or more directions impractical,*
- e. *The subject site is in SFR-2 zoning district,*
- f. *Future development on adjoining property or reserve acreage can feasibly satisfy the block or perimeter standards,*
- g. *The proposed use is a public or private school, college or other large institution,*
- h. *The proposed use is a public or private convention center, community center or arena,*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

- i. The proposed use is a public community service facility, essential public utility, a public or private park, or other outdoor recreational facility.*
 - j. When strict compliance with other provisions of the Medford Land Development Code produce conflict with provisions in this section.*
- 3. Block lengths are permitted to exceed the maximum by up to 20% where the maximum block or perimeter standards would require one or more additional street connections in order to comply with both the block length or perimeter standards while satisfying the street and block layout requirements of 10.426 A or B or D,*
- 4. When block perimeters exceed the standards in accordance with the 10.426 C.2. above, or due to City or State access management plans, the land division plat or site plan shall provide blocks divided by one or more public accessways, in conformance with Sections 10.464 through 10.466.*

D. Minimum Distance Between Intersections.

Streets intersecting other streets shall be directly opposite each other, or offset by at least 200 feet, except when the approving authority finds that utilizing an offset of less than 200 feet is necessary to economically develop the property with the use for which it is zoned, or an existing offset of less than 200 feet is not practical to correct.

Findings of Fact

The development of Silky Oaks Phase 5 created a street circulation pattern to allow adjoining properties to develop and extend streets in compliance with all standards in the MLDC for circulation and connectivity. The approval of this plat will extend and implement that pattern through incremental development at urban densities.

10.426 (2)(d) recognizes the constraints of existing development on circulation. The subject property has an existing dwelling which will be retained. Additionally, the original development pattern in the area created long narrow lots. Creating a connection through to Ross Lane would virtually eliminate urban residential development on both the subject property and the adjacent property to the south.

Conclusions of Law

The Planning Commission can conclude the application is consistent with the block length ordinance contained in the MLDC.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Application Summary and Conclusion:

This application identifies the relevant approval criteria contained in the MLDC for a land division.

The Findings of Fact demonstrate consistency with the Oregon Transportation Planning Rule, the Medford Transportation System Plan and the General Land Use Plan Map.

The Tentative Plat will not prevent development of the remainder of the subject parcel or any adjoining parcels.

The subdivision name is proposed as Hogue Heaven Estates Phases 2 and Phase 3 and is unique for the jurisdiction.

This application is consistent with all approval criteria contained in the MLDC for a land division. On behalf of the applicant, I respectfully request the approval of this application.

Scott Sinner
Scott Sinner Consulting, Inc.

A handwritten signature in black ink, appearing to be 'S Sinner', written over the printed name of Scott Sinner.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

RECEIVED

IN THE MATTER OF AN APPLICATION FOR)
A ZONE CHANGE FOR THE PROPERTY IDENTIFIED AS)
T372W23DD TAX LOT 700)
HOGUE HEAVEN LLC APPLICANT)
SCOTT SINNER CONSULTING, INC. AGENT)

FINDING OF FACT JAN 04 2018
AND
CONCLUSIONS PLANNING DEPT.
OF LAW

I. BACKGROUND INFORMATION

Applicant:

Hogue Heaven LLC
Billy Hogue, Member
3565 Dodson Road
Medford, OR 97504
joan.joan.taylor@gmail.com

Agent:

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
scottsinner@yahoo.com

Property:

37 2W 23DD TL 700
884 Ross Lane
Medford, OR 97501

.913 acres net
SFR-4 zoning district

Owner
Hogue Heaven LLC
3565 Dodson Road
Medford, OR 97504

Project Summary:

The subject property is currently zoned SFR-4. This application is submitted to demonstrate a zone change to the SFR 10 zoning district is in compliance with the Medford Land Development Cove Section 10.204 B.



BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

This application is consolidated with an application for a land division. The proposed land division would allow for the development of 6 lots, one lot containing the existing dwelling and 5 new lots suitable for urban development.

Approval Criteria:

The relevant approval criteria for the requested land division is found within MLDC 10.204 (B) as provided below. The non-applicable elements of the zone change criteria are deleted:

(B) Zone Change Approval Criteria.

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

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

(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

...

(b) For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one of the following conditions must exist:

(i) At least one parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or

(ii) The area to be re-zoned is five acres or larger; or

(iii) The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five acres.

...

(3) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

contained in Section 10.462 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive Plan.

(a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

(b) Adequate streets and street capacity must be provided in one of the following ways:

(i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or

(ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or

(iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated land use, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs: the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.

(iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.

(c) In determining the adequacy of Category A facilities, the Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change request. Special development conditions, stipulations, or restrictions shall be established by deed restriction or covenant, and must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:

(i) Restricted Zoning is a restriction of uses by type or intensity. In cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development on the subject property or adjacent parcels. In no case shall residential densities be approved that do not meet minimum density standards;

(ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule;

(iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

Findings of Fact:

- (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 Articles IV and V;*

The Oregon Transportation Planning Rule requires a jurisdiction considers all modes of transportation in a land use decision. A review of this property determines water and rail transportation are not available.

The subject property is 3.1 miles from the Rogue Valley International Airport, and 1.9 miles from Interstate Highway 5 (I-5). The subject property has frontage on Nicholas Lee Drive and Ross Lane.

The nearest RVTD bus stop is located at Ross Lane and West Main approximately .6 miles for the site.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Ross Lane is classified as a major collector. The Ross Lane frontage of the subject property is developed with a paved section, curb, gutter, and sidewalk. The paved section included bike lanes. Bike lanes and sidewalks promote multimodal transportation opportunities.

Nicholas Lee Drive is proposed as a minor residential street and will be developed on this property with sidewalks on both sides of the street. The standard design for a minor residential street does not provide bike lanes, however the low traffic volumes anticipated with a minor residential street to promote both bicycle and pedestrian transportation opportunities.

The standards are consistent with the Medford Transportation System Plan, therefore also consistent with the Oregon Transportation Planning Rule.

The subject property is within the General Land Use Plan Map (GLUP) UR Urban Residential map designation. The UR designation allows for the SFR-2, SFR-4, SFR-6 and SFR-10 zoning districts, and the applicant has applied for a zone change to be included in the SFR-10 zoning district. The requested zoning is consistent with the GLUP designation.

The City Council has not adopted a street circulation plan for the area of the subject parcel.

Conclusions of Law:

The Planning Commission can conclude this application is with the Comp Plan, the TSP and there are no neighborhood circulation plans. The application is consistent with the adopted Medford Transportation System Plan and the Oregon Transportation Planning Rule, and the SFR-10 zoning district is appropriate within the UR GLUP designation.

Findings of Fact:

(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

...

(b) For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one of the following conditions must exist:

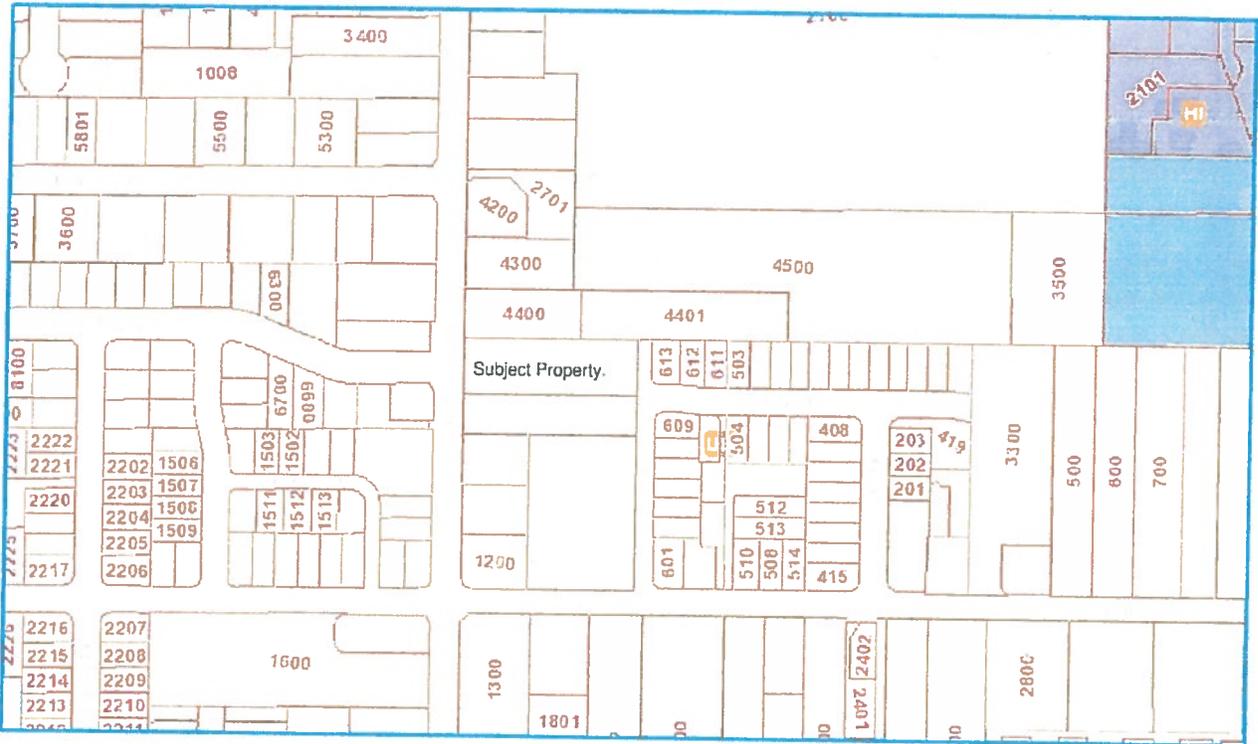
- (i) At least one parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or*
- (ii) The area to be re-zoned is five acres or larger; or*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

(iii) The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five acres.

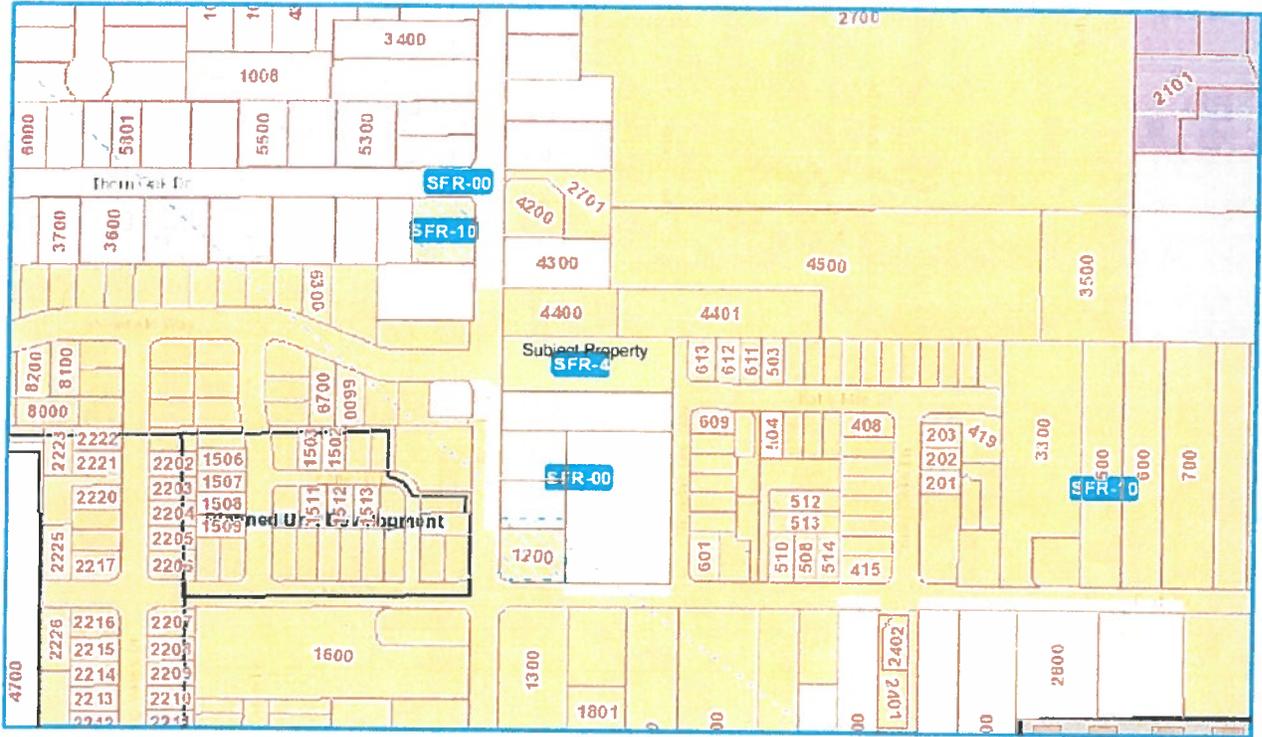
Findings of Fact:

The detail below locates the Subject property on the General Land Use Plan Map (GLUP). The property is within the Urban Residential (UR) GLUP designation. Referring to the Medford Land Development Code (MLDC) the UR GLUP designation is suitable for the SFR-2, SFR-4, SFR-6 and the requested SFR-10 zoning districts. The requested zone change from the SFR-4 zoning district to the SFR-10 zoning district is consistent with the GLUP designation.



BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

The Locational standard for the requested SFR-10 zoning district is the subject property must abut at least 1 parcel in the requested zoning district. The detail below of the Medford Zoning map indicates the property abuts parcels in the SFR-10 zoning district on the north, east and west. The locational standards for the are met.



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

(c) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

Findings of Fact

Storm Drainage

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

The site is within City of Medford jurisdiction for storm drainage. According to Roger Thom of Medford Public Works, there is adequate capacity in the storm water facility for the proposed zone change.

Future development will be subject to the current standards in effect at the time of submission.

Sanitary Sewer

The site is within the Rogue Valley Sanitary Sewer (RVSS) district.

According to Nick Bakke of RVSS, "the RVSS sewer system has adequate capacity to serve the proposed density of this tax lot."

Future development will be subject to the current standards in effect at the time of submission.

Future development will be subject to the current standards in effect at the time of submission.

Domestic Water

The site is within the Medford Water Commission jurisdiction.

According to Rodney Grehn of the Medford Water Commission, "MWC does have "adequate" capacity to serve this parcel at the proposed zoning level. There is a 12-inch water line on the east side of Ross Lane North. And an 8" water main in the right of way for Nicholas Lee Drive"

Future development will be subject to the current standards in effect at the time of submission.

City Streets

The subject property is .99 gross acres. The traffic impact from the highest and best use of the existing zoning district is 37 Average Daily Trips (ADT). The requested zone change would allow 93 ADT, an increase of 56 ADT.

The MLDC does not require a Traffic Impact Analysis for Lane use application with a traffic impact of less than 250 ADT.

The City transportation system has adequate capacity for the requested zone change.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Application Summary and Conclusion:

This application identifies the relevant approval criteria contained in the MLDC for a Zone Change from the SFR-4 Zoning district to the SFR-10 zoning District.

The subject property is currently within the UR GLUP designation which is suitable for the SFR-10 zoning district.

The request is consistent with the Comprehensive plan, the Transportation System Plan and the Oregon Transportation Planning Rule.

The subject property abuts the SFR-10 zoning district and meets the locational standards of the MLDC.

The site has adequate capacity and access to Category A Urban Facilities for Storm water, Domestic Water and sanitary sewer services. The requested zone change has a traffic impact of less than 250 Average daily trips and the traffic impact is not significant.

On behalf of the applicant, I request the approval of the zone change from the SFR-4 zoning district to the SFR-10 zoning district.

Scott Sinner
Scott Sinner Consulting, Inc.





Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 2/20/2019
File Number: LDS-19-004

PUBLIC WORKS DEPARTMENT STAFF REPORT Hogue Heaven Estates Phases 2 & 3 (TL 700)

- Project:** Consideration of tentative plat approval for Hogue Heaven Estates – Phases 2 & 3, a proposed 5-lot residential subdivision, along with a request for a change of zone to SFR-10 (Single-Family Residential, ten dwelling units per gross acre), on a 0.91- acre parcel.
- Location:** Located at 884 Ross lane in the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (372W23DD700).
- Applicant:** Applicant, Billy Hogue; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs.

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

Ross Lane North is classified as a Major Collector street within the Medford Land Development Code (MLDC), Section 10.428(3). The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to accommodate a 10-foot planter strip and 5-foot sidewalk and not to exceed a half width of 37-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

The developer will receive SSDC (Street System Development Charge) credits for the public right-of-way dedication on **Ross Lane North**, per the methodology established by the MLDC 3.815. **Should the developer elect to have the value of the land be determined by an appraisal, a letter to that effect must be submitted to the City Engineer within sixty (60) calendar days of the date of the Final Order of the governing Commission. The City will then select an appraiser, and a cash deposit will be required as stated in Section 3.815.**

Nicholas Lee Drive is classified as a Minor Residential street within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width of right-of-way, which is 27.5-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

The **Minimum Access Drive** shall be private and constructed in accordance with MLDC Section 10.430A(1) and have a minimum width of 20-feet.

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, 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, 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

Ross Lane North is classified as a Major Collector street within the MLDC, Section 10.428. Street section improvements have been completed, including pavement, curb and gutter and sidewalk (P1740D). **Therefore, no additional improvements are required along the frontage of this development.**

Nicholas Lee Drive is classified as a Minor Residential within MLDC 10.430. Nicholas Lee Drive was partially constructed with Silky Oaks Phase 5 (P1883D). The Developer shall improve the west half of Nicholas Lee Drive from a point 1-foot inside the existing edge of pavement, plus an 8-foot park strip, 5-foot sidewalk along the frontage of this development.

Minimum Access Drives (Private) shall be built consistent with MLDC 10.430A(1) and improved to a minimum width of 20 feet with AC pavement. The minimum TI for the structural section shall be 3.5, the minimum AC section shall be 3" thick, and the base aggregate shall extend one foot beyond the edge of pavement. The minimum access drives shall be designed by a civil engineer licensed in the State of Oregon and plans submitted to the Public Works-Engineering Division for approval. A drainage system shall be incorporated into the paved access design to capture stormwater and direct it to the storm drain system.

b. Street Lights and Signing

No additional street lights 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 the Developer.

c. Pavement Moratoriums

There is a pavement cutting moratorium currently in effect along this developments frontage to Nicholas Lee Drive, which is set to expire November 29th, 2020.

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 shall comply with MLDC 10.550.

The driveway to lot 13 on Ross Lane North shall be reconstructed in accordance with MLDC 10.746 prior to approval of the Final Plat for Phase 2 of the subdivision. The applicant shall also create a shared access easement along the property line to facilitate the conversion of said driveway into a shared access with the adjacent property upon development.

f. Easements

Easements shall be shown on the final plat for all sanitary sewer and stormdrain mains or laterals, which cross lots, including any common area, other than those being served by said lateral.

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

Ross Lane North is classified as a Major Collector street per the adopted Circulation Plan. Ross Lane North is the primary connector from West McAndrews Road to Rossanley Drive from the development. As a Major Collector, Ross Lane North will have one travel lane in each direction, a center-turn median, bike lanes in each direction, and sidewalks. It will provide safe travel for vehicles, bicycles, and pedestrians. As a higher order streets, they are eligible for street SDC credits for both the right-of-way and roadway improvements, per MMC, Section 3.815 (5). Street SDC credits offset costs to the Developer and is the mechanism provided by the City of Medford to fairly compensate the applicant for the excess burden of dedicating for and constructing higher order streets.

Nicholas Lee Drive: In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square footage of right-of-way per dwelling unit for dedications. The proposed development has 5 dwelling units and will improve approximately 113 lineal feet of roadway which equates to 22 lineal feet per dwelling unit. Also the development will dedicate approximately 2,091 square feet of right-of-way, which equates to approximately 418 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Silky Oaks Subdivision Phase 1 & 2 just east of this development on the north side of Maple Park Drive and consisted of 19 dwelling units. The previous development improved approximately 351 lineal feet of roadway and dedicated approximately 19,690 square

feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 18 lineal feet of road per dwelling unit and approximately 1,036 square feet of right-of-way per dwelling unit.

- a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 5 new Lots within the City of Medford and increase vehicular traffic by approximately 47 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.
- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.
- c. Dedication will provide access and transportation connections at urban level of service standards for this development. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.
- d. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.

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

B. SANITARY SEWERS

This site lies within the Rogue Valley Sewer Service (RVSS) area. The Developer shall contact RVSS for conditions of connection to the sanitary sewer collection system.

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. Storm Drainage Conditions

Developer shall make improvements to Little Elk Creek to convey the 10-year storm with one foot of freeboard, or provide calculations showing this condition now exists.

Developer shall provide a 30-foot Creek and Riparian easement for Little Elk Creek.

Developer shall provide riparian plantings meeting Oregon Department of Fish and Wildlife standards within the Creek easement.

Alternatively, if the Army Corp of Engineers allows the drainage to be piped, the ditch may be piped and the developer shall provide a minimum 10-foot easement.

3. 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.

Upon completion of the project, the developer's design engineer shall provide written certification 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."

4. 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.

5. 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.

All public storm drain mains shall be located in paved public streets or within easements. All manholes shall be accessible by paved, all-weather roads. All easements shall be shown on the Final Plat and the public improvement plans.

6. 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.

D. SURVEY MONUMENTATION

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

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

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

2. Construction Plans

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

Please Note: If Project includes one or more Minor Residential streets, an additional Site Plan shall be submitted, noting and illustrating, one of the following design options to ensure fire apparatus access per MLDC 10.430(2):

- Clustered driveways,
- Building to have sprinklers, or
- 33-foot paved width

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. All public improvements shall be improved at the time any phase is being developed, unless noted otherwise.

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 (SDC)

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, 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 reviewed and is signed by the City of Medford Engineering Division. Any work within the County right-of-way shall require a separately issued permit to perform from the County.

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 Cope

Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Hogue Heaven Estates Phases 2 & 3

TL 700

LDS-19-004

A. Streets

1. Street Dedications to the Public:

- Ross Lane North – Dedicate additional right-of-way.
- Nicholas Lee Drive – Dedicate additional right-of-way.
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

a. Public Streets

- Ross Lane North improvements have been completed.
- Improve remaining unimproved portion of Nicholas Lee Drive to Minor Residential street standards.

b. Lighting and Signing

- No additional street lights are required.

c. Access and Circulation

- Driveway access shall comply with MLDC 10.550.
- The driveway to lot 13 on Ross Lane North shall be reconstructed in accordance with MLDC 10.746 prior to approval of the Final Plat for Phase 2 of the subdivision. The applicant shall also create a shared access easement along the property line to facilitate the conversion of said driveway into a shared access with the adjacent property upon development.

d. Other

- Provide pavement moratorium letters.
- Pavement moratorium currently in effect along Nicholas Lee Drive, set to expire 11/29/2020.
- Provide soils report.

B. Sanitary Sewer:

- The site is situated within the RVSS area. Provide laterals to each lot.

C. Storm Drainage:

- Provide an investigative drainage report.
- Comply with Storm Drainage Conditions.
- Provide water quality and detention facilities.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

- Provide public improvement plans and drafts of the final plat.
- Additional Site Plan to ensure fire apparatus access per MLDC 10.430(2) if project includes Minor Residential streets.

- = 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.

P:\Staff Reports\LDS\2019\LDP-19-004_ZC-19-003 Hogue Heaven Estates Ph 2 & 3 (TL 700)\LDS-19-004_ZC-19-003 Staff Report-LD.docx Page 11 of 11

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION

200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us

TELEPHONE (541) 774-2100
FAX (541) 774-2552



Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 2/20/2019
File Number: ZC-19-003

PUBLIC WORKS DEPARTMENT STAFF REPORT
Hogue Heaven Estates Phase 2 & 3 – Zone Change
(TL 700)

- Project:** Consideration of tentative plat approval for Hogue Heaven Estates – Phases 2 & 3, a proposed 5-lot residential subdivision, along with a request for a change of zone to SFR-10 (Single-Family Residential, ten dwelling units per gross acre), on a 0.91- acre parcel.
- Location:** Located at 884 Ross lane in the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (372W23DD700);
- Applicant:** Applicant, Billy Hogue; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs.

The Medford Land Development Code (MLDC), Section 10.227 (2) requires a zone change application demonstrate Category 'A' urban services and facilities are available or can and will be provided to adequately serve the subject property. The Public Works Department reviews zone change applications to assure the services and facilities under its jurisdiction meet those requirements. The services and facilities that Public Works Department manages are sanitary sewers within the City's service boundary, storm drains, and the transportation system.

I. Sanitary Sewer Facilities

This site lies within the Rogue Valley Sewer Service (RVSS) area. The Applicant shall contact RVSS to see if sanitary sewer services and facilities are available and have capacity to serve this property under the proposed zoning.

II. Storm Drainage Facilities

This site lies within the Little Elk Creek Drainage Basin. The subject properties currently drains to the north. The City of Medford has existing storm drain facilities in the area. This site would

be able to connect to these facilities at the time of development.

III. Transportation System

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

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

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

The above report is based on the information provided with the Zone Change Application submittal and is subject to change based on actual conditions, revised plans and documents or other conditions. A full report with additional 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 shall be provided with a Development Permit Application.



BOARD OF WATER COMMISSIONERS
Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: LDS-19-004 & ZC-19-003
PARCEL ID: 372W23DD TL 700
PROJECT: Consideration of tentative plat approval for Hogue Heaven Estates – Phases 2 & 3, a proposed 5-lot residential subdivision, along with a request for a change of zone to SFR-10 (Single-Family Residential, ten dwelling units per gross acre), on a 0.91- acre parcel located at 884 Ross lane in the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (372W23DD700); Applicant, Billy Hogue; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs
DATE: February 20, 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."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC water distribution system does have adequate capacity to serve this proposed development.
4. Installation of an 8-inch waterline is required in Nicholas Lee Drive from the existing 8-inch water line stub at the intersection of Katie Mae Drive and Nicholas Lee Drive and shall extend approximately 130 feet to the north property line of Tax Lot 372W23DD TL 700.
5. Phase 2, Proposed Lots 8, and 9 are required to have their water meters installed within the Nicholas Lee Drive right-of-way located near the common property line between Lot 8 & Lot 9 per MWC Standard 100B. (Possible "Shared" Driveway at common property corner, if so, water meters shall be installed "mid-lot" along Nichols Lee Drive.)
6. Phase 2, Proposed Lots 10, 11, and 12 are required to have their water meters installed within the Nicholas Lee Drive right-of-way per MWC Standard 100B. These water meters shall be grouped together on the south side of proposed 20.5' PUE in the Nicholas Lee Drive right-of-way, with "private" water service lines being extended westerly down the south side of the minimum access easement to each of the three (3) proposed Lots.

CITY OF MEDFORD
EXHIBIT # H
FILE # LDS-19-004/ZC-19-003

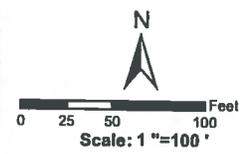
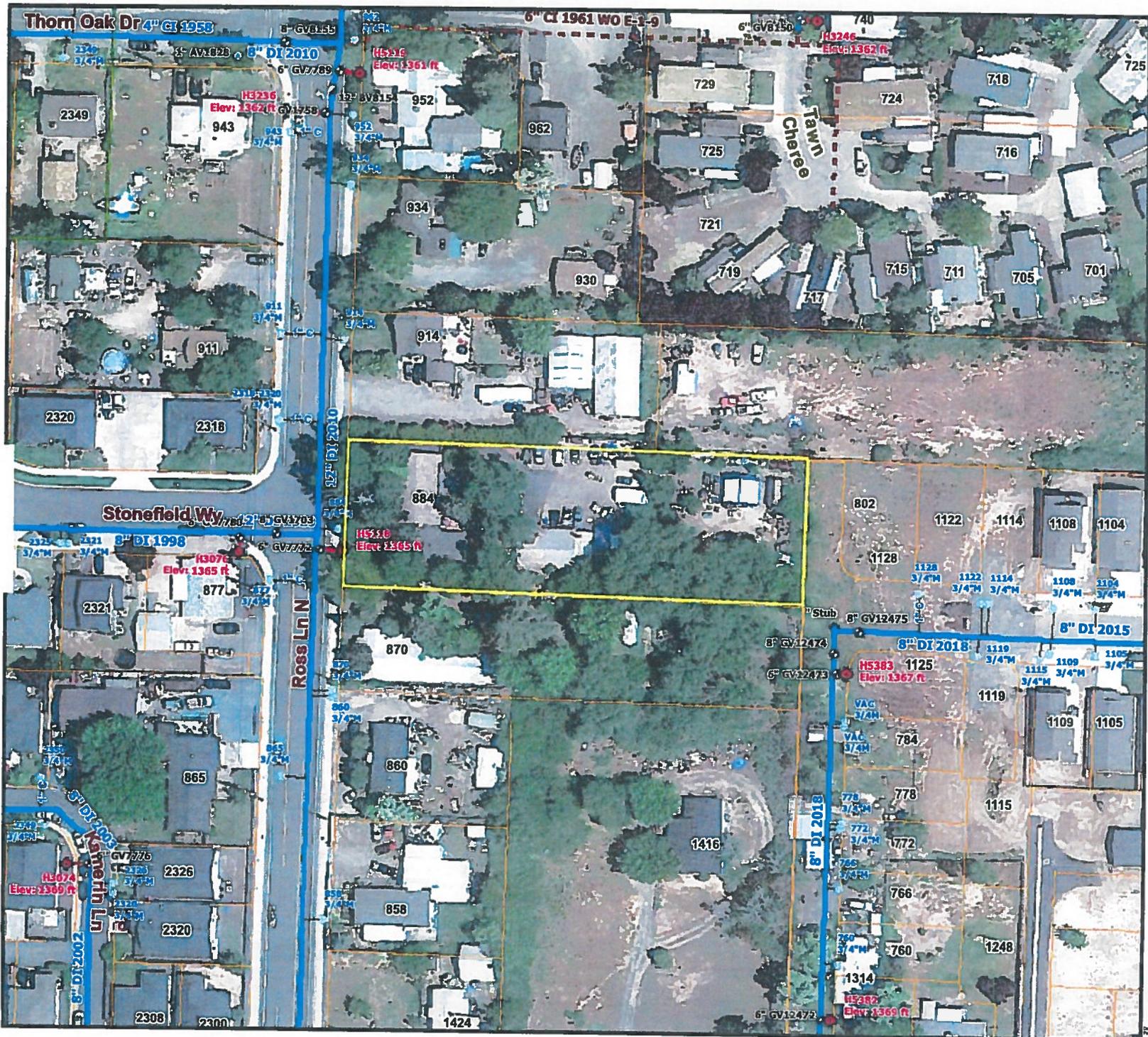


Staff Memo

7. Phase 3, Proposed Lot 13 shall utilize the existing water meter located approximately mid-lot along Ross Lane North. This existing water meter shall be protected in place during all construction activities.

COMMENTS

1. Off-site water line installation is not required.
2. On-site Water Line installation is required. (See Condition 4 above)
3. Static water pressure is approximately 97 psi in this area. The installation of Pressure Reducing Valve (PRV) will be required to be installed to all Lots. (See attached "City of Medford Policy on Installation of Pressure Reducing Valves")
4. MWC-metered water service does exist to this property. A $\frac{3}{4}$ " water meter serves the existing dwelling on Lot 13 of Phase 9. (See Condition 7 above)
5. Access to MWC water lines is available. There is an existing 12-inch water line on the east side of Ross Lane N. Also, within Silky Oaks Subdivision Phase V to the southeast there is an existing 8-inch water line in Nicholas Lee Drive, and an 8-inch water line in Katie Mae Drive.



Water Facility Map
City of Medford
Planning Application:
LDS-19-004/ZC-19-003
(37-2W-23DD-700)
February 6, 2019

Legend

- Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plugs-Caps
- Water Meters:**
 - Active Meter
 - On Well
 - Unknown
 - Vacant
- Water Valves:**
 - Butterfly Valve
 - Gate Valve
 - Tapping Valve
- Water Mains:**
 - Active Main
 - Abandoned Main
 - Reservoir Drain Pipe
 - Pressure Zone Line
- Boundaries:**
 - Urban Growth Boundary
 - City Limits
 - Tax Lots
- MWC Facilities:**
 - Control Station
 - Pump Station
 - Reservoir



This map is based on a digital elevation model provided by Medford Water Commission. It is not a substitute for a field inspection. The user assumes all responsibility for any errors or omissions. Medford Water Commission reserves the right to modify this map without notice.



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 2/12/2019
Meeting Date: 2/20/2019

LD File #: ZC19004
 /
 LDS19003

Planner: Dustin Severs

Applicant: Billy Hogue

Project Location: 884 Ross lane in the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (372W23DD700);

ProjectDescription: Consideration of tentative plat approval for Hogue Heaven Estates – Phases 2 & 3, a proposed 5-lot residential subdivision, along with a request for a change of zone to SFR-10 (Single-Family Residential, ten dwelling units per gross acre), on a 0.91- acre parcel l

Specific Development Requirements for Access & Water Supply

Reference	Comments	Conditions	Description
OFC 503.5	Parking shall be posted as prohibited along both sides of the minimum access driveway.		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".
			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).
			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).
			This restriction shall be recorded on the property deed as a requirement for future construction.
			Contact Public Works Transportation Manager Karl MacNair 541-774-2115 for further information.

Construction General Information/Requirements

CITY OF MEDFORD
EXHIBIT # 1
FILE # LDS-19-004/ZC-19-003

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 combustibile 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



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

February 11, 2019

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

Re: LDS-19-004 & ZC-19-003 (Map 372W23D, TL700)

ATTN: Dustin,

The subject property is within the RVSS sewer service area. There is an existing sewer manhole at the intersection of Nicholas Lee Drive and Katie Mae Drive to the south. Currently, the existing system has adequate capacity to serve the proposed density.

Sewer service for lots 8 & 9 can be had by tapping the proposed sewer main along Nicholas Lee Drive to be constructed with Hogue Heaven Estates fronting these lots. Sewer service for lots 10 – 12 can be had by sewer main extension from the same proposed main. Permits to connect to constructed services are issued by the City of Medford. However, there will be system development charges owed to RVSS prior to construction.

RVSS requests that approval of this application be subject to the following conditions:

1. All sewer facilities must be designed and constructed per RVSS standards. Plans must be submitted to RVSS for review and approval.
2. The applicant must pay sewer system development charges to RVSS prior to issuance of a building permit.

Feel free to call with any questions.

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, P.E.
District Engineer

Dustin J. Severs

From: Jon M. Proud
Sent: Tuesday, February 19, 2019 2:16 PM
To: Dustin J. Severs
Cc: Jodi K. Cope; Douglas E. Burroughs; Alex T. Georgevitch
Subject: LDS-19-004/ZC-19-003 City surveyors comments prior to LDC meeting
Attachments: Scanned document.pdf

Dustin, It is apparent from the tentative map that the occupation lines (fence lines and structures) do not match deed/surveyed lines. I would recommend that these issues be resolved by the two property owners now rather than have the issue passed on to four new owners in the future. This could be done by a property line adjustment/ agreement or other method prior to the division of land.

Thanks, Jon

Jon Proud, L.S.

City Surveyor

200 S. Ivy Street

Medford, Or. 97501

jon.proud@ci.medford.or.us

p.541-774-2126

f.541-774-2552

CITY OF MEDFORD
EXHIBIT # K
FILE # LDS-19-004/ZC-19-003



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

MEMORANDUM

Subject Legal Description
File no. LDS-19-004/ZC-19-003
To Jon Proud, Engineering
From Dustin Severs, Planning Department
Date February 6, 2019

Please verify the attached legal description covering the below subject at your earliest convenience. See attached map.

1. LDS-19-004/ZC-19-003
Applicant: Hogue Heaven – Billy Hogue
Agent: Scott Sinner

Dustin, description provided is not the current description of the subject property. Jackson County has recently acquired additional right of way for Ross Ln N.
Thanks, Jon 2-19-19

Attachments:

Vicinity Map, Legal description



Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

February 25, 2019

Dustin Severs
City of Medford Planning Department
200 S Ivy
Medford, OR 97501

Re: Hogue Heaven Subdivision Phases 2 and 3

Dustin,

As we discussed, I would like to provide these supplemental finding of fact for the Hogue Heaven Subdivision phases 2 and 3 application to address Medford Land Development Code section 10.450.

10.450 Cul-de-sacs, Minimum Access Easements and Flag Lots

(1) Cul-de-sacs, minimum access easements and flag lots shall only be permitted when the approving authority finds that any of the following conditions exist:

(a) One or more of the following conditions prevent a street connection: excess slope (15% or more), presence of a wetland or other body of water which cannot be bridged or crossed, existing development on adjacent property, presence of a freeway or railroad.

(b) It is not possible to create a street pattern which meets the design requirements for streets.

(c) An accessway is provided consistent with the standards for accessways in Section 10.464 through Section 10.466.

The proposed development is an infill development. The historic land development pattern in the area established extremely long and narrow parcels.

The approval of previous plats created a circulation pattern in the area that limits options for a street connection and circulation pattern in the vicinity. The minimum access easement proposed to provide access for lots 10 11 and 12.

The existing development on adjacent parcels meet the criteria for the approval of the use of the MAE as provided in MLDC 10.450 (1) (a).



4401 San Juan Drive, Suite G
Medford, Oregon 97504

Phone and Fax 541-772-1494
Cell 541-601-0917
Email scott@sinner.com

CITY OF MEDFORD
EXHIBIT # L

FILE # LDS-19-004/ZC-19-003



Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

The Planning Commission can conclude the use of the MAE in the plat for Hogue Heaven subdivision Phases 2 and 3 is consistent with the standards found in the MLDC.

Also, I identified a discrepancy on the proposed tentative plat. The Plat itself identifies Lot 13 as Phase 3 and a note on the plat indicates Lot 13 is Phase 2. Please ignore the note and we will use proposed Lot 13 as Phase 3.

Please add these supplemental findings of fact to the record for the application.

Regards,

Scott Sinner, President
Scott Sinner Consulting, Inc.



4401 San Juan Drive, Suite G
Medford, Oregon 97504

Phone and Fax 541-772-1494
Cell 541-601-0917
Email scottsinner@yahoo.com



Project Name:

**Hogue Heaven
 Phases 2 and 3**

Map/Taxlot:

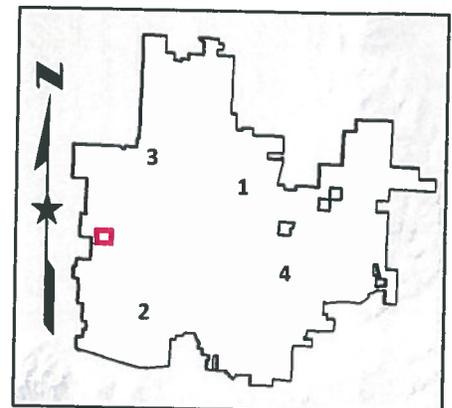
372W23DD TL 700



Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots

01/18/2019





Planning Department

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STAFF REPORT

for a Type III quasi-judicial decision: **Revision to Planned Unit Development (PUD)**

Project Rogue Valley Manor
 Applicant: Pacific Retirement Services; Agent: Richard Stevens & Associates

File no. PUD-18-152

To Planning Commission *for 03/14/2019 hearing*

From Steffen Roennfeldt, Planner III

Reviewer Kelly Evans, Assistant Planning Director *h.*

Date March 7, 2019

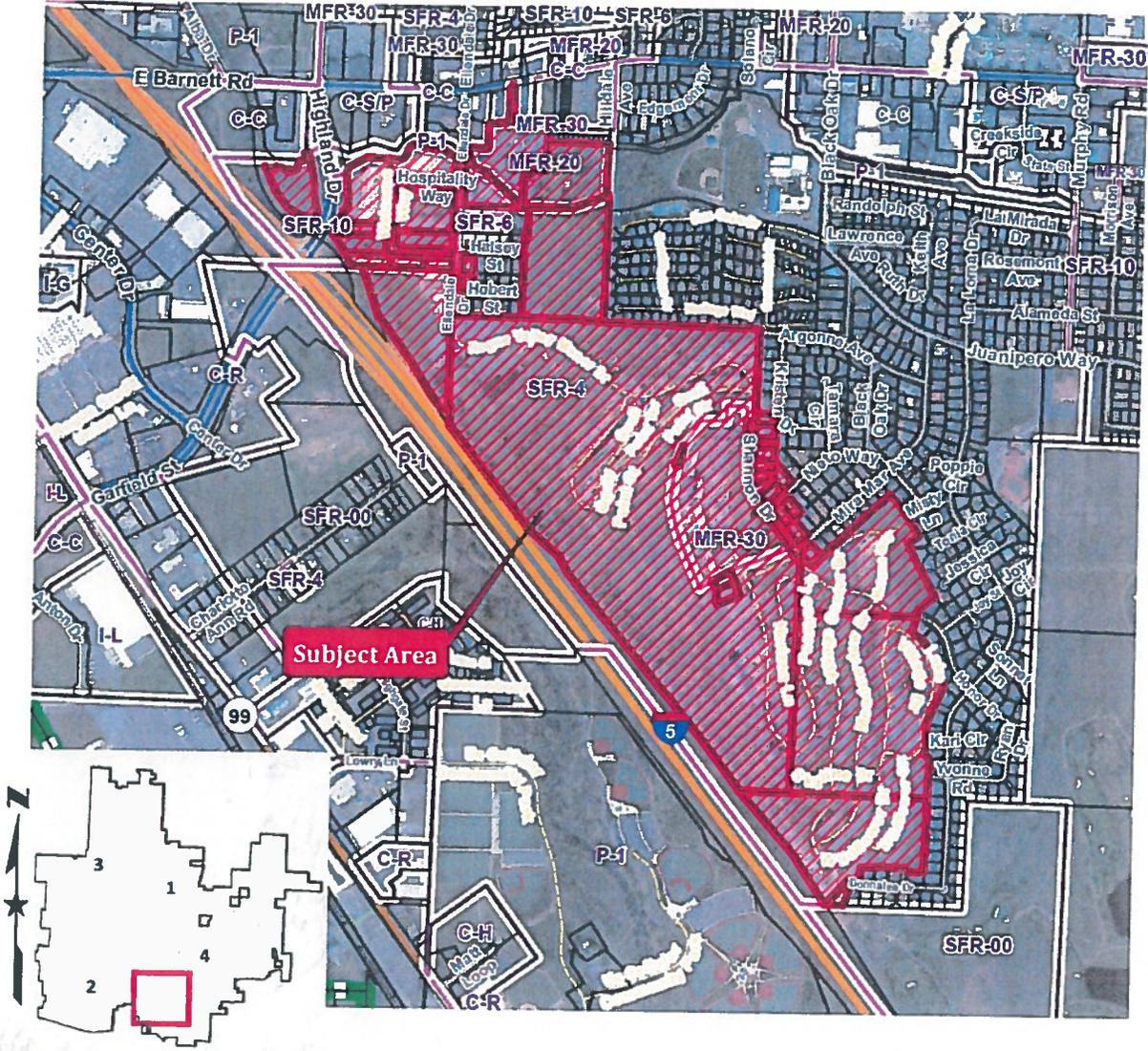
BACKGROUND

Proposal

Consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File No. PUD-98-023, to consider changes to the PUD boundary of approximately 233 acres of property and to demonstrate that the 'Commercial Village' is able to develop without any vehicle trip stipulations, located east of Interstate 5 between Ellendale Drive and La Loma Drive, within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre), SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre), SFR-10 (Single Family Residential – 6 to 10 dwelling units per gross acre), MFR-20 (Multiple Family Residential – 15 to 20 dwelling units per gross acre), MFR-30 (Multiple Family Residential – 20 to 30 dwelling units per gross acre), and C-C (Community Commercial) zoning districts.

Space intentionally left blank

Vicinity Map



Subject Site Characteristics

Zoning	SFR-4	Single Family Residential – 2.5 to 4 dwelling units per gross acre
	SFR-6	Single Family Residential – 4 to 6 dwelling units per gross acre
	SFR-10	Single Family Residential – 6 to 10 dwelling units per gross acre
	MFR-20	Multiple Family Residential – 10 to 20 dwelling units per gross acre
	MFR-30	Multiple Family Residential – 20 to 30 dwelling units per gross acre
	C-C	Community Commercial

GLUP	UR	Urban Residential
	UH	Urban High Density Residential
Use	Commercial, low-, medium-, and high-density residential, senior living, golf course	

Surrounding Site Characteristics

<i>North</i>	Zone:	SFR-4, SFR-6 & SFR-10
	Use:	predominantly lower density residential development and low intensity commercial uses
<i>South</i>	Zone:	P-1 (Public Parks) & SFR-00 (Single Family Residential – 1 dwelling unit per existing lot)
	Use:	Medford Sports Park & Centennial Golf Club and
<i>East</i>	Zone:	SFR-4 & County Zoning EFU (Exclusive Farm Use)
	Use:	low density residential & Centennial Golf Club
<i>West</i>	Zone:	P-1, SFR-00 & C-R (Regional Commercial)
	Use:	Medford Sports Park, Bear Creek Golf Course, low density residential & service-industry & retail commercial

Related Projects

Land Use Applications

PUD-84-003	Original PUD application approved in 1984
CUP-92-005	Development of a golf driving range
PUD-98-023	Revision to PUD-84-003 and file that this application is based on
PUD-07-113	Amendment to Phase 19 of PUD-98-023
PUD-08-086	Amendment to Phase 21 of PUD-98-023
PA-18-152	Pre Application for PUD Revision PUD-18-152

Site Plan and Architectural Review Applications

AC-92-029	Granting approval for a parking lot and landscape screening for a golf course and driving range, including a bike path extension based on 1991 PUD revision
AC-97-010	Congregate Housing
AC-97-020	3-level parking garage
AC-04-154	Architectural & landscape plans for 23 dwelling units on 6.5 acres
AC-06-304	Homewood Suites Hotel
AC-07-114	119,000 square foot. 69 units, seven-story Healthcare Center Expansion
AC-08-087	RV Manor Hotel (Expired)
AC-16-108	Memory Care Facility

Street Renaming

SN-18-095 Renaming of several small, private streets to Malama Way

Applicable Criteria

Medford Land Development Code §10.198 Revision or Termination of a PUD

(A) Revision of a Preliminary or Final PUD Plan

The expansion or modification of a PUD approved under earlier PUD ordinances of the City of the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:

(1) Applicant for Revision; Filing Materials; Procedures

An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.

(2) Consolidated Procedure.

At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.

(3) Burden of Proof; Criteria for Revisions

The burden of proof and supporting findings of fact and conclusions of law for the criteria in Sections 10.190(D) or 10.196(D), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Section 10.190(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

(4) De Minimis Revisions

Notwithstanding Section 10.192(E), the Planning Director may approve revisions to an approved Preliminary or Final PUD Plan that they determine is

de minimis. Proposed revisions shall be considered de minimis if the Planning Director determines the changes to be slight and inconsequential and will not violate any substantive provision of this Code. The Planning Director's written approval of a de minimis revision(s) shall be appended to the Final Order of the Planning Commission or Final Approval of the Final PUD Plan. Revisions that are de minimis shall not require public notice, public hearing or an opportunity to provide written testimony. However, if, while the record is open, any party requests in writing to be notified of future de minimis revisions of a Preliminary PUD Plan, then all de minimis revisions of a Preliminary PUD Plan shall be subject to review as a Type III land use action or such other procedure as may be permitted by law.

(B) Termination of a PUD.

A PUD may be terminated by action of the Planning Commission subject to the following procedures:

- (1) If issuance of building permits for vertical construction has not occurred or if no lots or units therein have been sold, the PUD may be terminated as provided in this Subsection. Termination proceedings may be initiated by filing with the City a written petition signed by the owner(s) who control a majority interest in more than 50% of the land covered by the approved PUD and which also constitutes more than 50% of the total assessed value of land and improvements of the PUD. Upon receipt of a valid petition, the Planning Commission shall consider the matter in an open meeting and shall declare the PUD terminated. The Planning Commission's termination of a PUD shall be evidenced by a Final Order declaring the same. When the Final Order is signed the PUD shall be terminated and previous PUD Plan approvals shall be considered void and of no further effect. Termination of a PUD shall not affect other land use actions taken by the City which concern the PUD property.
- (2) If issuance of building permits for vertical construction has occurred or if lots or units within the PUD have been sold, the PUD may be terminated as provided in this Subsection. Termination proceedings may be initiated by filing with the City a written petition signed by the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD which also constitutes more than 50% of the total assessed value of vacant land within the PUD. If there is an association of owners established within the boundaries of the whole PUD, the owner(s) petitioning for termination of the PUD shall also supply the City with the correct mailing address of the association which shall be notified along with others entitled to notice under this Subsection. Upon receipt of the petition, the Planning Commission shall provide notification of the proposed PUD termination and conduct a public hearing on the matter. The Notice and public hearing shall

be subject to Type III procedures. The Planning Commission shall declare the PUD terminated if it concludes that the termination will not produce greater than minimal harm to the public health, safety or general welfare. The Planning Commission's termination of a PUD shall be evidenced by a Final Order declaring the same and after approvals shall be considered void and of no further effect. Termination of PUD shall not affect other land use actions taken by the City which concern the PUD property.

Medford Land Development Code §10.190 Planned Unit Development – Application and Approval Provisions

(D) Approval Criteria for Preliminary PUD Plan

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

- (1) The proposed PUD:
 - (a) preserves an important natural feature of the land; or
 - (b) includes a mixture of residential and commercial land uses; or
 - (c) includes a mixture of housing types in residential areas; or
 - (d) includes open space, common areas, or other elements intended for common use or ownership; or
 - (e) is otherwise required by the Medford Land Development Code.
- (2) The proposed PUD complies with the applicable requirements of this Code, or
 - (a) the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and
 - (b) the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
 - (c) the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.
- (3) The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:
 - (a) Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
 - (b) Public Facilities Strategy pursuant to ORS 197.768 as amended.
 - (c) Limited Service Area adopted as part of the Medford Comprehensive Plan.
- (4) The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.

- (5) If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either:
- (a) Demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or
 - (b) By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:
 - (i) Public sanitary sewerage collection and treatment facilities.
 - (ii) Public domestic water distribution and treatment facilities.
 - (iii) Storm drainage facilities.
 - (iv) Public streets.
- Determination of compliance with this criterion shall be based upon standards of public facility adequacy as set forth in this Code and in goals and policies of the comprehensive plan which by their language and context function as approval criteria for comprehensive plan amendments, zone changes or new development. In instances where the Planning Commission determines that there is insufficient public facility capacity to support the development of a particular use, nothing in this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.
- (6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.
- (7) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.

Corporate Names

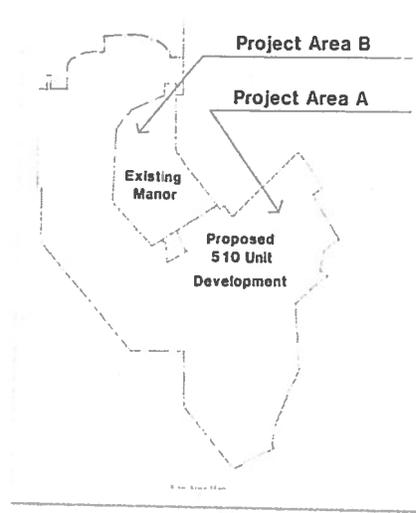
Steven R. Rinkle is the Registered Agent for Pacific Retirement Services, Inc. according to the Oregon Secretary of State Business Registry. Larry Boeck is listed as the President and Doug Spani is listed as the Secretary.

Clark Stevens is listed as the Registered Agent, President and Secretary for Richard Stevens & Associates, Inc.

ISSUES AND ANALYSIS

Background

The original planned unit development (PUD-84-3) approval was granted in 1984. The approval contained two project areas identified as Project A (Manor Village) and Project B (Main Manor Building and surrounding property).



On March 14, 1991, the Planning Commission approved a major revision to the PUD resulting in a 195.6 acre configuration to include an increase in density from 556 to 1,053 dwellings and various amenities, the most notable of which was a 9-hole golf course. Other revisions include that the streets will be a private roadway system owned and maintained by the development, that there will be a mix of attached housing types including cottages, cluster homes, and congregate housing, and that the PUD will also contain accessory uses including resident gardens, walking path systems, housekeeping and maintenance buildings, employee parking lot, RV parking & storage, outdoor swimming pool and tennis courts.



In July 1991, a minor revision was approved by the Planning Director to allow a 12,000 square foot expansion to the congregate dining facility.

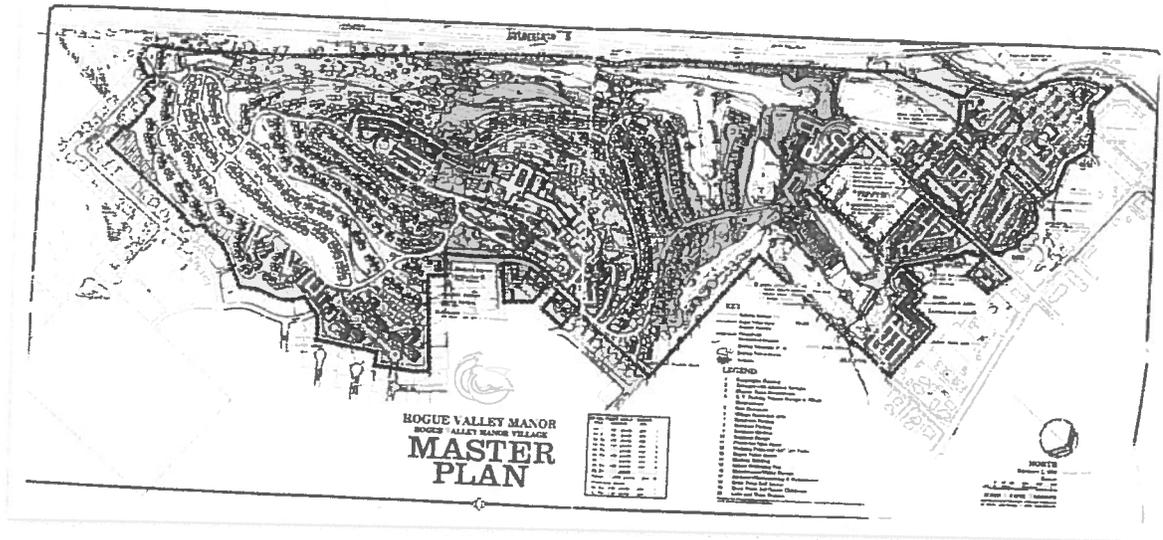
On April 28, 1994, the Planning Commission approved a revision to the PUD which increased the project area to 213.3 acres and 1,096 dwelling units.

Another revision to the PUD took place in 1996, and was approved in 1997, and included some internal revisions and the addition of an existing residence resulting in a 213.8 acre project with 1,097 dwelling units approved. In 1997, 12 phases were completed or approved for construction, representing a total of 609 dwelling units and including 75 congregate housing units.

Also in 1997, the County Assessor's Office recalculated the PUD area and corrected the current approved acreage total: As a result of consolidation of tax lots within the project, it was determined that there were actually 194.5 acres of property. With the proposed additions per the latest revision, the total area of the PUD was established at 219.7 acres.



In 1998 (PUD-98-23) the Planning Commission approved a revision and 25.2-acre expansion of the PUD including an auditorium, tennis center, golf course revisions, expanded medical facilities, Alzheimer Care facility and a variety of commercial uses including a hotel and restaurant. Based upon the underlying residential zoning for the entire project, a maximum of 1,536 dwellings would be allowed for standard residential development with a minimum of 903 dwelling units. With the 20 percent density bonus allowed for PUD's, a maximum of 1,844 dwellings would be allowed. As 22.2 acres of SFR-10 property are proposed to be utilized for commercial uses, the maximum dwellings allowed would be 1,316 or 1,624 with the PUD bonus. Proposed with the 1998 revision were 1,265 dwelling units. The Planning Commission's approval for PUD-98-023 was appealed to the City Council and ultimately to the Land Use Board of Appeals regarding traffic issues (*Rogue Valley Manor v. City of Medford*, LUBA No. 98-204).



In August 2006, the Planning Director approved the first de minimis revision to the 1998 PUD. Subject revisions included the following: Reduction of the hotel structure from 150 rooms to 109 rooms, elimination of the 20,000 square foot conference center, reduction of the second retail structure from 17,600 square feet with 26 congregate care housing units above to 6,000 square feet of retail space with 12 congregate care housing units above, and relocation of the hotel to a location within Phase 21 (Homewood Suites – AC-06-304) that was previously designate for retail and congregate housing. The former hotel site was designated for a future use.

PUD-07-113 was an amendment to Phase 19, a Healthcare Center expansion, to amend the square footage, height, unit count, density conversion factor, parking count, boundary setback, and location of HVAC equipment.

In January 2008, the Planning Director approved a second de minimis revision to the previously approved PUD, as a result of the South Medford Interchange project. The interchange affected the western portion of Phase 21. The Phase 21 plan had originally sited the 35,000 square foot office building in the west portion of the phase. With the de minimis revision approval, the following changes were made to the PUD within Phase 21: relocation of 35,000 square foot office building from the west side of Phase 21, adjacent to the interchange, to the southwest corner of Ellendale Drive and Dyer Road, in an area designated for retail and congregate care use, and an expansion of the 35,000 square foot office complex to 40,000 square feet.

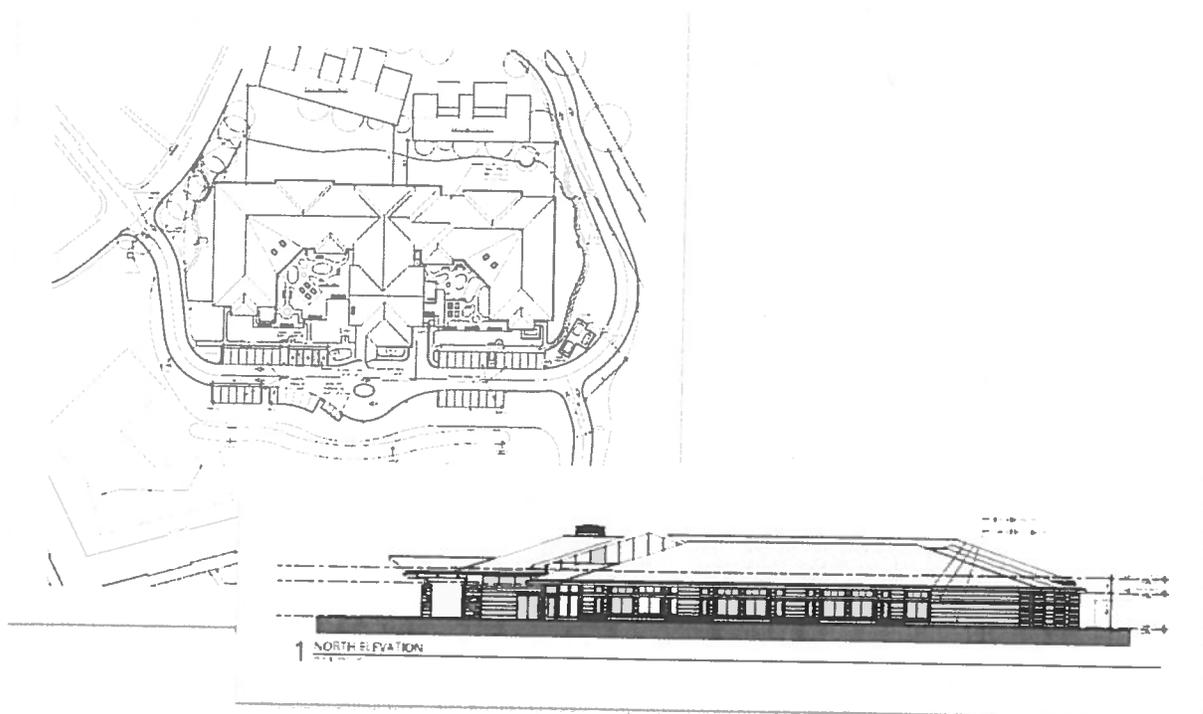
PUD-08-086: The four main objectives of this request for minor PUD amendment include (1) the reduction of acreage in the overall size of the PUD and reduction by one phase. The Oregon Department of Transportation purchased approximately 4.3 acres of property within Phase 21 for the Highland Drive Overpass. The applicant had also acquired a small

0.56 acre parcel surrounded on three sides by Phase 21 of the PUD (Tax Lot 1900 of Map 371W32BA). The net acreage loss within the overall PUD boundaries was approximately 3.8 acres. (2) Replace the 35,000 square foot Office Building within Phase 21 with a 4-story, 120-room hotel with 3,107 square feet of conference space. (3) Increase the trip cap imposed upon Phase 21 from 138 peak hour trips to 192 peak hour trips. (4) Amend condition number 15 of the 1998 PUD approval (PUD-98-023) to allow HVAC units to be installed as part of the façade and/or concealed from view.

Also in 2008, the Site Plan and Architectural Commission approved File Number AC-08-087 for the Rogue Valley Manor Hotel. However, this application expired in 2010.

In June of 2012, another de minimis request was approved by the Planning Director. The request was to modify the Final PUD Plan for Phase 7 approval to replace the approved driving range on the Quail Point Golf Course with two tennis courts and four associated parking spaces.

The latest application that was approved within the PUD was File Number AC-16-108 which included the development of a 37,721 square foot, single-story, 40-unit memory care facility.



Planned Unit Development

Purpose and Intent

The applicant's Findings of Fact and Conclusions of Law (Exhibit G) provide a summary of the proposed request. The five main objectives of this request for revision to the PUD include:

- Amend exterior boundary of Rogue Valley Manor PUD to include land that was purchased or sold after the approval of File No. PUD-98-23.
- Increase of trip cap stipulation based on Traffic Impact Analysis provided by TranspoGroup (Exhibit P).
- To acquire a modification to the Code for a sign within the Commercial Village, consistent with the Freeway Overlay District provisions.
- Modification to condition #13 in PUD-98-23 relating to a fence/wall 6 to 8 feet in height for screening purposes adjacent to the Memory Care and Skilled Nursing Facilities.
- Modification to condition #15 in PUD-98-23 regarding the HVAC equipment to be located on the ground. The applicant desires to have the option to locate the HVAC equipment on the roof of the structures which will still be required to be screened from view.

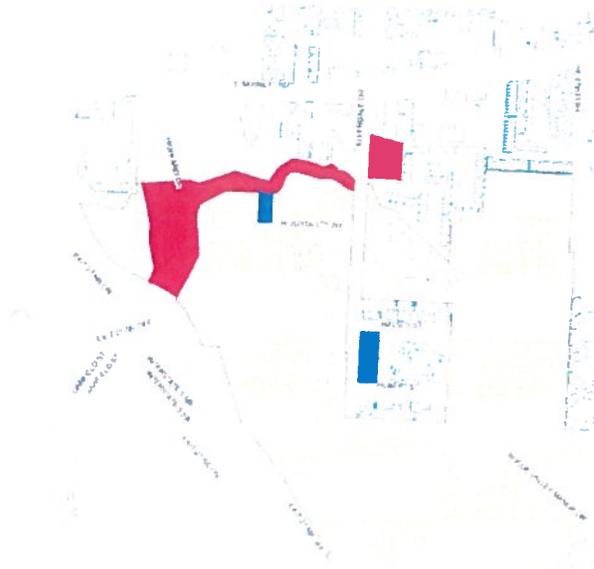
As per MLDC 10.198(A), Revision or Termination of a PUD, the expansion or modification of a PUD approved under earlier PUD ordinances of the City or the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in Section 10.198. The applicant's Findings of Fact and Conclusions of Law (Exhibit G) includes findings pertaining to all applicable PUD criteria. The following chapters of this staff report will provide a short of the proposed amendments.

All land uses for the Rogue Valley Manor PUD have already been approved by the Planning Commission and there are no changes requested to these approved uses as part of this application. There are also no land divisions, new structures, or architectural plans proposed.

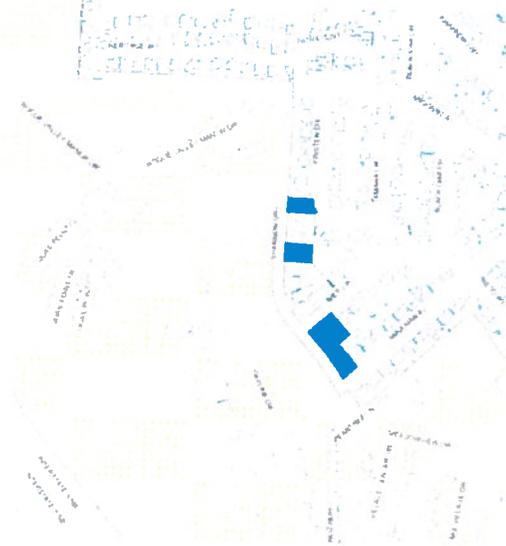
PUD Boundary Amendment

After the last major amendment to the Manor Planned Unit Development in 1998, several residential and commercial structures were acquired or sold by the applicant, respectively.

The residential structures that were acquired and are now to be included within the PUD boundary are depicted below in blue and labeled as Areas C and Q on the attached 2018 PUD Master Plan (Exhibit D).



Areas shown in red are to be removed from the PUD and are generally located north of Larson Creek. These areas have either been sold by the applicant (see image below), are within public right-of-way, or are part of the Larson Creek Trail System.



Per current City of Medford GIS data, the overall PUD size will increase in size from approximately 216 acres (per the applicant's findings of fact for File No. PUD-08-086) to 234.07 acres. The areas acquired by PRS consist of four cottages, two single family dwellings and impervious area at the north-end of Hospitality way.

Trip Cap Removal

As part of the approval for PUD-08-086, the existing trip cap for the Commercial Village was increased from 138 p.m. peak hour trips to 192 p.m. peak hour trips. According to the applicant, the *"Medford Planning Commission applied a vehicle trip cap for the development of the Commercial Village. This was imposed due to the 'old' South Medford I-5 Interchange location and restriction at that time. The applicant is requesting the Planning Commission to remove the trip cap stipulation based on the Traffic Impact Analysis (TIA) (...)."*

As part of the PUD approval in 1998 (PUD-98-023), a three-step process addressing the various uses proposed by the Rogue Valley Manor was created. Simply stated, the three-step process accomplishes the following (see also Exhibit T):

Step 1: Identifies all proposed uses that are permitted and accessory uses within the underlying zoning of the Rogue Valley Manor property that do not require a transportation capacity analysis under the City of Medford Land Development Code.

Step 2: Identifies all proposed non-permitted uses in the underlying zoning that are specifically authorized in the PUD ordinance at Section 10.230.D.9.n as “permitted uses.”

Step 3: Recognizes that certain of the proposed non-permitted uses authorized pursuant to Section 10.230.D.9.b. which would exceed the 138 p.m. peak hour trips cannot be developed at this time.

The Executive Summary of the TIA is included in the record as Exhibit P. A full copy is available upon request at the Planning Department.

The Public Works Report, revised on March 7, 2019, states that as part of this application, there are no traffic impacts beyond the original approval and no traffic analysis of these changes is needed at this time. The report also explains how the PUD boundary amendment will affect the existing traffic conditions.

Regarding the TIA, the Public Works report states that the ‘report analyzes increasing the trip cap for the Commercial Village in the PUD (identified as “Step 3” land uses in the 1998 PUD approval) from 192 p.m. peak hour trips to 486 p.m. peak hour trips.’ The Public Works Department recommends the following conditions of approval:



Barnett Road and Highland Drive Intersection

- Development of the Step 3 Land Uses shall not generate more than 192 p.m. peak hour trips until the intersection of Highland Drive and Barnett Road is mitigated to the Level of Service (LOS) target identified in MLDC 10.462. This condition may be removed if Medford’s standards for determination of Category ‘A’ facilities for

public streets changes in a way that allows this project to be considered reasonably likely to be funded by the end of the planning horizon.

- Development of the Step 3 Land Uses shall not generate more than 192 p.m. peak hour trips until the intersection of Highland Drive and Keene Way/Barneburg is mitigated to the Level of Service (LOS) targets identified in MLDC 10.462. An acceptable mitigation is for the developer to pay a 4.5% proportionate share toward construction of a roundabout. Public Works estimates the proportionate share of a roundabout at approximately \$100,000.



Highland Drive and Keene Drive and Barneburg Road intersection

- The development shall provide a trip accounting for each phase of development to verify that the trip cap has not been exceeded.
- Development of the Step 3 Land Uses shall not generate more than 486 p.m. peak hour trips unless a future traffic impact analysis removes or modifies the trip cap on the property.

The Oregon Department of Transportation also reviewed the TIA submitted by the applicant. At the time this staff report was prepared, the ODOT was still reviewing the TIA and was working with the applicant to develop proposed transportation system improvements that will accommodate the proposed development. A condition of

approval was added to provide for an opportunity for ODOT and the applicant to complete traffic analysis and identify appropriate mitigation. The condition reads:

'Applicant shall provide a letter from the Oregon Department of Transportation, prior to site development, approving their proposed transportation system-mitigation.'

Freeway Overlay Sign

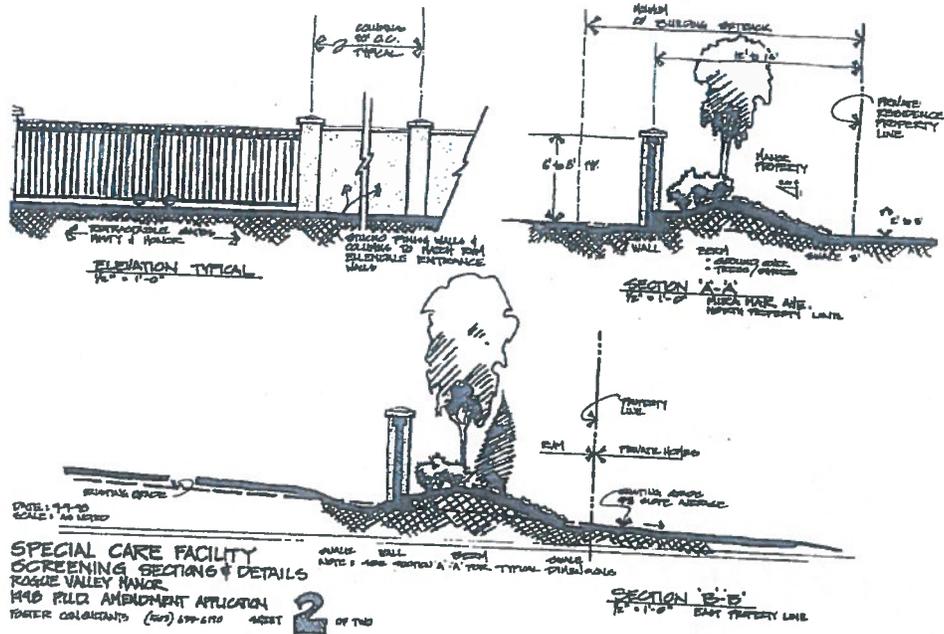
Approval of this request will allow the applicant to install a sign within the Commercial Village (see Areas R through X on 2018 PUD Master Plan (Exhibit D)), consistent with the Freeway Overlay District provisions per Section 10.1710. Approval will allow the applicant to install the sign anywhere within the boundaries of the Freeway Overlay District as depicted in Exhibit Q.

Condition #6 of the PUD-98-023 approval reads as follows: *"Signage for nonresidential uses shall be subject to Site Plan and Architectural Commission review."*

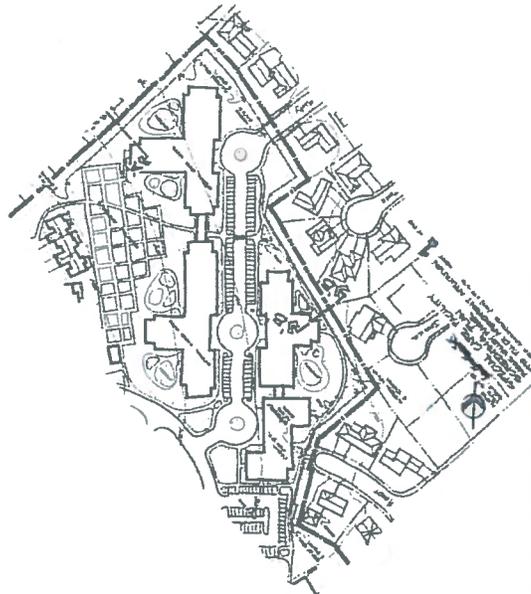
It is staff's recommendation to accept the applicant's proposal and to amend the existing condition of approval by adding the following language: *"One sign, consistent with the Freeway Overlay District sign standards as outlined in Section 10.1710(1)(b) shall be allowed to be install within an area that is located within the Freeway Overlay District per 10.365 and as shown in Exhibit Q. The installation of a Freeway sign will require approval of a sign permit; Site Plan and Architectural Review Commission (SPAC) approval is not required."* There is no reason for the SPAC to review a Freeway Sign as Section 10.1710(1)(b) has very clear and objectives standards.

Modification to Condition #13

Condition #13 of File No. PUD-98-023 reads the following: *"The Alzheimer's' Clinic/Skilled Nursing Facility shall be screened from the adjoining neighborhood as proposed in Exhibit 'Z2'."* The applicant is requesting the removal of the 6-8 foot wall which is shown in the original Exhibit 'Z2' and below. Per the applicant, *"removal of the wall will enhance the development by removing the visual "mass" effect on RV Manor property and with the adjacent neighbor. The wall/fence will not significantly impact the functions, safety or efficiency of the street circulation or the development as a whole. The applicant and neighboring property owners desire to have this condition removed, due to shading and resulting mass effect. The remaining screening provisions are still proposed."*



The two images below indicate the proposed location for the wall to be eliminated. The image to the left is a screenshot of the original Exhibit whereas the image to the right is a current aerial with the location of the wall added in red.



Planning Commission approval required the Alzheimer's' Unit/Special Care Facility to be single story in height and located no closer than 99 feet from the exterior boundary of the PUD in order to mitigate anticipated adverse impacts to adjoining properties. The

Planning Commission also accepted the applicant's proposal to buffer the area with a landscaped berm and wall as shown above. The setback was ultimately reduced to 50 feet by the City Council on appeal.

The facility was approved by the SPAC per application AC-16-108 in 2016. It is noted in the staff report that testimony was received from several neighboring property owners regarding the buffer wall. Several abutting property owner stated that they were against the construction of the wall. The applicant stated that they intend to amend the PUD in the near future. The SPAC decided to condition that the improvements of the entire buffer wall and full length of vegetated landscape berm shall be constructed. However, should a subsequent PUD amendment approval change the buffering standard of the development, such future standard would apply.

Based on the applicant's findings of fact and testimony received during the citizen involvement process for AC-16-108, staff has no objections to the removal of the buffer wall from the original conditions of approval. The remaining screening provision shall remain in effect.

Modification to Condition #15

The original condition was amended as part of PUD amendment PUD-08-086 to allow HVAC units to be installed as part of the façade and/or concealed from view. Condition #15 now reads:

"All HVAC (heating ventilation and air-conditioning) equipment for all buildings shall be located on the ground and concealed from view, or placed within the interior of the building, except the requirement for HVAC equipment placement on the ground or building interior is not applicable to individual hotel rooms within Phase 21, west of Ellendale Drive, consistent with the MLDC."

The applicant proposes to amend the above condition due to the efficiency of new HVAC systems that results in energy savings and costs savings with the greater efficiency.

Section 10.782, Concealment of Heating, Ventilation, Air Conditioning (HVAC) Equipment and Roof-Mounted Wireless Communication Facilities, states that *"all HVAC equipment (...) shall be concealed from view. Where possible, such concealment should be accomplished using the architectural elements of the building (i.e., roof forms, parapets, wing walls, alcoves, etc.). Free standing walls or fences may also serve as sight-obscuring concealment devices. Chain link fencing, with or without slats, for this purpose is prohibited."*

Based on the existing Land Development Code language, it is staff's recommendation to allow for roof-mounted HVAC equipment and to modify condition #15 to read:

"All HVAC (heating ventilation and air-conditioning) equipment for all buildings shall be ~~located on the ground and concealed from view per MLDC 10.782~~, or placed within the interior of the building, except the requirement for HVAC equipment placement on the ground or building interior is not applicable to individual hotel rooms within Phase 21, west of Ellendale Drive, consistent with the MLDC."

Project Compliance with Relevant Section of the Land Development Code

Housing Density

Since this application proposes to amend the PUD overall area, an update to the housing density is also required. A detailed summary of the housing density associated with this PUD can be found below. Based upon the underlying residential zoning for the entire project, a maximum of 1,519 dwelling units would be allowed for a standard residential development. It should also be noted that a minimum of 979 dwellings would be required to meet minimum density standards. With the 20% density bonus allowed for PUD's, a maximum of 1,823 dwelling units would be allowed. As all of the SFR-10 property (16.55 acres) and 7.55 of the SFR-4 property are utilized or proposed for commercial uses, the maximum dwelling units allowed would be 1,323 or 1,588 with the PUD bonus. The minimum number of dwelling units would be 860 when adjusted for the acreage for commercial development. As the applicant is proposing a maximum of 1,265 units, this project complies with density requirements without any density bonus.

Space intentionally left blank

Residential Density Calculation

Land Use Designation	Acres	Min. Density	Max. Density	Potential Min. Dwelling Units	Potential Max. Dwelling Units
SFR-4	195.78	2.5	4	489	783
SFR-6	0.96	4	6	4	5
SFR-10	16.55	6	10	99	165
MFR-20	5.68	15	20	85	113
MFR-30	15.10	20	30	302	453
Total	234.07			979	1519
20% Density Bonus					1823
Minus SFR-10 Commercial Development	16.55	100	166		
Minus SFR-4 Commercial Development	7.55	19	30		
Updated Total	209.97			860	1323
20% Density Bonus					1588

Acreage Limitation

The proposed amended PUD boundary will contain over 234 acers of property, and therefore, complies with the one-acre minimum.

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 G) and recommends the Commission adopt the findings with the following modifications.

- Correct the applicant's finding on page 8 of Exhibit G to read:

'The City of Medford finds that the TIA submitted for increase of the vehicle trip cap from 192 p.m. peak hour trips to 486 p.m. peak hour trips is acceptable with fulfillment of the conditions proposed by Public Works (Exhibit J) and ODOT (Exhibit O).'

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of PUD-18-152 per the staff report dated March 7, 2019, including Exhibits A through T with the following considerations:

- Approval of PUD Boundary amendments as outlined in Exhibit D and Exhibit E.
- Conditionally increase trip cap from 192 p.m. peak hour trips to 486 p.m. peak hour trips per the Public Works Report (Exhibit J) and ODOT (Exhibit O).
- Allowance of one Freeway Sign per the standards in MLDC 10.1710 within the area depicted in Exhibit Q.
- Modification of Condition #13 of PUD-98-023 to remove requirement for buffer wall.
- Modification of Condition #15 of PUD-98-023 to allow for HVAC Equipment to be located on the ground and/or roof.

EXHIBITS

- A Conditions of Approval, dated March 7, 2019
- B Assessor Maps, received October 11, 2018
- C Zoning Map, received October 11, 2018
- D PUD Masterplan 2018, received October 11, 2018

- E PUD Boundary Amendments, received October 11, 2018
- F Project Narrative, received October 11, 2018
- G Applicant's Findings of Fact, received October 11, 2018
- H Comparison from 1998 approved plan with the 2018 Master Plan, received October 11, 2018
- I Additional Assessor Information, received October 11, 2018
- J Public Works Staff Report, revised March 7, 2019
- K Medford Water Commission Staff Memo, dated December 19, 2018
- L Medford Fire Land Development Report, dated December 19, 2018
- M Building Department Memo, dated December 18, 2018
- N Jackson County Roads Memo, dated December 11, 2018
- O Letter and Memorandum from ODOT, received March 7, 2019
- P Traffic Impact Analysis Executive Summary, received February 20, 2019
- Q Potential Freeway Overlay Area Map, dated March 4, 2019
- R Neighborhood Meeting Attendance Report, received October 11, 2018
- S Resolution 1998-249, appeal decision and approval of PUD-98-023, including PUD conditions of approval, dated November 5, 1998
- T Supplemental Information explaining three-step process, dated June 25, 1998
Vicinity map

PLANNING COMMISSION AGENDA:

MARCH 14, 2019

EXHIBIT A

**Rogue Valley Manor
PUD-18-152
Conditions of Approval
March 7, 2019**

CODE CONDITIONS

1. The applicant shall:
 - a. Comply with the Public Works Staff Report dated December 19, 2018 (Exhibit J);
 - b. Comply with the Medford Water Commission Staff Memo dated December 19, 2018 (Exhibit K);
 - c. Comply with the Oregon Department of Transportation Letter dated March 7, 2019 (Exhibit O)
2. All previous conditions of approval, apart from discretionary conditions 3 and 4 below, for the Rogue Valley Manor Planned Unit Development, Application PUD-98-023, remain in full effect (Exhibit S).

DISCRETIONARY CONDITIONS

3. Condition #13 of PUD-98-023 is amended to read the following:

The Alzheimer's' Clinic/Skilled Nursing Facility shall be screened from the adjoining neighborhood. A buffer wall, as proposed in Exhibit 'Z2', is not required. The remaining screening provisions per Exhibit 'Z2' shall remain in effect.
4. Condition #15 of PUD-98-023 is amended to read the following:

All HVAC (heating ventilation and air-conditioning) equipment for all buildings shall be concealed from view per MLDC 10.782, or placed within the interior of the building, except the requirement for HVAC equipment placement on the ground or building interior is not applicable to individual hotel rooms within Phase 21, west of Ellendale Drive, consistent with the MLDC.

FOR ASSESSMENT AND TAXATION ONLY

N.E. 1/4 N.W. 1/4 SEC. 32 T. 37S. R. 1W. W.M.
JACKSON COUNTY
1" = 100'

371W32BA
MEDFORD



SEE MAP 37 1W 32BA SUPP.1

49-1

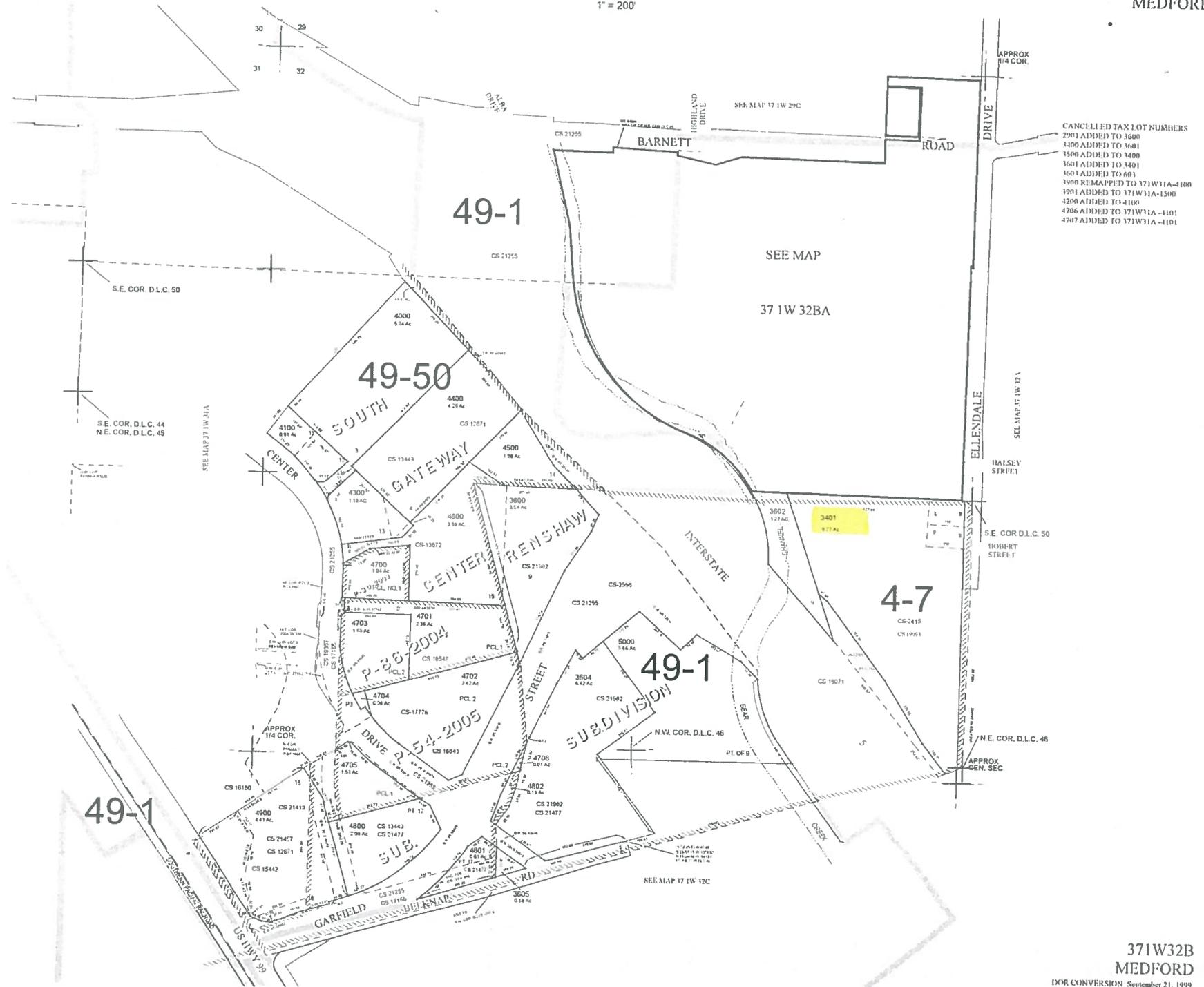
CS 6789

- CANCELLED TAX LOT NUMBERS
- 1100
 - 1300 ADDED TO 1300
 - 1500 KILLED TO ROAD
 - 2000
 - 2200
 - 2600
 - 2702
 - 2800
 - 2801
 - 2900
 - 2901
 - 3000
 - 3100
 - 3101
 - 3102
 - 3103
 - 4000
 - 9000

FOR ASSESSMENT AND TAXATION ONLY

N.W.1/4 SEC.32 T.37S. R.1W. W.M.
JACKSON COUNTY
1" = 200'

371W32B
MEDFORD

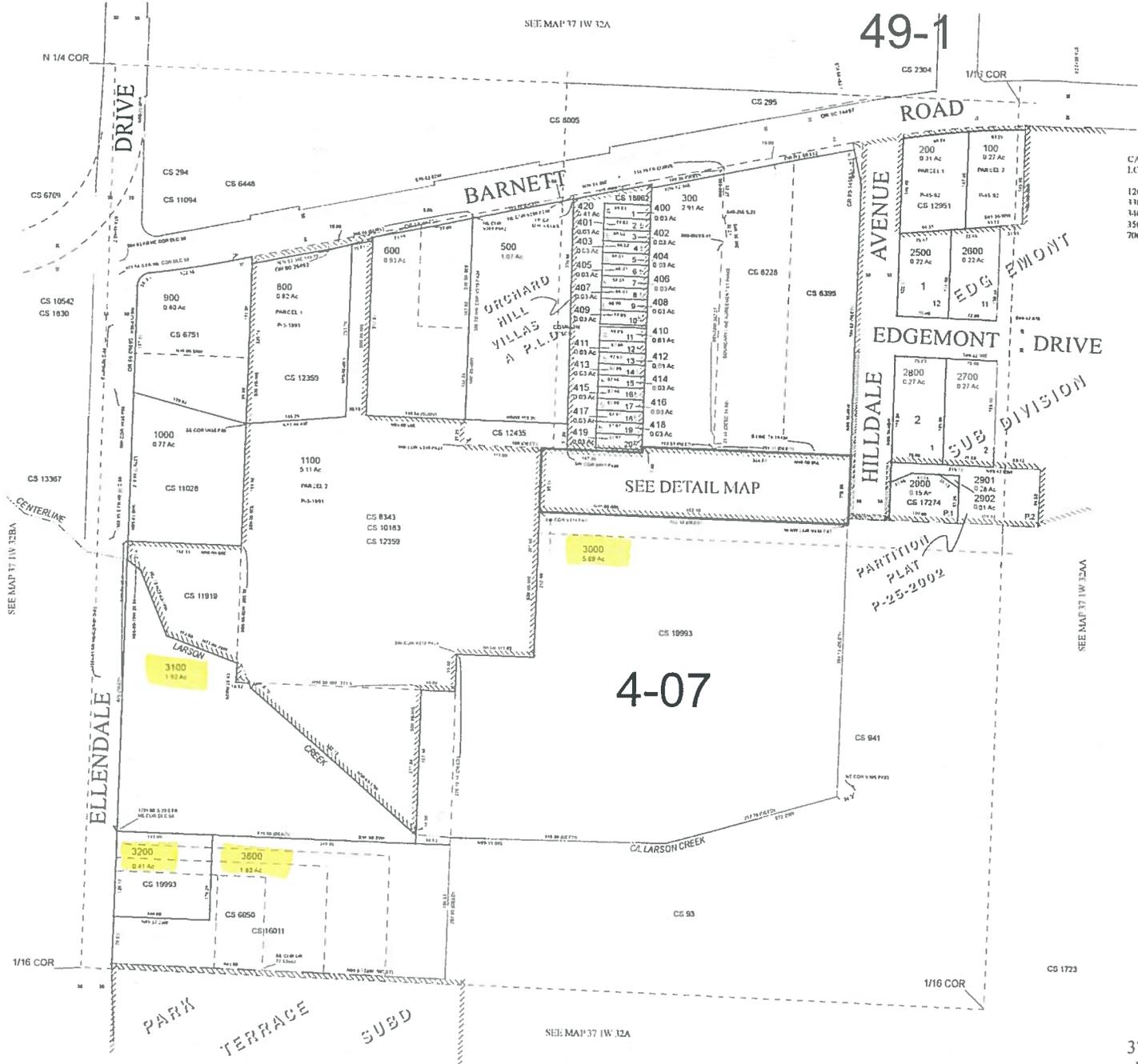


CANCELLED TAX LOT NUMBERS
 2901 ADDED TO 3600
 3400 ADDED TO 3601
 3500 ADDED TO 3400
 3601 ADDED TO 3401
 3603 ADDED TO 6891
 3900 REMAPPED TO 371W31A-4100
 3901 ADDED TO 371W31A-1500
 4200 ADDED TO 4100
 4706 ADDED TO 371W31A-4101
 4707 ADDED TO 371W31A-4101

FOR ASSESSMENT AND TAXATION ONLY

N.W.1/4, N.E.1/4, SEC.32, T.37S., R.1W., W.M.
JACKSON COUNTY
1" = 100'

37 1W 32AB
MEDFORD



CANCELLED TAX LOT NUMBERS
1200-2400 ON DETAIL MAP
3400 ADDED TO 3200
3400 ADDED TO 3600
3500 ADDED TO 3600
700 ADDED TO 600

49-1

4-07

SEE MAP 37 1W 32A

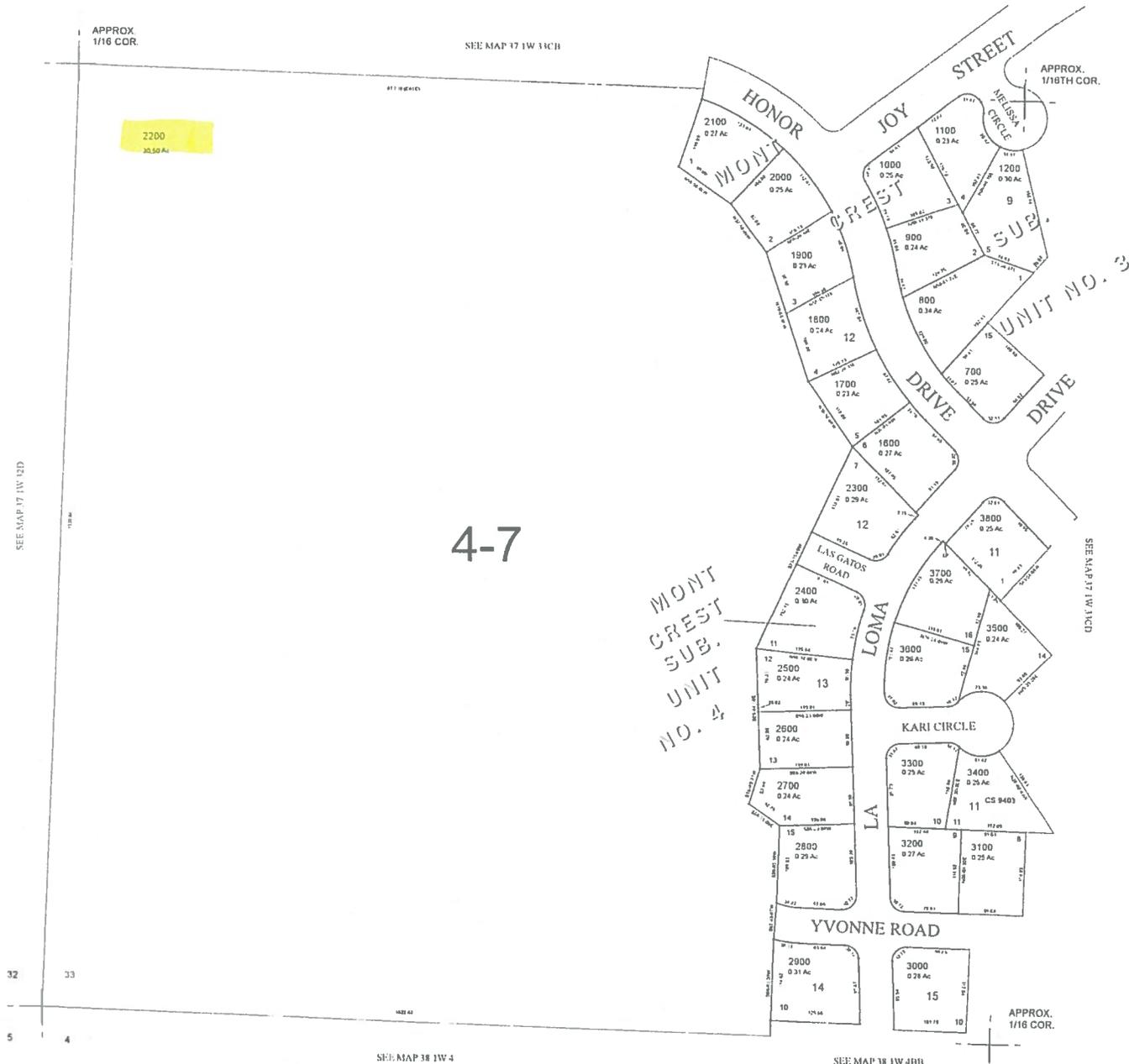
37 1W 32AB
MEDFORD

NEW MAP JANUARY 01, 1995
REV JANUARY 19, 2006

FOR ASSESSMENT AND TAXATION ONLY

S.W. 1/4, S.W. 1/4, SEC. 33, T. 37 S., R. 1 W., W.M.
JACKSON COUNTY
1" = 100'

37 1W 33CC
MEDFORD



CANCELLED TAX LOT NUMBERS
100 REMAPPED TO 371W33CA
1300-1400 REMAPPED TO 371W33CD
1500 REMAPPED TO 371W33CA
200-400 REMAPPED TO 371W33CD

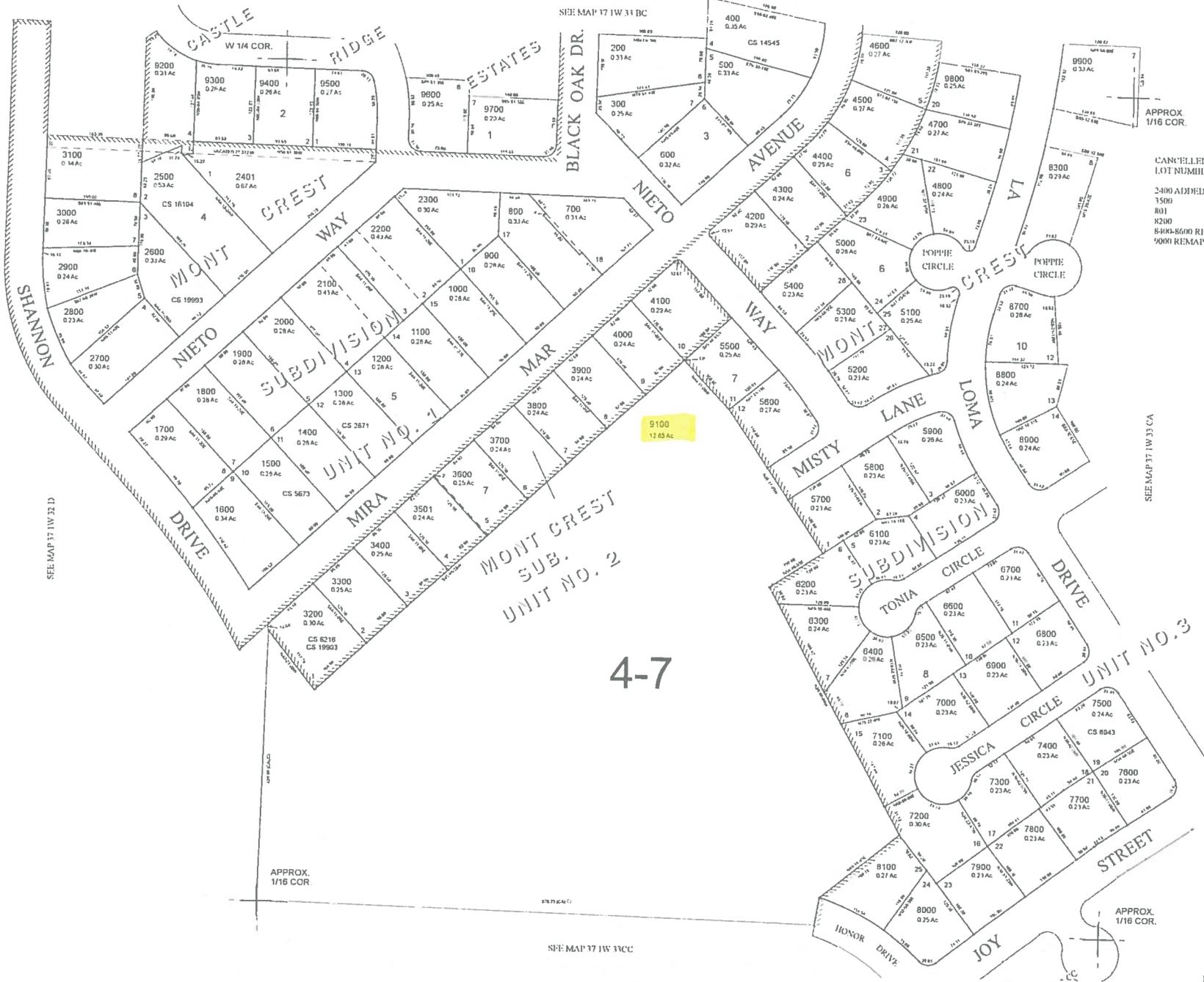
37 1W 33CC
MEDFORD

NEW MAP MARCH 30, 2010

FOR ASSESSMENT AND TAXATION ONLY

N.W.1/4, S.W.1/4, SEC.33, T.37S., R.1W., W.M.
JACKSON COUNTY
1" = 100'

37 1W 33CB
MEDFORD



APPROX. 1/16 COR.

CANCELLED TAX LOT NUMBERS
 2400 ADDED TO 171W33BC 10300
 1500
 801
 8200
 8400-8600 REMAPPED TO 171W33CA
 9000 REMAPPED TO 371W33CA

SEE MAP 37 1W 33 CA

SEE MAP 37 1W 33 D

APPROX. 1/16 COR.

APPROX. 1/16 COR.

SEE MAP 37 1W 33 CC

37 1W 33CB
MEDFORD
NEW MAP MAR 11, 2010

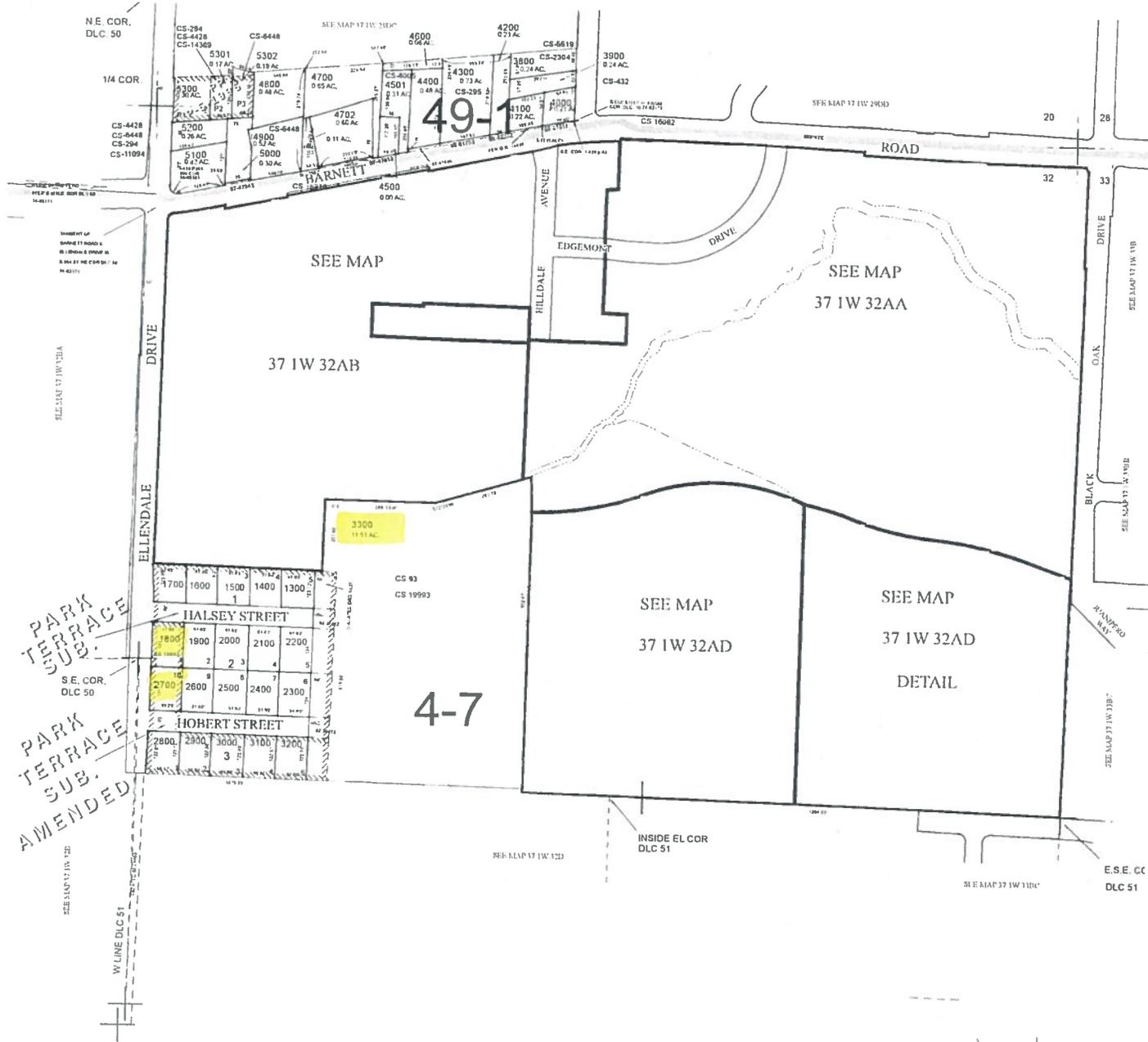
N.E. 1/4, SEC. 32, T. 37S., R. 1W., W.M.
 JACKSON COUNTY
 1" = 200'

37 1W 32A
 MEDFORD

FOR ASSESSMENT AND
 TAXATION ONLY

CANCELLED TAX
 LOT NUMBERS

- 100-1205
- 1301
- 2201
- 2300
- 3201
- 3600
- 1702
- 3729-3761
- 4901
- 5001



E.S.E. CC
 DLC 51

1/4 COR.

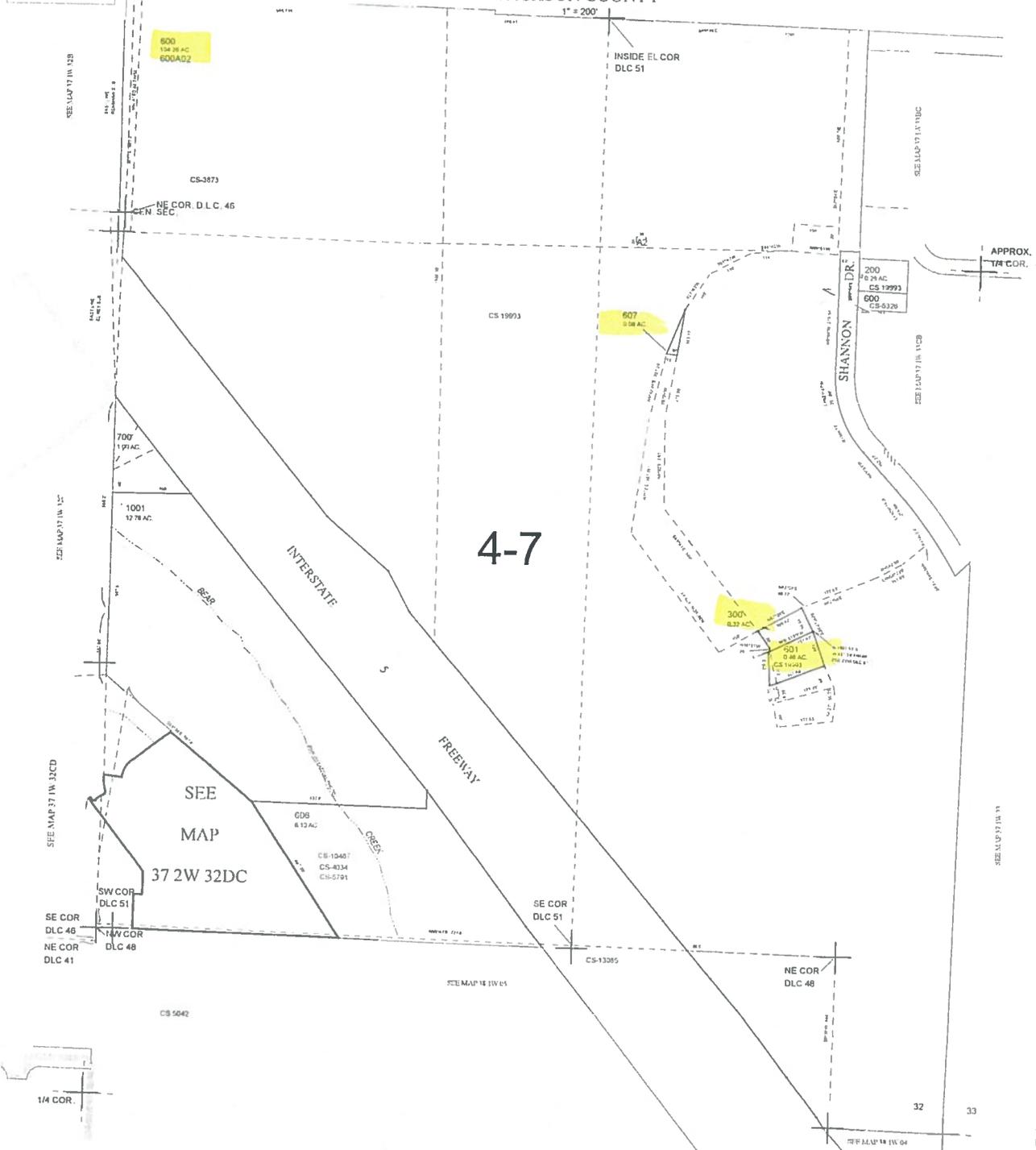
FOR CONVERSION SEPTEMBER 21, 1999
 REV APRIL 04, 2005

37 1W 32A
 MEDFORD

FOR ASSESSMENT AND TAXATION ONLY

S.E.1/4, SEC.32, T.37S., R.1W., W.M.
JACKSON COUNTY

37 1W 32D
& INDEX
MEDFORD



CANCELLED TAX
LOT NUMBERS

- 105-145
- 1000
- 1100 (ADDED TO 1101)
- 1101 (ADDED TO 371W32CD-100)
- 1102
- 1102 (REMAPPED TO 371W32C-5800)
- 1103
- 1104
- 1105
- 1105
- 1106
- 1107
- 1108
- 1109
- 1110
- 1111
- 1112
- 1113
- 1114
- 1115
- 1116
- 1116
- 201
- 400
- 601A1
- 602-604
- 608

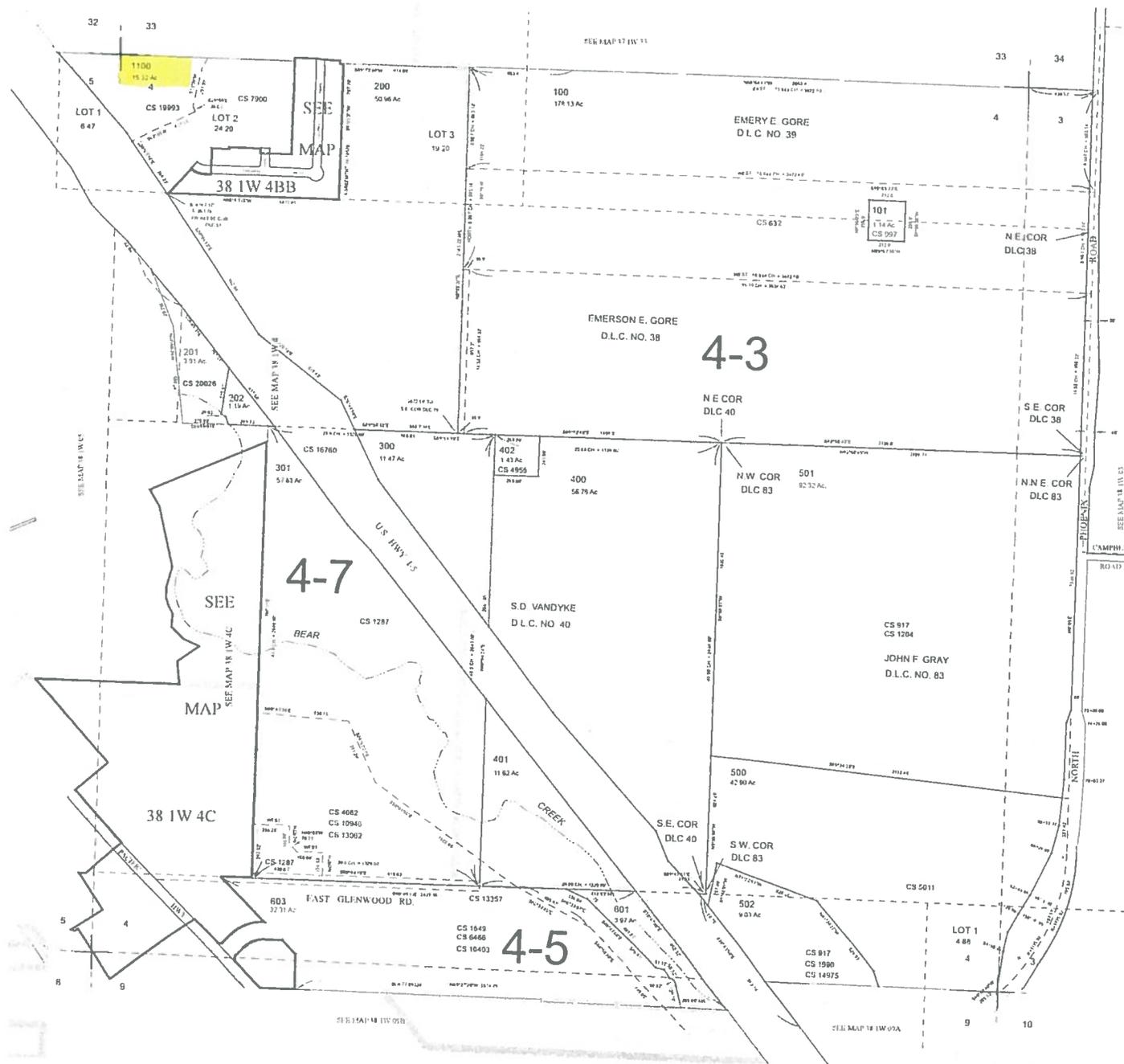
37 1W 32D
& INDEX
MEDFORD

FOR CONVERSION SEPTEMBER 21 1999
REV APRIL 24 2014

FOR ASSESSMENT AND TAXATION ONLY

SECTION 4, T.38S., R.1W., W.M.
JACKSON COUNTY
1" = 400'

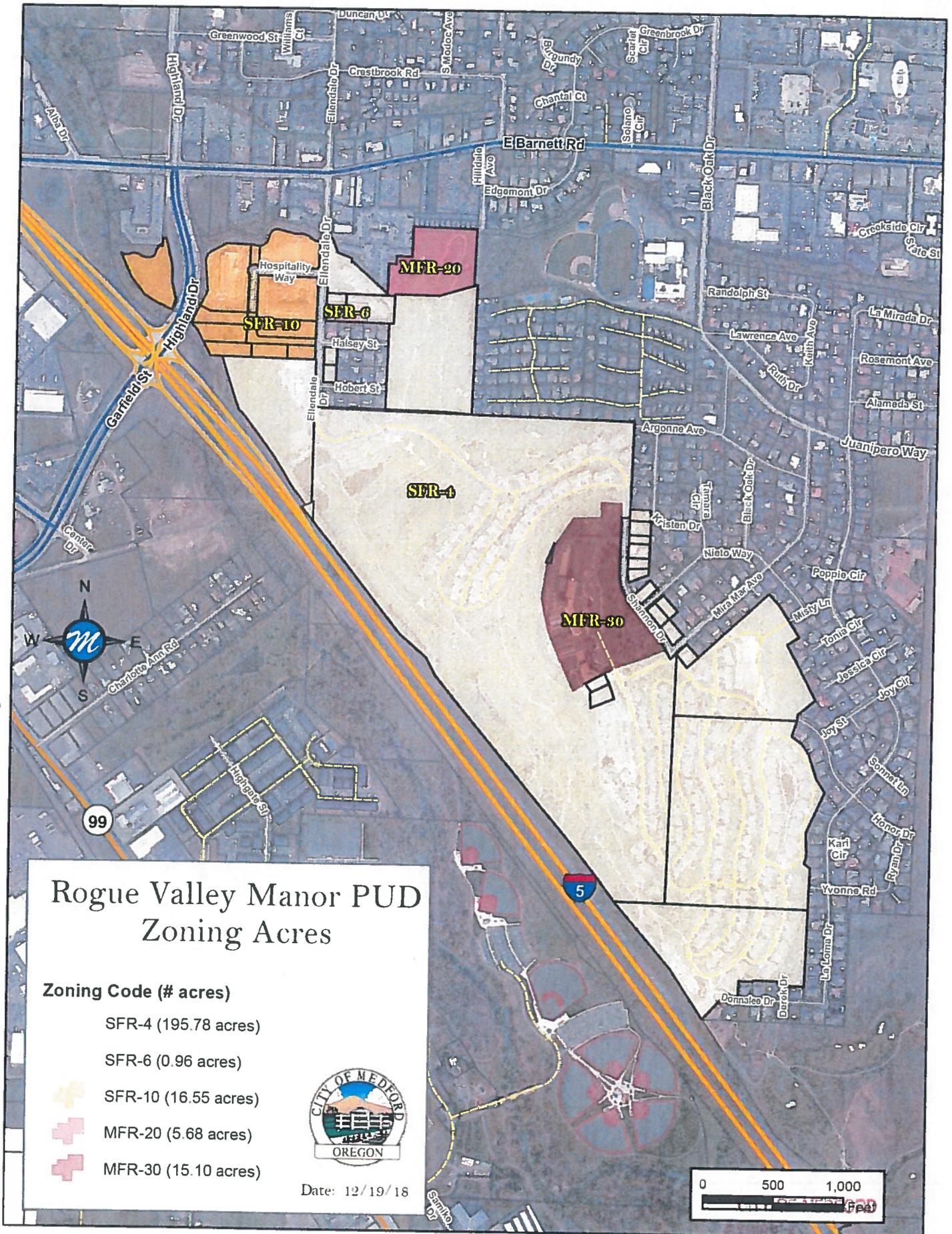
38 1W 04
& INDEX
MEDFORD



CANCELLED TAX
LOT NUMBERS

- 1000
- 1101-1102
- 1200 ADDED TO 201
- 501 KILLED TO STREET
- 504 KILLED TO STREET
- 600
- 602
- 700
- 800
- 900

38 1W 04
& INDEX
MEDFORD
DOR COGO FEBRUARY 25, 2004
REV FEBRUARY 05, 2014

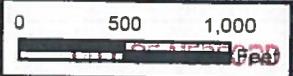


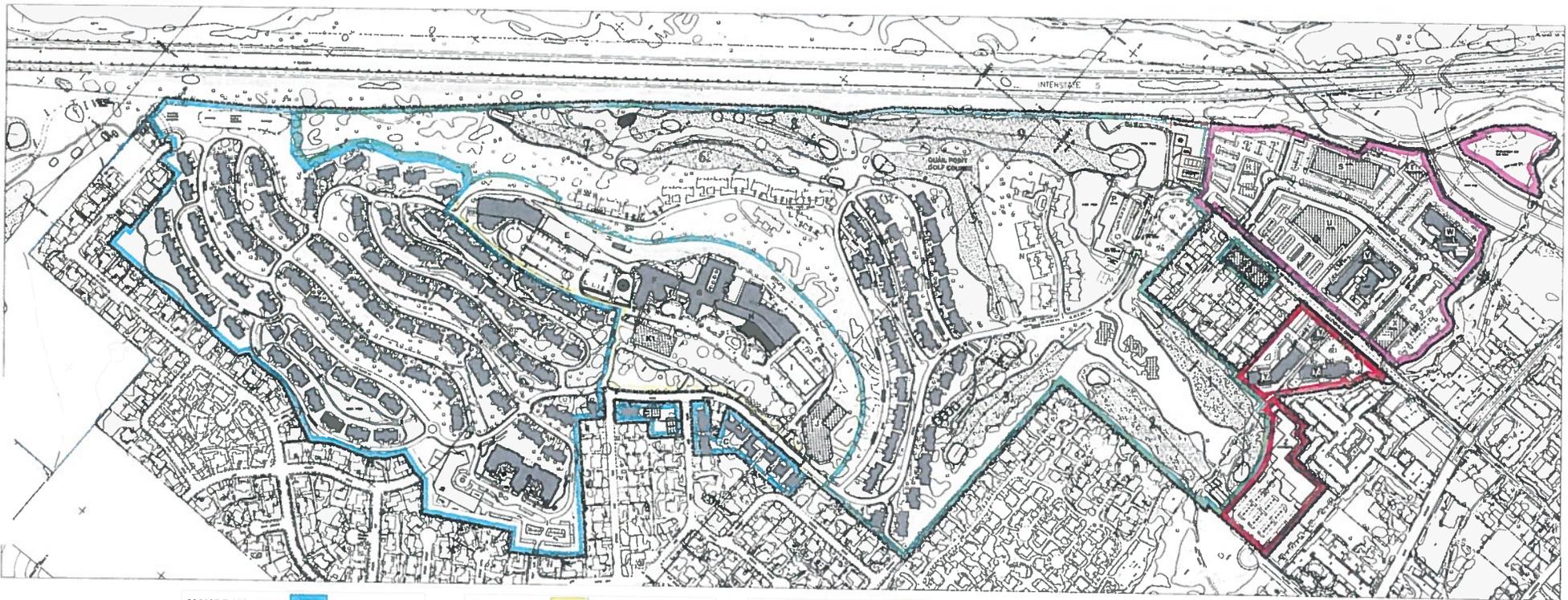
Rogue Valley Manor PUD Zoning Acres

Zoning Code (# acres)
SFR-4 (195.78 acres)
SFR-6 (0.96 acres)
SFR-10 (16.55 acres)
MFR-20 (5.68 acres)
MFR-30 (15.10 acres)



Date: 12/19/18





MANOR VILLAGE

USE & INT.	PERMITTED	AREA	CONVERSION
A	RES. SHELTER	227 Single	RES. SHELTER
B	APARTMENT GARDEN FACILITY	30 Dup	APARTMENT GARDEN
C	RES. SHELTER	10 Dup	RES. SHELTER
D	RES. SHELTER	10 Dup	RES. SHELTER
E	RES. SHELTER	10 Dup	RES. SHELTER
F	RES. SHELTER	10 Dup	RES. SHELTER
G	RES. SHELTER	10 Dup	RES. SHELTER
H	RES. SHELTER	10 Dup	RES. SHELTER
I	RES. SHELTER	10 Dup	RES. SHELTER
J	RES. SHELTER	10 Dup	RES. SHELTER
K	RES. SHELTER	10 Dup	RES. SHELTER

MANOR HILL

USE & INT.	PERMITTED	AREA	CONVERSION
D	RES. SHELTER	10 Dup	RES. SHELTER
E	RES. SHELTER	10 Dup	RES. SHELTER
F	RES. SHELTER	10 Dup	RES. SHELTER
G	RES. SHELTER	10 Dup	RES. SHELTER
H	RES. SHELTER	10 Dup	RES. SHELTER
I	RES. SHELTER	10 Dup	RES. SHELTER
J	RES. SHELTER	10 Dup	RES. SHELTER
K	RES. SHELTER	10 Dup	RES. SHELTER

QUAIL POINT VILLAGE

USE & INT.	PERMITTED	AREA	CONVERSION
L	RES. SHELTER	10 Dup	RES. SHELTER
M	RES. SHELTER	10 Dup	RES. SHELTER
N	RES. SHELTER	10 Dup	RES. SHELTER
O	RES. SHELTER	10 Dup	RES. SHELTER
P	RES. SHELTER	10 Dup	RES. SHELTER
Q	RES. SHELTER	10 Dup	RES. SHELTER

COMMERCIAL VILLAGE

USE & INT.	PERMITTED	AREA	CONVERSION
R	RES. SHELTER	10 Dup	RES. SHELTER
S	RES. SHELTER	10 Dup	RES. SHELTER
T	RES. SHELTER	10 Dup	RES. SHELTER
U	RES. SHELTER	10 Dup	RES. SHELTER
V	RES. SHELTER	10 Dup	RES. SHELTER
W	RES. SHELTER	10 Dup	RES. SHELTER
X	RES. SHELTER	10 Dup	RES. SHELTER

LARSON CREEK VILLAGE

USE & INT.	PERMITTED	AREA	CONVERSION
Y	RES. SHELTER	10 Dup	RES. SHELTER
Z	RES. SHELTER	10 Dup	RES. SHELTER

PARTIAL LAND USE SUMMARY

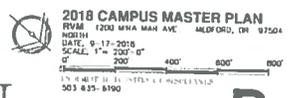
2018 CAMPUS MASTER PLAN
 1218 ACRES, 2181 ACRE
 1218 ACRES, 2181 ACRE
 1218 ACRES, 2181 ACRE

QUAIL POINT

USE & INT.	PERMITTED	AREA	CONVERSION
1	RES. SHELTER	10 Dup	RES. SHELTER
6	RES. SHELTER	10 Dup	RES. SHELTER
7	RES. SHELTER	10 Dup	RES. SHELTER
8	RES. SHELTER	10 Dup	RES. SHELTER

CITY OF MEDFORD
 EXHIBIT # D
 FILE # PUD-18-152

ROGUE VALLEY MANOR - 2018 PUD MASTER PLAN



B
EXHIBIT

Manor PUD Amendment



Legend

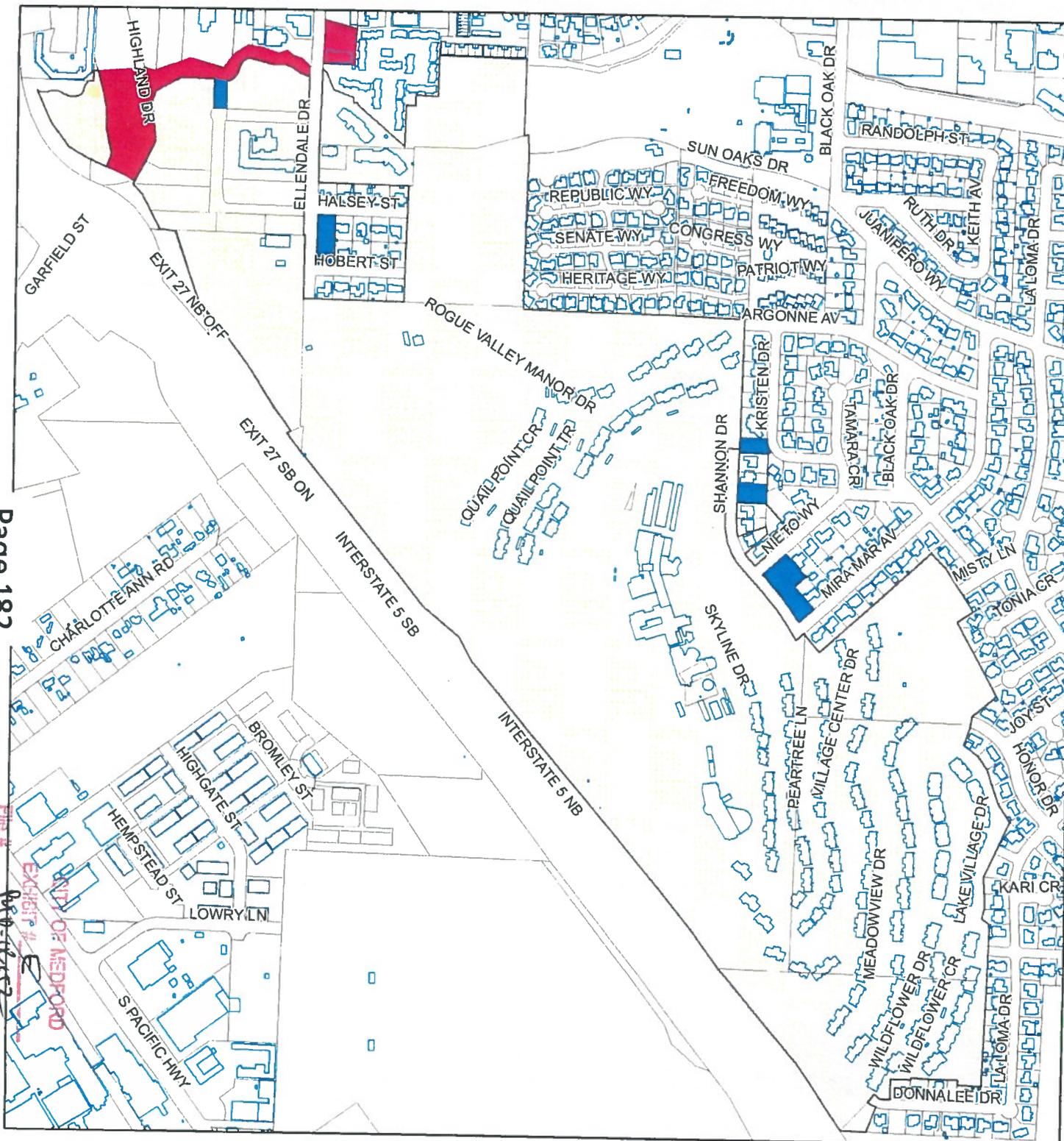
-  Manor PUD
-  Remove from PUD
-  Add to PUD
-  Tax Lots
-  Building Footprints

0 350 700
Feet

1 inch = 700 feet

 This map is based on a digital database compiled by Jackson County GIS from a variety of sources, and may include RSA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.

12-5-18

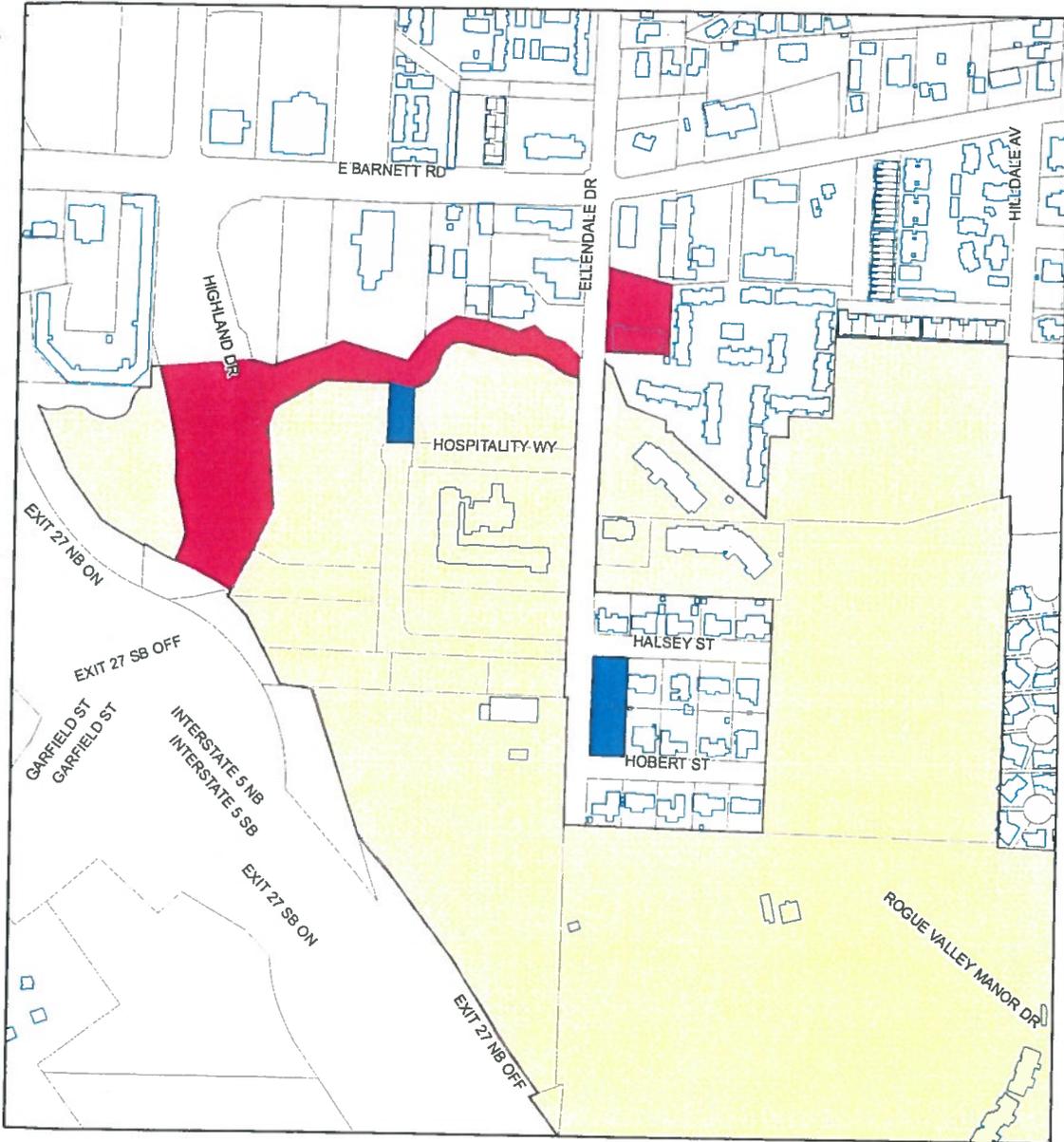


FILE # 182-10-02
EXHIBIT # 2

RECEIVED

DEC 05 2018

PLANNING DEPT.



Manor PUD Amendment



Legend

- Manor PUD
- Remove from PUD
- Add to PUD
- Tax Lots
- Building Footprints

0 175 350 Feet
1 inch = 350 feet



This map is based on a digital database compiled by Jackson County GIS from a variety of sources, and may include RSA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.
12-5-18

69

RECEIVED
 DEC 05 2018
 PLANNING DEPT.

**Manor PUD
 Amendment**



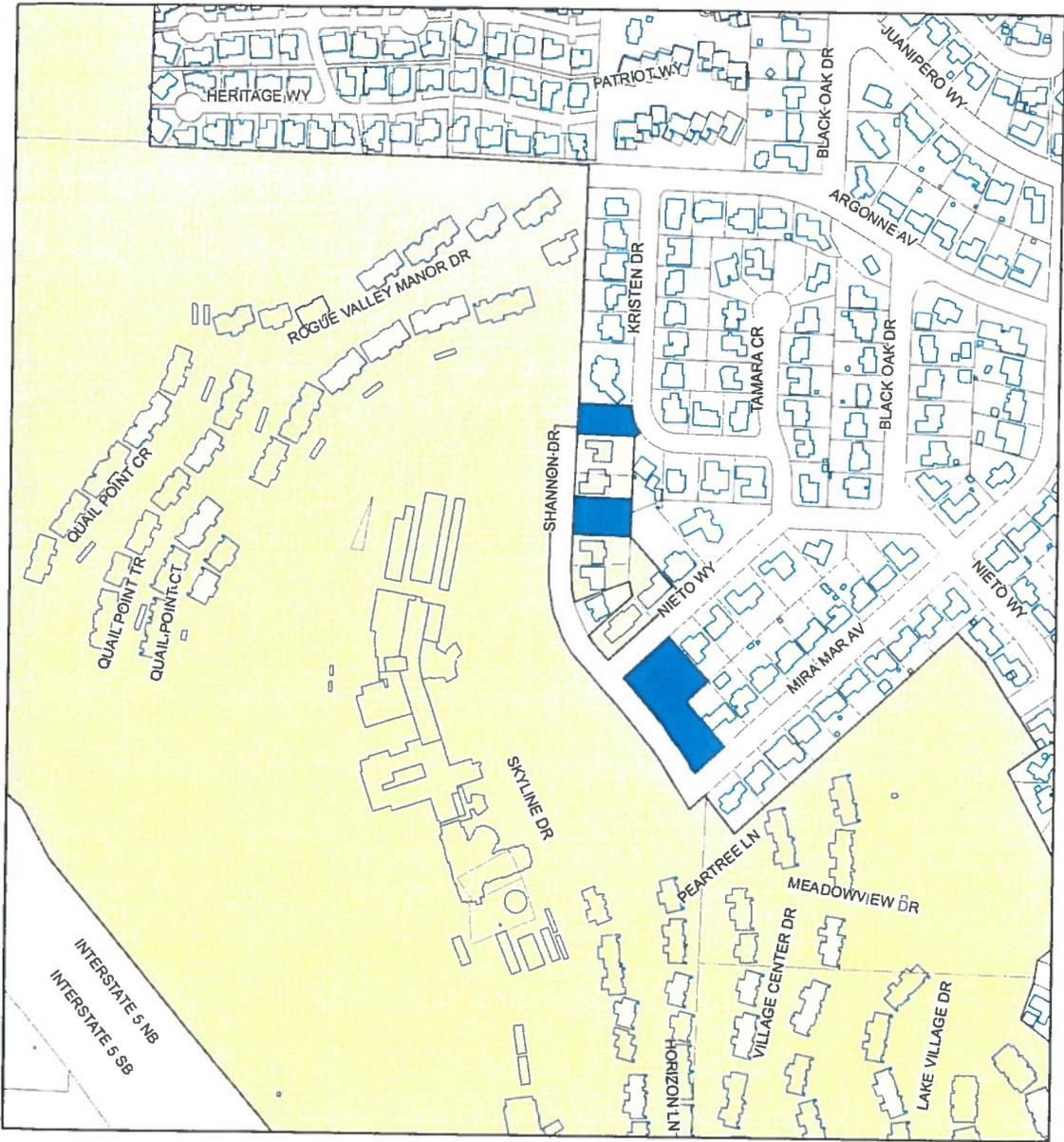
Legend

- Manor PUD
- Add to PUD
- Tax Lots
- Building Footprints

0 175 350 Feet
 1 inch = 350 feet



This map is based on a digital database compiled by Jackson County GIS from a variety of sources and may include RSA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.
 12-5-18



RECEIVED
OCT 11 2018
PLANNING DEPT

Rogue Valley Manor PUD **Project Narrative**

The applicant, Rogue Valley Manor, is proposing a revision to the approved PUD Plan for File No. PUD 98-23. The calculated acreage for the project is approximately 233.2 acres. The various uses within each project area is provided on the 2018 RV Manor PUD Master Plan with the area for each specific use identified. The PUD boundary is also modified with the exclusion of property located at 965 Ellendale Drive that is no longer in the Rogue Valley Manor ownership. In addition, the area transferred to the City of Medford for the Larson Creek pedestrian/bike trail in segment 1 is to be excluded from the PUD boundary. This is provided to update the official master site plan of record with the City of Medford.

As shown on the attached 2018 PUD Master Plan, there are no changes to the total number of dwelling units or approved structures and uses with the approved PUD Plan; however, there are changes to their location within the PUD project area boundaries. There are no changes to the Commercial Village proposed uses.

One of the main goals is to demonstrate that the Commercial Village is able to develop without any vehicle trip stipulations. The 1998 review and trip cap condition was due to the "Barnett Road Interchange" and the lack of capacity for the local street system. The completion of the new South Medford Interchange and the applicant's transfer of land for Highland Avenue as part of the new South Medford Interchange construction provided street connectivity while providing a safer and more efficient street system. The applicant is requesting the trip cap stipulation to be removed based on the submitted Traffic Impact Analysis for the commercial uses within the Commercial Village.

The original rationale to develop this area as a PUD was to provide for mixed land uses with different housing types that includes multifamily structures, cottages, skilled nursing / memory care facility, commercial uses, open space golf course and private streets within a thoughtfully planned neighborhood. The planned uses for Rogue Valley Manor PUD were addressed with the 1998 review and approval and there are no changes with the planned uses. The purpose of this application is to revise the exterior boundary of the PUD to reflect the ownership changes and to amend the location of the approved uses within the project area. The Quail Point Golf Course is existing as a developed open space feature that is held in the ownership of Rogue Valley Manor.

There are three new modifications from the Code being requested by the applicant: 1) The applicant desires to acquire a modification to the Code for a sign within the Commercial Village, consistent with the Freeway Overlay District provisions. Although the underlying zone is not commercial, the uses within the Commercial Village

CITY OF MEDFORD
EXHIBIT # F
FILE # PUD-18-152

are allowed and permitted within the commercial zones for the City of Medford. The Commercial Village was allowed in 1998 well within the 20% allocation of area and uses within the project area. A portion of the Commercial Village, adjacent to the I-5 corridor, is within the boundaries of the Freeway Overlay District. This sign will be located and provided within this identified boundary with the future development and available to all users within the Commercial Village. 2) Modification to Condition #13 in PUD-98-23 relating to a fence/wall 6-8 feet in height for screening purposes adjacent to the Memory Care and Skilled Nursing Facilities. The applicant and neighboring property owners desire to have this condition removed, due to shading and resulting mass effect. The remaining screening provisions are still proposed. 3) Modification to Condition #15 regarding the HVAC equipment to be located on the ground. The applicant desires to have the option to locate the HVAC equipment on the roof of the structures which will still be screened from view. This is proposed due to the efficiency of the new HVAC systems that results in energy savings and costs savings with the greater efficiency.

The development areas are broken down into specific projects (A-Z) that can also be considered as phasing for the Preliminary PUD Plan revision. There is no sequential order of phasing or development for the future improvements with the RV Manor PUD. There is no time schedule for the development of the remaining vacant lands or remaining uses. The need for demand for specific types of housing and/or uses will be provided when warranted.

RECEIVED

OCT 11 2018

PLANNING DEPT.

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

IN THE MATTER OF AN APPLICATION FOR)
AN AMENDMENT/REVISION FOR ROGUE)
VALLEY MANOR PLANNED UNIT DEVELOP-))
MENT LOCATED EAST OF INTERSTATE- 5)
AND SOUTH OF ELLENDALE ROAD AND)
MIRA MAR AVENUE; LOCATED AT 1200)
MIRA MAR AVENUE; PACIFIC RETIREMENT))
SERVICE/ROGUE VALLEY MANOR, OWNER))
APPLICANTS; RICHARD STEVENS &)
ASSOCIATES, INC. AGENTS)

AMENDMENT
FINDINGS OF FACT
PUD-98-23

RECITALS:

Property Owner/ Applicants-	PRS/Rogue Valley Manor 1 W. Main Street, Ste. 303 Medford, OR 97501
Attorneys-	Hathaway Larson LLP 1331 NW Lovejoy Street, Ste. 950 Portland, OR 97209
Designer-	Robert H. Foster Consultants 431 Ash Street Lake Oswego, OR 97034
Consultants-	Richard Stevens & Associates, Inc. PO Box 4368 Medford, OR 97504
Property Location-	1200 Mira Mar Avenue Medford, Oregon
Acreage-	233.20 acres
Zoning-	SFR-4 and SFR-10
Land Uses-	Mixed Use, residential and commercial with open space

8

INTRODUCTION:

The purpose of this application is to amend the exterior boundary of Rogue Valley Manor, PUD, which has acquired additional lands in the last 20 years, after the approval of File No. PUD-98-23. There are also lands that have been transferred out of the RV Manor's ownership since 1998. These inclusion areas are located along Shannon Drive, Area C, in the eastern quadrant of the PUD and Area Q along Ellendale Drive. The lands transferred out of the RV Manor ownership are generally located north of Larson Creek, which includes the Larson Creek Trail system. This revision application and supporting findings is consistent with Section 10.198(A) Medford Land Development Code (MLDC). Section 10.198(A)(1) states:

***“Applicant for Revision; Filing Materials; Procedures:** An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the owner(s) who control a majority interest in more than fifty percent (50%) of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than fifty percent (50%) of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.”* (emphasis added)

The applicant requests that the City of Medford keep in mind that this amendment application cites and addresses the standards and criteria that were in effect in the year 1998, MLDC. The Code citations and criteria now differ from those in effect with the original review for Rogue Valley Manor PUD, File No. PUD-98-23. The Findings below reflect the current approval criteria that are applicable for this revision to the Preliminary PUD Plan. In addition, the applicant did advertise/notice a neighborhood meeting for the adjacent residents on June 13, 2018, as prescribed within Section 10.235, the previous code requirements, which are still consistent with Section 10.194(A), which is found in the current Code.

The applicant, Rogue Valley Manor, currently owns all, greater than 50%, of the vacant lands within RV Manor, PUD that has not received Final PUD Plan and is not under construction. The land uses for RV Manor, PUD have been approved by the City and there are no changes to these approved uses. There are a few changes to the location of these uses that is currently proposed on the 2018 RV Manor PUD Master Plan. The site is predominately a residentially zoned area as provided in the Medford Land Development Code and consistent with the Medford Comprehensive Plan. The attached Preliminary 2018 PUD Master Plan revision for Rogue Valley Manor, Planned Unit Development, adequately defines the urban residential and commercial uses for the property with the inclusion areas (Area C and Area Q) for the revised boundary.

The project area contains wetlands within its boundaries and is required to mitigate and enhance any impacted wetlands consistent with the Division of State Lands requirements. These wetlands are predominately within the Quail Point Golf Course and will not be disturbed with any future development.

A portion of the site is also located within the Larson Creek Trail Pedestrian / Bike path, which the City of Medford has recently approved for the improvements of Segment 2 of the Trail for development from Ellendale Avenue to Black Oak Drive. The Larson Creek Trail, once completed with improvements, will be transferred to the Medford Parks & Recreation for park purposes. The Larson Creek Trail will be used for open space, bike/pedestrian paths with viewing/resting areas within the Riparian Corridor of Larson Creek.

There are 5 separate development areas within the RV Manor PUD: Manor Village, Manor Hill, Quail Point Village, Commercial Village and the Larson Creek Village. This application for revisions does not include any land divisions or other Article II reviews. In addition, there are no landscape plans or conceptual grading and stormwater drainage plans being submitted. These matters are unnecessary at this time for revisions and will be supplied with the future SPAC materials.

CRITERIA: SECTION 10.190:

The application procedures and Criteria for a planned unit development are listed in Section 10.190, Medford Land Development Code. The criteria are:

Section 10.190(C) (1) An application for Preliminary PUD Plan shall be on forms supplied by the City. A complete application shall include the materials and information listed in this Subsection. However, the Planning Director, in their discretion, may waive the submittal of any of the materials or information that are deemed to be excessive, repetitive or unnecessary based upon the size and nature of the PUD. Unless waived by the Planning Director, the following items shall be required to constitute a complete application for a Preliminary PUD Plan:

- 1(a)** Current assessor map with the boundaries of the proposed PUD identified.
- 1(b)** Preliminary PUD Plan (16 copies) and supplemental materials.
One copy of the Preliminary PUD Plan shall be a reduced size suitable for photocopy.
- 1(c)** A narrative description of the PUD.
- 1(d)** Written findings of facts and conclusions of law which address the approval criteria in Subsection 10.190(D).
- 1(e)** Names and mailing addresses of the owners of record of tax lots, obtained by the latest tax rolls of the Jackson County Assessor's Office, located within 200 feet of the exterior boundary of the whole PUD. The owners of no less than seventy-five (75) tax lots shall be notified of the pending land use hearing.

The applicants are not proposing any new private or non-city street lighting with this application, the private streets and lighting have already been approved. There are no land divisions proposed, nor any structures or architectural plans for review by the Site Plan and Architectural Review Commission.

SECTION 10.190(C)(1)(c) Narrative:

(c)(i) The original rationale to develop this area as a PUD was to provide for mixed land uses with different housing types which includes Congregate Housing, multifamily housing, cottages, skilled nursing / memory care facility, commercial uses, open space golf course and private streets within a thoughtfully planned neighborhood.

(c)(ii) The nature and planned uses of Rogue Valley Manor PUD was thoroughly addressed with the 1998 review and approval and there are no changes with the 2018 planned uses. The purpose of this application is to revise the exterior boundary of the PUD to reflect the ownership changes and to amend the location of several of the approved uses within the project area. An additional request is for the trip cap stipulation to be removed based on the submitted Traffic Impact Analysis for the commercial uses within the Commercial Village. There are no other development restrictions or limitations from the 1998 review and approval on the remaining vacant lands within the project area. The Quail Point Golf Course is existing as a developed open space feature that is held in the ownership of Rogue Valley Manor.

(c)(iii). There were several deviations (*modifications*) from the MLDC proposed and approved by the Medford Planning Commission with the 1998 review for RV Manor PUD. These include multiple residential structures on the same Lot and/or Parcel for each phase or project area; Setbacks and Building Height for several buildings to exceed 35-feet in height; Parking reduction; Signs within the residential zones; Private Streets; Private Street Lights; and uses not allowed in the underlying zoning district (Commercial Village). Rogue Valley Manor PUD meets or exceeds the minimum standards of the remaining applicable criteria and development standards found in the Medford Land Development Code.

There are three additional modifications from the Code being requested by the applicant. 1) The applicant desires to acquire a modification to the Code for a sign within the Commercial Village, consistent with the Freeway Overlay District provisions. Although the underlying zone is not commercial the uses within the Commercial Village are allowed or permitted within the commercial zones for the City of Medford. The Commercial Village was allowed in 1998 for meeting the 20% allocation of area and uses within the project area. A portion of the Commercial Village, adjacent to the I-5 corridor is within the boundaries of the Freeway Overlay District. This sign will be located and provided within this identified boundary with the future development and available to all users within the Commercial Village. 2) Modification to condition #13 in PUD-98-23 relating to a fence/wall 6-8-feet in height for screening purposes adjacent to the Memory Care and Skilled Nursing Facilities. The applicant and neighboring property owners desire to have this condition removed, due to shading and mass.

In addition, the fencing downhill from the Memory Care Facility has minimal effect for screening purposes with the line of sight. The remaining screening provisions for a berm and vegetation are still proposed. 3) Modification to condition #15 in File No. PUD-98-23 regarding the HVAC equipment to be located on the ground. The applicant desires to have the option to locate the HVAC equipment on the roof of the structures which will still be required to be screened from view. This is proposed due to the efficiency of the new HVAC systems that provides energy efficiency and savings along with costs savings with the greater efficiency.

(c)(iv) If one or more signs are intended to vary from the provisions of this Code. The allowance for a sign consistent with the Freeway Overlay District is being requested as a modification to the code within the Commercial Village. There is no design for the sign proposed at this time. The provision for signs has already been allowed with the approval of PUD 98-23 within the residential zones with the deferral to Site Plan Architectural Review Commission.

(c)(v) There are no specific phases planned with the RV Manor PUD. The development is broken down into specific development areas with associated project areas/uses (A-Z). The project areas can be used for phasing purposes with the Preliminary 2018 PUD Master Plan. The need for specific types of housing and/or uses are then provided when warranted. There is no schedule or sequential order of phasing for the development of the remaining vacant lands or remaining uses.

(c)(vi) The calculated gross acreage for the project is approximately 233.2 acres. The various uses within each project area is provided on the 2018 RV Manor PUD Master Plan with the project area for each specific use identified.

SECTION 10.190(D) Approval Criteria for Preliminary PUD Plan:

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

- (1) *The proposed PUD:*
 - (a) *preserves an important natural feature of the land; or*
 - (b) *includes a mixture of residential and commercial land uses; or*
 - (c) *includes a mixture of housing types in residential areas; or*
 - (d) *includes open space, common areas, or other elements intended for common use or ownership; or*
 - (e) *is otherwise required by the Medford Land Development Code.*

Discussion:

Based on the 2018 RV Manor PUD Master Plan subsections a-d are applicable with the revision application. (a) The natural feature is Larson Creek and associated riparian corridor, located in the northern quadrant of the project area, where the applicant has cooperated with Medford Public Works Department for the creation and transfer of ownership for the Larson Creek Trail. (b) & (c) RV Manor PUD does provide a mixture of commercial uses with several types of

residential facilities from independent cottage living to congregate care. (d) The RV Manor PUD also provides for developed open space with the Quail Point Golf Course. The lands and uses within the RV Manor PUD are solely owned and operated by the Rogue Valley Manor and will remain in common ownership, with the exception for the Commercial Village.

FINDING:

The City of Medford finds that the existing and planned uses for RV Manor PUD preserves the natural feature for the Larson Creek Trail, provides a mixture of residential and commercial uses, provides a mixture of residential housing types and provides for an open space feature being the Quail Point Golf Course. This application is in compliance with the applicable requirements of Section 10.190(D)(1).

- (2) *The proposed PUD complies with the applicable requirements of this Code, or*
- (a) *the narrative describes the proposed modified standard of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and*
 - (b) *the proposed modification enhance the development as a whole resulting in a more creative and desirable project, and*
 - (c) *the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.*

Discussion:

There are modifications/deviations that were reviewed within PUD 98-23 and were approved by the Medford Planning Commission in 1998. There are three new modifications requested with this application for revisions; the Freeway Overlay District signs within the Commercial Village; modification/elimination to PUD-98-23 Condition #13 regarding the 6-8 foot wall; and a modification to Condition #15 in PUD-98-23 regarding location of the HVAC equipment on the top of buildings.

The Freeway Overlay District sign will provide an attractive and consolidated signage along the I-5 South Medford Interchange, compared to the anticipated signage on individual buildings and parcels within the Commercial Village. The allowance for a sign to meet the Freeway Overlay District does not significantly impact the function, safety or efficiency of the street circulation system. The proposed sign may enhance the efficiency with travelers being able to locate specific destinations with greater ease.

The removal of the 6-8 foot wall will enhance the development by removing the visual "mass" effect on RV Manor property and with the adjacent neighbors. The wall/fence will not significantly impact the functions, safety or efficiency of the street circulation or the development as a whole.

The modification for allowing the HVAC equipment to be located either on the ground or on top of the structures will enhance the development by providing for the most energy efficient system available, which creates a more desirable project. When the HVAC equipment is located on the rooftop additional area can be utilized for landscaping purposes. This equipment either on the ground or on top of the structures will be screened from public view. This modification will not materially impair the street circulation system or the development as a whole

FINDING:

The City of Medford finds that there are deviations / modifications already reviewed and approved by the Medford Planning Commission in 1998. The City also finds that there are three new modifications proposed that will not have a significant impact to the street circulation system or the development as a whole, that will enhance the development to be more desirable, and that these modifications are reasonable requests to the development of RV Manor PUD and specific uses.

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

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

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

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

Discussion:

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

FINDING:

The City of Medford finds that the subject property is not subject to a Limited Service Area, Public Facilities Strategy or a Moratorium on Construction within the City of Medford. This application is in compliance with Section 10.190(3), MLDC.

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

Discussion:

The approved RV Manor PUD provides for the Quail Point Golf Course as a common element for the residents of Rogue Valley Manor. Also provided are pedestrian pathways throughout the project for persons to walk and exercise. There are community gardens provided for the residents to grow their own vegetables and flowers as part of the living experience. Within the RV Manor and Sky Line Plaza there are numerous indoor common areas for persons to visit and socialize with other residents and visitors. These features are appropriate for the residents of the RV Manor campus and have functioned superbly for their intended use.

FINDING:

The City of Medford finds that the common elements provided have been approved and are existing within the PUD boundaries, which are appropriate for the residents of Rogue Valley Manor. All common elements and properties are to remain solely in the RV Manor ownership.

(5) If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either:

- (a) Demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or*
- (b) By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:*

Discussion:

With the review of PUD 98-23 the Medford Planning Commission applied a vehicle trip cap for the development of the Commercial Village. This was imposed due to the "old" South Medford I-5 Interchange location and restriction at that time. The applicant is requesting the Planning Commission to remove the trip cap stipulation based on the Traffic Impact Analysis (TIA) that will ultimately be provided by TransproGroup. Once the TIA is completed, the applicant will submit for review with the City of Medford.

FINDING:

The City of Medford finds that the TIA submitted for removal of the vehicle trip cap is justified with the improvements made to the relocation of South Medford I-5 Interchange and the street connection of Highland Drive with Garfield Ave.

(6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.

Discussion:

With the City's review and approval of the 1998 application the Commercial Village addressed the conditional use permit criteria with the provisions in effect at that time. This criterion has already been addressed and satisfied; therefore, this is not applicable with this revision to the RV Manor Preliminary PUD Plan.

FINDING:

The City of Medford finds that this criterion was already addressed and approved and is not applicable with this application.

(7) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.

Discussion:

There are no concurrent applications applicable for this revision to the RV Manor Preliminary PUD Plan. This criterion is not applicable.

FINDING:

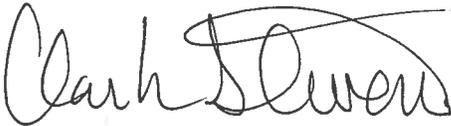
The City of Medford Finds that this criterion is not applicable for this revision application for RV Manor PUD.

**PLANNED UNIT DEVELOPMENT SUMMARY
AND CONCLUSIONS:**

The City of Medford concludes that this revision and amendment application for Rogue Valley Manor Planned Unit Development (PUD 98-23) has addressed the applicable criteria for a planned unit development as outlined in Sections 10.190, 10.194, and 10.198 MLDC. The provisions found in Section 10.192 have already been addressed, reviewed and approved with PUD 98-23 by the Medford Planning Commission. The City of Medford also concludes that this Preliminary PUD revision meets the minimum, or exceeds the standards and requirements for a Preliminary Planned Unit Development application. The City of Medford can also conclude that this application with the requested new modifications is in compliance with the Medford Land Development Code.

Based on the Findings provided above and the exhibits attached, the applicant, Rogue Valley Manor, respectfully requests approval of this application for a revision to Rogue Valley Manor, Planned Unit Development Plan.

RESPECTFULLY SUBMITTED:

A handwritten signature in black ink, appearing to read "Richard Stevens". The signature is fluid and cursive, with a large loop at the end of the last name.

RICHARD STEVENS & ASSOCIATES, INC.

Rogue Valley Manor PUD Master Plan

Comparison from the 1998 approved plan with the 2018 Master Plan.

1998 Uses	New Uses / Changes	2018 Proposed Uses	Comments
Area 219.7 ac	+ Areas C & Q Less Larson Creek Less office building Less Right of Way	Area- approximately 233.2 ac	
Residential: Total 1,265 DU	9 additional new SFR lots and dwellings	Residential: Total of 1,274 DU	Areas C & Q inclusions
Cottages 374		378 cottages	Areas A, C, L, M, N & O
SFR 7 DU		2 SFR DU	Area Q
Apartments 96 mixed use CM			Added to the Congregate total
Congregate 788 DU		894 DU	Includes Manor Hill, Area B & Larson Cr. Village
			No Net increase or decrease in Dwelling Units
Commercial: 250,400 sq.ft.	Less PRS office building & Pro Shop	Commercial: 163,500 sq.ft. 37,000 sq.ft. commercial	Commercial Village Area P, commercial offices & Pro Shop
Hotel 150 rooms		Hotel 109 rooms	Existing
		Hotel 120 rooms	Existing
Office 95-KSF		Office 22-KSF	Area R mixed use
		Office 40-KSF	Area X
Retail 34.4-KSF		Retail 15-KSF	Area R
Retail 26.5-KSF		Retail 36.3-KSF Retail 42.6-KSF	Area S Area U
Restaurant 10-KSF		Restaurant 7.6-KSF	Area T

CITY OF MEDFORD

EXHIBIT A H

File # Puo-18-152

Account Sequence	Map TL Sequence	Assessment Year 2018 ▼	Print Window	Close Window
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Assessment Info for Account 1-002175-0 Map 371W32D Taxlot 600

Report For Assessment Purposes Only Created October 05, 2018

Account Info		Tax Year 2017 Info		Land Info	
Account	1-002175-0	Pay Taxes Online		Tax Code	4-07
Map Taxlot	371W32D 600	Tax Report	Details	Acreage	104.26
Owner	ROGUE VALLEY MANOR	Tax Statement	Details	Zoning	
Situs Address		Cor Tax Statement	Details	Land Class	
1200 MIRA MAR AVE MEDFORD	R	Tax History	Details	UNK 104.26 Ac	
Mailing Address	ROGUE VALLEY MANOR 1200 MIRA MAR AVE MEDFORD OR, 975048546	Tax Code 4-07		Property Class	201
- Associated Taxlots 3 Acct		Tax Type	Due Date	Amount	Stat Class
4-07	R 1-002176-8 371W32D 601 ACTIVE	Advalorem	11/15/17	\$950,325.44	642
4-03	R 1-078738-5 371W32D 600 PURGED	Tax Rate	14.6754		Unit ID
4-07	R 1-094903-4 371W32D 600 A2 ACTIVE	District Rates	Details		160431-3
Appraiser	164	Tax Details	Details		Maintenance Area
		Tax Rates	Details		4
					Neighborhood
					000
					Study Area
					00
					Account Status
					ACTIVE
					Tax Status
					Assessable
					Sub Type
					NORMAL

Sales Data (AS 400)

Last Sale	Sale Date	Instrument Number	Sales History
\$1,337,500.00	6/15/1983	1983-09451 Details	Details

Value Summary Detail (For Assessment Year 2018 - Subject To Change)

Market Value Summary (For Assessment Year 2018 - Subject To Change)

Code Area	Type	Acreage	RMV	M5	MAV	AV
4-07	LAND	104.26	\$ 6,874,810	\$ 6,874,810	\$ 4,089,630	\$ 4,089,630
4-07	IMPR	0.00	\$ 66,320,190	\$ 66,320,190	\$ 64,555,550	\$ 64,555,550
Value History Details		Total:	\$ 73,195,000	\$ 73,195,000	\$ 68,645,180	\$ 68,645,180

Value Summary Details

Value History

Improvements

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete	
1	4-07	0		642	Retirement Center	Comm Imp	308170	100 %	Details
2	4-07	2009		642	Retirement Center	Comm Imp	136200	100 %	Details

Photos and Scanned Documents

Type	Item Number	Image Files	
ACCOUNT PHOTO	1	1	PDF
ACCOUNT PHOTO	2	1	PDF
ACCOUNT PHOTO	3	1	PDF

File # **PW-18-152**

ACCOUNT PHOTO	4	1	PDF
ACCOUNT PHOTO	5	1	PDF
ACCOUNT PHOTO	6	1	PDF
ACCOUNT PHOTO	7	1	PDF
ACCOUNT PHOTO	8	1	PDF
ACCOUNT PHOTO	9	1	PDF
ACCOUNT PHOTO	10	1	PDF
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ACCOUNT PHOTO	15	1	PDF
ACCOUNT PHOTO	16	1	PDF
ACCOUNT PHOTO	17	1	PDF
ACCOUNT PHOTO	18	1	PDF
SCANNED ASSESSOR DOCUMENTS	(See new portal)	(See new portal)	Portal
ALL IN ONE REPORT?			
+ Improvement Comments			
+ Commercial			
+ Appraisal Maintenance			
+ Account Comments			
- Exemptions / Special Assessments / Notations / Potential Liability			
Exemptions			
Description		Amount	Application Year
VETERANS SERVICE RELATED		\$1,889,454.00	2017
Notations			
Description	Tax Amount	Year Added	Value Amount
TRC DOWNLOADED FROM CAAP			
CELL TOWER SITE ON PROPERTY		2014	
ERROR OF ANY KIND- DECREASE		2014	
ERROR OF ANY KIND- DECREASE		2008	
YR. END TRC---ADDIT BILL THRU 11/30		2008	
- Location Map			



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CITY OF MEDFORD

LD Date: 12/19/2018

Revised Date: 3/7/2019

File Numbers: PUD-18-152

Reference: PA-18-068, PUD-84-003, PUD-98-023

PUBLIC WORKS DEPARTMENT STAFF REPORT Rogue Valley Manor PUD Revision

Project: Consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File No. PUD-98-023, to consider changes to the PUD boundary of approximately 233-acres of property and to demonstrate that the 'Commercial Village' is able to develop without any vehicle trip stipulations.

Location: Located east of Interstate 5 between Ellendale and La Loma Drives, within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre), SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre), SFR-10 (Single Family Residential – 6 to 10 dwelling units per gross acre), MFR-20 (Multiple Family Residential – 15 to 20 dwelling units per gross acre), MFR-30 (Multiple Family Residential - 20 to 30 dwelling units per gross acre) and C-C (Community Commercial) zoning districts.

Applicant: Applicant: Pacific Retirement Services, Rogue Valley Manor; Agent: Richard Stevens & Associates; Planner, Steffen Roennfeldt.

Applicability: The Medford Public Works Department's conditions of approval for Rogue Valley Manor PUD were adopted by Order of the Medford Planning Commission (PUD-84-003, PUD-98-023, PUD-07-113, PUD-08-086). The adopted conditions by these actions shall remain in full force as originally adopted except as amended or added to below.

NOTE: The items listed here shall be completed and accepted prior to the respective issuances of permits and certificates:

Prior to issue of the first building permit or approval of a Final Plat, the following items shall be completed and accepted:

- Submittal and approval of plans for site grading and drainage, and detention, if applicable.
- Completion of all public improvements, if required. The applicant may provide security for 120% of the improvements prior to issuance of building permits. Construction plans for the improvements would need to be approved by the Public Works Engineering Department prior to acceptance of security.
- Items A – E, unless noted otherwise.

Prior to issue of Certificate-of-Occupancy for completed structures, the following items shall be completed and accepted:

- Paving of all on-site parking and vehicle maneuvering areas
- Certification by the design engineer that the stormwater quality and detention system was constructed per the approved plan, if applicable.
- Completion of all public improvements, if applicable.

A. STREETS

1. Dedications

Ellendale Drive is classified as a Major Collector street within the Medford Land Development Code (MLDC) Section 10.428. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width (37-feet) of right-of-way. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

The Developer will receive SSDC (Street System Development Charge) credits for the public right-of-way dedication on **Ellendale Drive**, per the methodology established by the MLDC 3.815. **Should the Developer elect to have the value of the land be determined by an appraisal, a letter to that effect must be submitted to the City Engineer within sixty (60) calendar days of the date of the Final Order. The City will then select an appraiser, and a cash deposit will be required as stated in Section 3.815.**

Welcome Way (*Hospitality Way, as noted on the PUD Master Plan*) is classified as a Commercial street within the Medford Land Development Code (MLDC) 10.429. Right-of-way has already been dedicated per separate document with Right of Way Recording Numbers: 2016-009587 and 2017-025978, respectively. **No additional right-of-way is required along the existing roadway.** If Welcome Way is to be extended as a public street, then additional right-of-way shall be dedicated accordingly (including the "proposed knuckle"). If the extension is to be private, then the public section of Welcome Way shall terminate with a "cul-de-sac" which shall be dedicated per MLDC 10.450, and have a minimum 45-foot radius.

Nieto Way and Shannon Drive are classified as a Standard Residential streets in accordance with Medford Land Development Code (MLDC) Section 10.430. **No additional right-of-way is required.**

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

The easement dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the 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

P:\Staff Reports\PUD\2018\PUD-18-152 Rogue Valley Manor PUD Revision (re PUD-08-023)\PUD-18-152 Staff Report-Revised.docx Page 2 of 12

PUE area.

2. Public Improvements

a. Public Streets

Ellendale Drive is currently improved with pavement, curb, gutter, sidewalk and street lights. **No additional improvements are required.**

Neito Way and Shannon Drive are currently improved with pavement, curb, gutter, partial sidewalk and street lights. **No additional improvements are required except for sidewalk with a planter strip with future development.**

Welcome Way is currently improved with pavement, curb, gutter, sidewalk and street lights along the public section. **No additional improvements are required for the public section.** However, if Welcome Way is to be extended as a public street, then it shall be improved in accordance with MLDC 10.429. If the extension is to be private, then the public section of Welcome Way shall terminate with a "cul-de-sac" which shall be constructed in accordance with MLDC 10.450.

In addition, the proposed knuckle as shown on the PUD Master Plan along Welcome Way near Building "R" in the Commercial Village, shall be designed to City of Medford street standards.

All proposed private streets shall be constructed to City Standards, in accordance with MLDC 10.426, 10.430 and allowed by 10.931, and shall be privately maintained.

b. Street Lights and Signing

The Developer shall provide and install in compliance with Section 10.495 of the Medford Municipal Code (MMC). Based on the preliminary plan submitted, the following number of street lights and signing will be required:

Street Lighting – Developer Provided & Installed:

- A. To be determined per Section 10.495.

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

- A. To be determined per Section 10.495.

NOTE: For private streets, legal documents shall be submitted in a form acceptable to the City Attorney prior to recording in the official records of Jackson County that assure that lighting systems on private streets will be perpetually maintained and operated by individual property owners, an association of property owners, or other entity. Street lighting and pedestrian scale street lighting that differs from the standards may be installed if the Planned Unit Development (PUD) approval authorizes the modification.

Numbers are subject to change if changes are made to the plans. All street lights and

signing for the private streets shall be private, but installed to City of Medford specifications. Private street lights and signage shall be maintained by the Home Owners Association.

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 the Developer.

c. Pavement Moratoriums

There is a pavement cutting moratoriums currently in effect along the respective frontage to Nieto Way, which is set to expire July 26th, 2020. No other street cut moratoriums in effect.

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 to the proposed development sites shall comply with MLDC 10.550.

Applicant shall coordinate with the Oregon Department of Transportation and/or adjacent landowners for access to the "Development Site", within the Commercial Village which is located west of Highland Drive.

f. Transportation System

1. The applicant has shown that the proposed changes to the site plan outside of the Commercial Village are Step 1 uses as defined in the 1998 PUD approval. Therefore, there are no traffic impacts beyond the original approval and no traffic analysis of these changes

is needed at this time.

2. The added areas shall be restricted to permitted uses within the underlying zoning.
3. The removal of Map Lot 37 1W 32AB 1000 will not result in any conditions to run with the land resulting from the PUD because the C-C zoning was existing prior to inclusion in the PUD and was considered as part of the Step 1 uses in the 1998 approval.
4. The Highland Drive right-of-way and the Larson Creek Greenway property being removed were included in the trip equivalency test that established the Step 2 and Step 3 land uses. Since these are now used for public transportation facilities, they do not generate any vehicle trips and would not impact the existing traffic conditions. If these areas change use in the future the impacts of any future proposal would need to be analyzed for any trip generation.
5. Public Works received a Transportation Impact Analysis (TIA) from Transpogroup, dated November 2018, and addendum dated February 2019 titled "Rogue Valley Manor". The TIA addresses tax Lots 371W32BA1600, 1700, 1800, 1900, 2300, 2400, 2500, 2502, 2700, and 371W32B3401 within the PUD; not the full PUD. The report analyzes increasing the trip cap for the Commercial Village in the PUD (identified as "Step 3" land uses in the 1998 PUD approval) from 192 P.M. peak hour trips to 486 P.M. peak hour trips. Public Works recommends the following conditions of approval:
 - a. Development of the Step 3 Land Uses shall not generate more than 192 P.M. peak hour trips until the intersection of Highland Dr and Barnett Rd is mitigated to the Level of Service (LOS) target identified in MLDC 10.462. This condition may be removed if Medford's standards for determination of Category "A" facilities for public streets changes in a way that allows this project to be considered reasonably likely to be funded by the end of the planning horizon.
 - b. Development of the Step 3 Land Uses shall not generate more than 192 P.M. peak hour trips until the intersection of Highland Dr and Keene Way / Barneburg is mitigated to the Level of Service (LOS) target identified in MLDC 10.462. An acceptable mitigation is for the developer to pay a 4.5% proportionate share toward construction of a roundabout. Public Works estimates the proportionate share of a roundabout at approximately \$100,000.
 - c. The development shall provide a trip accounting for each phase of development to verify that the trip cap has not been exceeded.
 - d. Development of the Step 3 Land Uses shall not generate more than 486 P.M. peak hour trips unless a future traffic impact analysis removes or modifies the trip cap on the property.

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 which are not constructed within a public street section.

Easements shall be shown on the final plat and/or 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 dedications and improvements recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

Ellendale Drive:

The additional right-of-way on Ellendale Drive will provide the needed width for a future planter strip and sidewalk. Ellendale Drive is a 35 mile per hour facility, which currently carries approximately 2,200 vehicles per day. The 10-foot planter strip moves pedestrians a safe distance from the edge of the roadway. Ellendale Drive will be a primary route for pedestrians traveling to and from this development. The development shall construct sidewalk along the frontage of any new or redeveloped areas within the PUD. All developments in Medford are required to construct frontage sidewalk.

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 and street improvements 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.

Neito Way, Shannon Drive and Welcome Way will be one of the primary routes for pedestrians traveling to and from this development. The development shall construct sidewalk along the frontage of any new or redeveloped areas within the PUD. All developments in Medford are required to construct their frontage sidewalk and therefore this is roughly proportional.

The additional street lighting will provide the needed illumination to meet current MLDC requirements.

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

The proposed development is situated within the Medford sewer service area.

C. STORM DRAINAGE

1. Drainage Plan

A comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first building permit application for approval.

The Developer shall provide copies of either a Joint Use Maintenance Agreement or a private stormdrain easement for any stormwater draining onto or from adjacent private property.

All private storm drain lines shall be located outside of the public right-of-way and/or any public utility easements (PUE).

Private Stormdrain facilities located with a PUE shall require signed approvals from the benefitting utilities.

1. 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 certification 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

P:\Staff Reports\2018\2018-152 Rogue Valley Manor PUD Revision (re PUD-08-023)\PUD-18-152 Staff Report-Revised.docx Page 8 of 12

Home Owners Association (HOA). The Developer's 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."

2. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed development will be submitted with the 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.

3. Mains and Laterals

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.

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.

4. Erosion Control

All development that disturbs 5,000 square feet or greater shall require an Erosion Prevention and Sediment Control Plan. Developments that disturb one acre and greater shall require a 1200C permit from the Department of Environmental Quality (DEQ). Erosion Prevention and Sediment Control Plans shall be submitted to the Building Department with the project plans for development. All disturbed areas shall be covered with vegetation or properly stabilized prior to certificate of occupancy.

D. SURVEY MONUMENTATION

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

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

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

document are available in the Public Works Engineering web site.

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

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. Permits

Building Permit applications for vertical construction shall not be accepted by the Building Department until a "walk through" inspection has been conducted and approval of all public improvements, as required, 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.

5. System Development Charges (SDC)

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 with the approval of the final plat or with building permits, whichever occurs first.

6. Construction and Inspection

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

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

Rogue Valley Manor, PUD Revision

PUD-18-152

A. Streets

1. Street Dedications to the Public:

- Dedicate additional right-of-way on **Ellendale Drive**.
- Dedicate additional right-of-way on **Welcome Way** for the extension and/or cul-de-sac.
- No additional right-of-way on **Nieto Way and Shannon Drive**.
- Dedicate 10-foot public utility easements (PUE).

2. Public Improvements:

- No public improvements are required along **Ellendale Drive**.
- Construct **Welcome Way** as public or as a private roadway with a Cul-de-sac.
- No public improvements are required along **Nieto Way or Shannon Drive**.
- Private streets: Built to City standards and privately maintained.

Lighting and Signing

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

Access and Circulation

- Driveway access shall comply with MLDC 10.550.

Transportation System

- Comply with Transportation System conditions.

Other

- There is a pavement moratorium currently in effect along this frontage to Nieto Way set to expire July 26th, 2020.
- Provide pavement moratorium letters.
- Provide soils report.

B. Sanitary Sewer:

- Easements shall be dedicated for access and maintenance of public sewer facilities not located within paved public streets.

C. Storm Drainage:

- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide Erosion Control Permit from DEQ.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

- Provide public improvement plans, as required.
- = 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: PUD-18-152

PARCEL ID: Refer to Pre-Application (PA-18-068)

PROJECT: Consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File No. PUD-98-023, to consider changes to the PUD boundary of approximately 233-acres of property and to demonstrate that the 'Commercial Village' is able to develop without any vehicle trip stipulations, located east of Interstate 5 between Ellendale and La Loma Drives, within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre), SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre), SFR-10(Single Family Residential – 6 to 10 dwelling units per gross acre), MFR-20 (Multiple Family Residential – 15 to 20 dwelling units per gross acre), MFR-30 (Multiple Family Residential - 20 to 30 dwelling units per gross acre) and C-C (Community Commercial) zoning districts. Applicant: Pacific Retirement Services, Rogue Valley Manor; Agent: Richard Stevens & Associates; Planner, Steffen Roennfeldt.

DATE: December 19, 2018

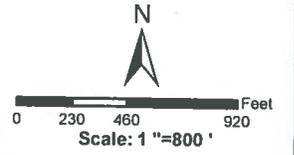
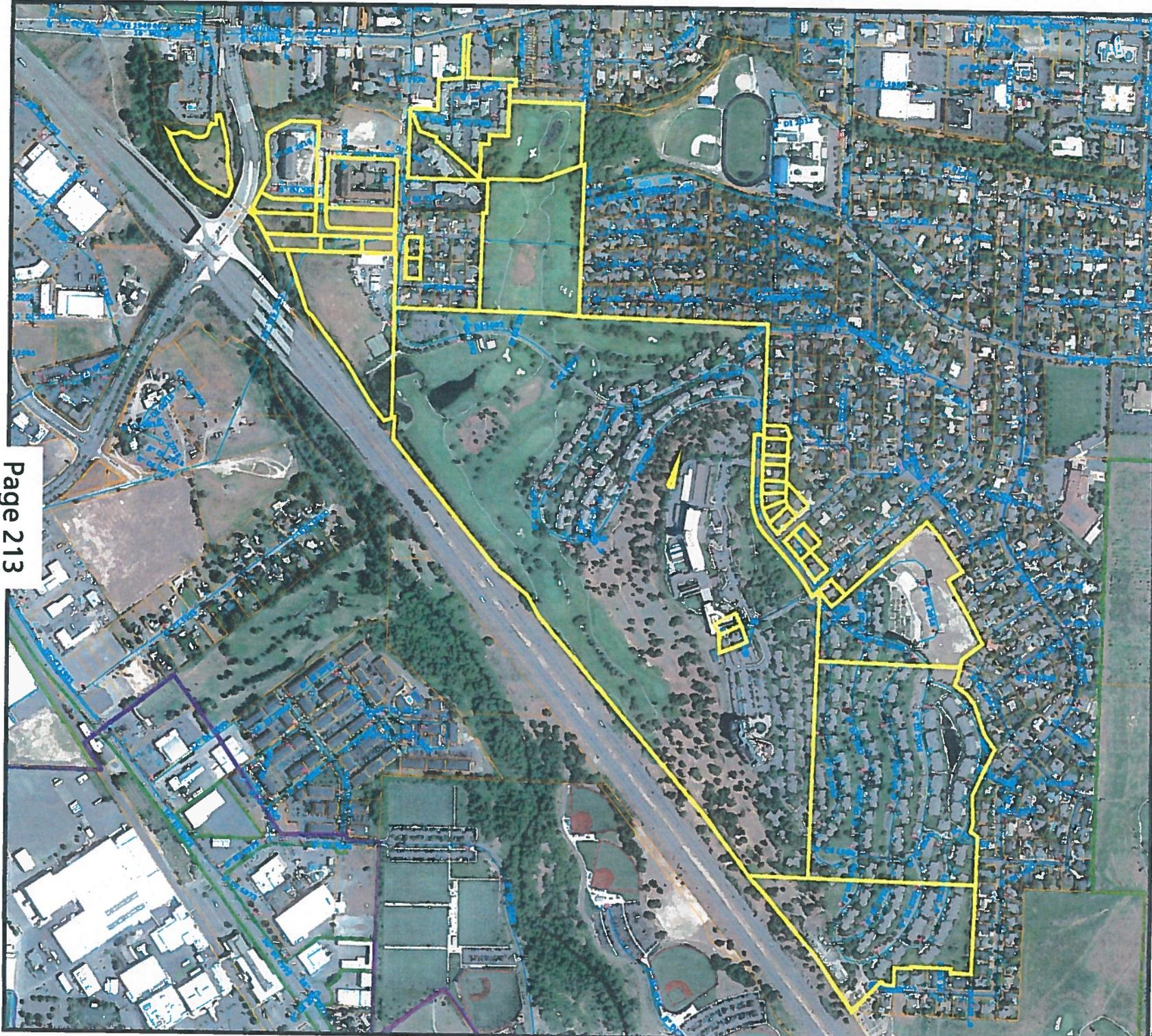
I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The Applicant or their Agent shall coordinate with MWC Engineering Staff on each proposed Phase of Development for necessary water improvements, or potential modifications to water distribution system.

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is required in some areas, applicant shall coordinate with MWC Engineering staff for water facility layout and requirements.
3. MWC-metered water service does exist to a majority of these properties.
4. Access to MWC water lines is available. Applicant or their Engineer shall coordinate with MWC Engineering staff for water facility layout for future phases as required.



Water Facility Map
City of Medford
Planning Application:
PUD-18-152
(Rogue Valley Manor)
December 5, 2018

Legend

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

Page 213



This map is based on a digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission cannot be held responsible for errors or omissions or for any consequences arising from the use of the information. It is intended for general informational purposes only.



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 12/13/2018
Meeting Date: 12/19/2018

LD File #: PUD18152 **Associated File #1:** PA-18-068 **Associated File #2:** PUD-98-023

Planner: Steffen Roennfeldt

Applicant: Pacific Retirement Services, Rogue Valley Manor

Site Name: Rogue Valley Manor Planned Unit Development

Project Location: Located east of Interstate 5 between Ellendale and La Loma Drives

Project Description: Consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File No. PUD-98-023, to consider changes to the PUD boundary of approximately 233-acres of property and to demonstrate that the 'Commercial Village' is able to develop without any vehicle trip stipulations

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Description
Approved	Approved as submitted with no additional conditions or requirements.

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 combustibile 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

CITY OF MEDFORD
EXHIBIT L
PUD-18-152

Memo



To: Steffen Roennfeldt, Planning Department
From: Mary Montague, Building Department
CC: Rogue Valley Manor, Applicant; Richard Stevens, Agent
Date: December 18, 2018
Re: PUD-18-152_Rogue Valley Manor; LDC Meeting December 19, 2018

Building Department:

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

Residential Notes:

1. Applicable Building Codes are 2017 ORSC; 2017 OPSC; and 2014 OMSC. 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 Go to "City Departments" at top of screen; click on "Building"; click on "ELECTRONIC PLAN REVIEW (ePlans)" for information.
3. Site Excavation permit required to develop, install utilities.
4. Demo Permit is required for any buildings being demolished.

Commercial Notes:

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 2014 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:

5. 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.
6. 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.
7. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.
8. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

Comments:

9. Proposed construction in proximity to property lines shall comply with table 602 and code section 705 of the Oregon Structural Specialty Code.
10. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code.



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

December 11, 2018

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

RE: Consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File # PUD-98-023 located between I-5 – ODOT maintained road Ellendale Drive and La Loma Drive – city maintained roads
Planning File: PUD-18-152

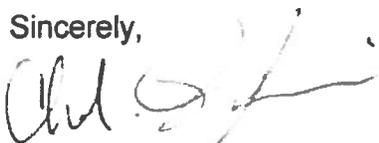
Dear Steffen:

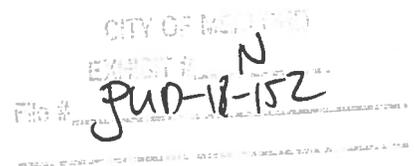
Thank you for the opportunity to comment on this consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File No. 98-023, to consider changes to the PUD boundary of approximately 233-acres of property and to demonstrate that the "Commercial Village" is able to develop without any vehicle trip stipulations, located east of Interstate 5 between Ellendale and La Loma Drives, within the Single Family Residential – 2.4 to 4 dwelling units per gross acre (SFR-4), Single Family Residential – 4 to 6 dwelling units per gross acre (SFR-6), Single Family Residential – 6 to 10 dwelling units per gross acre (SFR-10), Multiple Family Residential – 15 to 20 Dwelling units per gross acre (MFR-20), Multiple Family Residential – 20 to 30 Dwelling units per gross acre (MFR-30), Community commercial (C-C). Jackson County Roads has the following comment:

1. Please contact the Oregon Department of Transportation for comments.

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

Sincerely,


Chuck DeJanvier,
Construction Engineer





Oregon

Kate Brown, Governor

Department of Transportation
Region 3 Planning and Programming Unit
3500 NW Stewart Parkway
Roseburg, OR 97470
Phone: (541) 580-6178

FILE CODE: PUD-18-152, DRS 8709

March 7, 2019

Steffen Roennfeldt
City of Medford Planning Department
Lausmann Annex
200 South Ivy Street
Medford, OR 97501

RE: PUD-18-152, Rogue Valley Manor Conditions of Approval

Dear Mr. Roennfeldt,

Thank you for the opportunity to review and comment on PUD-18-152, the proposed Rogue Valley Manor development.

We request the City of Medford impose the following conditions on the development:

1. Any construction work within the state right of way will require a Misc. or Utility permit – please contact Julee Scruggs at Julee.Y.Scruggs@odot.state.or.us or 541-864-8811 to secure the permit.
2. Applicant shall provide a letter from the Oregon Department of Transportation, prior to site development, approving their storm water/drainage calculations and plans.
3. Applicant shall provide a letter from the Oregon Department of Transportation, prior to site development, approving their proposed transportation system mitigation.

We are currently working with the applicant on their traffic impact study, and developing proposed transportation system improvements that will accommodate the proposed development. We will not know the specific transportation system mitigation until after we have had a chance to negotiate with the developer. We believe condition of approval #3 provides the best opportunity for us and the applicant to complete traffic analysis and identify appropriate mitigation.

I have attached a copy of our latest comments on the applicant's traffic impact analysis memorandum for your records

Please do not hesitate to contact me if there are questions.

Sincerely,

John McDonald
Development Review Planner

CITY OF MEDFORD
EXHIBIT # 0
File # PUD-18-152



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: DRS 8709

TECHNICAL MEMORANDUM

TO: John McDonald
Region 3 Development Review Planner

FROM: Wei (Michael) Wang, P.E. & M.S. *WW*
Development Review Traffic Engineer

DATE: March 7, 2019

SUBJECT: ODOT Review Comments for Rogue Valley Manor TIA (Dated February 2019)

Page	Paragraph	Comment
Page iii, iv	Improvements	ODOT staff observed I-5 SB off ramp traffic constantly backing onto the freeway mainline during AM peak hours and PM peak hours. ODOT staff recommends widening the I-5 SB off ramp 200 to 300 feet to provide better storage for the exiting traffic. ODOT staff is preparing the cost estimate for this mitigation and will send the estimate to the City of Medford.
Page 18	Figure 3	There are large volume imbalances between Intersections 7 & 13 and 13 & 14. They must balance exactly as there are no other streets or accesses in both AM & PM. Differences are especially large in the AM condition (-400). Volumes should also be rounded to the nearest 5.
Page 19	Figure 4	See above comment on page 18.
Page 20	Traffic Safety	At a minimum, intersection crash rates need to be computed and compared to published 90th percentile crash rates (see APM Table 4-1). It would be better to also compare these to the HSM Part B Critical Crash Rate (see APM Chapter 4) . Any intersection crash rate that exceeds the 90th percentile or the critical crash rate would need to be further analyzed using HSM Part C predictive crash analysis, with and without project, to determine if the development has safety impacts needed to be mitigated. As it stands currently, this section has little value as there are no comparisons.
Page 24	Figure 7	See above comment on page 18.
TIA Synchro Files	General	<ul style="list-style-type: none"> • Question use of semi-actuated controller for SPUI intersection that has detection on all legs. Semi-actuated is a rarely used method for low volume side-streets. This should probably be changed to actuated-uncoordinated instead. • All-red time seems to be excessively long at SPUI Is this from timing sheets? • Lost time adjust for a SPUI should be increased 1- 2 s as more complex intersections generally have longer lost times.

If you have any questions regarding my comments, please call me at (541) 774-6316 or Wei.Wang@odot.state.or.us.

CITY OF MEDFORD

EXHIBIT #

File #

2019-08-152

Executive Summary

The Rogue Valley Manor PUD is located in Medford, OR and is roughly bounded by Barnett Road to the north, N Phoenix Road to the east, and I-5 to the southwest. The overall planned unit development (PUD) (existing) consists of various types of senior-housing units and on-site medical care for senior living. In addition, the north end of the PUD includes a planned Commercial Village of 28.11 acres with 15.35 of these acres constrained by an existing trip generation cap that limits the amount of development which may occur. The proposed parcels to be developed are 371W32BA1600, 1700, 1800, 1900, 2300, 2400, 2500, 2502, 2700 and 371W32B3401. The planned project includes development of approximately 50,000 square feet of office, 105,900 square feet of retail space, and 7,600 square feet of restaurant.

The analysis primarily focused on the weekday PM peak hours as coordinated with City of Medford and Oregon Department of Transportation (ODOT) staff. AM peak hour analysis was requested by ODOT at the Highland Drive/E Barnett Road and South Medford I-5 Ramps/Garfield Street intersections. The following summarize the key findings of the study.

After accounting for internal and pass-by trips, the development is anticipated to generate 319 weekday AM peak hour trips and 486 weekday PM peak hour trips.

Under existing plus approved projects all of the off-site study intersections operate at acceptable standards with the exception of the Highland Drive/Barnett Road intersection during the AM peak hour and the South Medford I-5 Ramps/Garfield Street intersection during the PM peak hour. With the addition of ambient growth, the Keene Way/Highland Drive/S Barneburg Road and the S Pacific Highway/Garfield Street intersections are anticipated to fall below the current City of Medford LOS D or ODOT V/C ratio standards.

With completion of the proposed project, all off-site study intersections are anticipated to continue to operate at the same LOS as under without-project conditions with minor increases in delay with the exception of two intersections. The Ellendale Drive/Barnett Road and E Stewart Avenue/Center Drive intersections are anticipated to degrade from LOS C to LOS D but would continue to operate at an acceptable LOS. The Highland Drive/Barnett Road intersection during the PM is anticipated to degrade from LOS D to LOS E.

Access to the site is proposed via two driveways along Ellendale Drive. The site access locations are projected to operate at LOS D.

Based on the future (2023) operations analysis, three intersections are anticipated to operate below the City of Medford's LOS D or ODOT V/C ratio standards under future (2023) without-project and with-project conditions. The following discussion identifies potential improvements and the resulting LOS.

- **Keene Way/Highland Drive/S Barneburg Road** – As discussed in the following sections, there are plans to install a traffic signal at the Keene Way Drive/Highland Drive/Barneburg Road intersection when warranted, however this project is currently not funded. Signal warrants were evaluated and not met under future (2023) without-project or with-project conditions. However, a signal is anticipated to improve operations above the LOS D standard. Intersection volumes should continue to be monitored for meeting signal warrants. Based on direction by City staff, the intersection was also evaluated as an all-way stop. With implementation of an all-way stop the intersection is projected to operate at LOS D under future (2023) with-project conditions.

Given that this intersection is projected to operate at LOS E under without and with-project conditions, it is proposed that the project contribute a proportionate

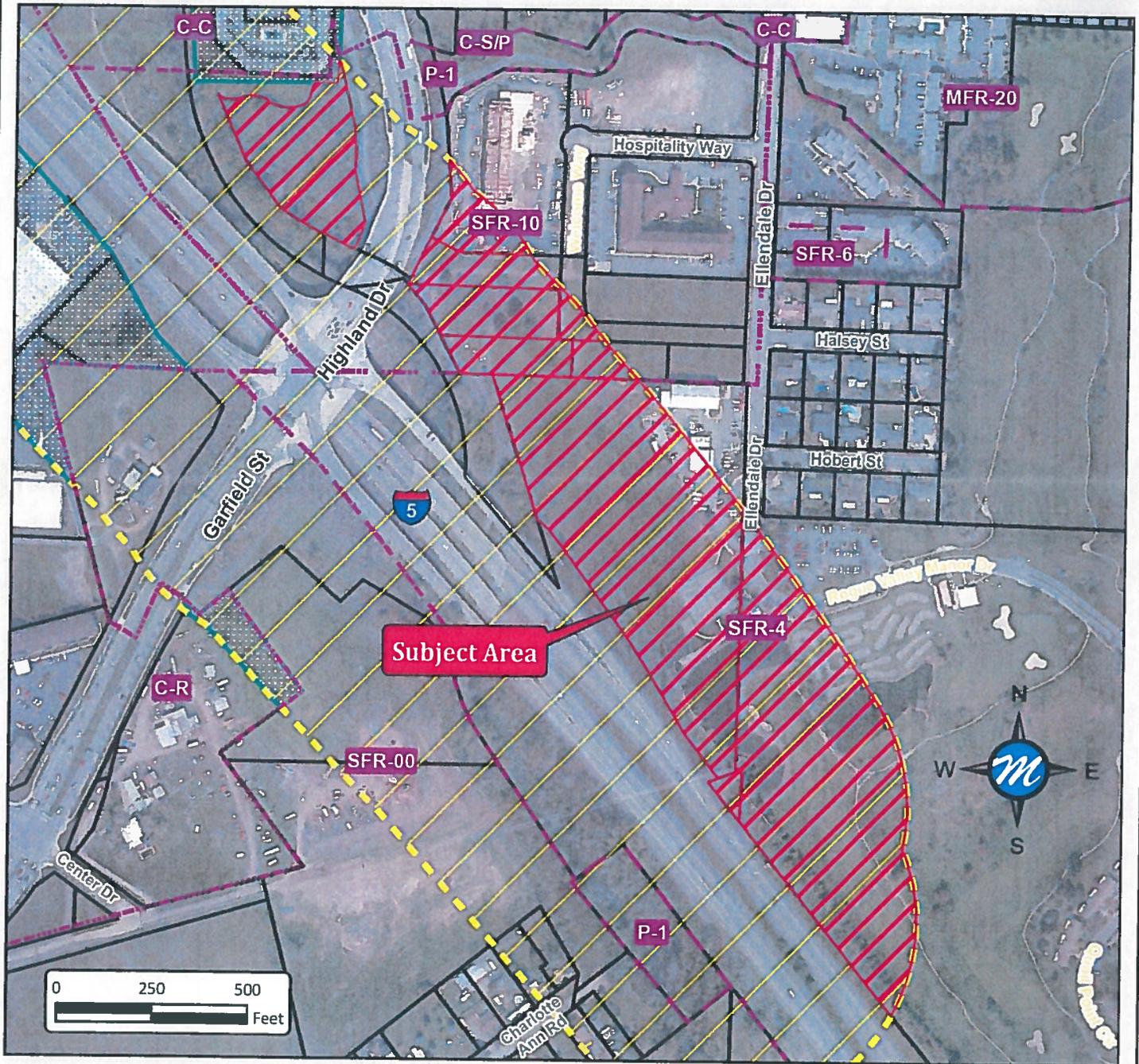
share of the potential mitigation costs. The anticipated project share at this intersection is approximately 4.3 percent.

- **Highland Drive/E Barnett Road** – As discussed in the following sections, revisions are underway that would change the LOS standard for this intersection from LOS D to LOS E and mitigation would not be required. The City is also reviewing possible implementation of an additional northbound right-turn lane and is noted as a Tier 1 project in the draft 2018 – 2038 TSP. With implementation of the second northbound right-turn lane the intersection is projected to operate at LOS D. The anticipated project share at this intersection is approximately 6.2 percent. The project applicant will continue to work with City staff regarding operations at this intersection.
- **South Medford I-5 Ramps /Garfield Street** – As discussed in the Draft City of Medford TSP, this intersection needs alternative mobility targets or to be evaluated as part of the update to the Exit 27 IAMP. The project share at this intersection is approximately 2.4 percent.

Potential Freeway Overlay Area

File Number:

PUD-18-152



Legend

-  Potential Freeway Overlay Area
-  Zoning Districts
-  500 ft Buffer around Freeway Ramps
-  Freeway Overlay (current)
-  Tax Lots



3/4/19

CITY OF MEDFORD

EXHIBIT # *Q*

File # *PUD-18-152*

NEIGHBORHOOD MEETING ATTENDANCE

ROGUE VALLEY MANOR PUD

JUNE 13, 2018

RECEIVED
 OCT 11 2018
 PLANNING DEPT.

Name:	Address:
STEVEN MURPHY	2732 DONNA LEE DR.
Michael Emmert	425 Shannon Dr.
Tom Harris	740 Hilldale Ave.
David Eisner	1379 Ryan Drive
Jan Sinner	1393 Ryan Dr.
DAVE FOOTDALE	2139 ROBERT ST
DEBUSE FOOTDALE	2139 ROBERT ST
Grant Appleton	1159 Mira mar ave
Dianne Appleton	1159 mira mar ave
Charles More	Novor Drive
Kathy Wallis	1457 LaLoma Drive

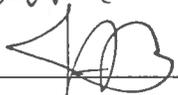
Notice: Attendance at this neighborhood meeting does not provide legal standing to appeal to the City Council, Land Use Board of Appeals or Circuit Court.

CITY OF MEDFORD
 EXHIBIT # R
 FILE # PUD-18-152

NEIGHBORHOOD MEETING ATTENDANCE

ROGUE VALLEY MANOR PUD

JUNE 13, 2018

Name:	Address:
Wayne & Toni Wiedeman	2768 Donna Lee Dr.
Diana Bordner	2834 Yvonne Rd
GREG McNEILLY	2747 TOWNA CIR
Fred + Sandra Smith	750 Hilldate Ave.
Gayle Clason	2854 Yvonne Rd
David Thomas	1143 Mira Mar Ave
	
JOHN BECKER	1466 LaLoma Dr.
RETH WOOTEN	754 HILLDATE AVE.
Lorraine & Jim Zentsgraf	2790 Donna Lee Dr
FRIGHT SINNER	1393 RYAN
Derek Shaffer	2844 MOORE

Notice: Attendance at this neighborhood meeting does not provide legal standing to appeal to the City Council, Land Use Board of Appeals or Circuit Court.

RESOLUTION NO. 1998-249

A RESOLUTION modifying the decision of the Planning Commission to approve a revised Planned Unit Development for the Rogue Valley Manor.

WHEREAS, on September 24, 1998, the Planning Commission adopted the final order for approval of the revised Planned Unit Development for the Rogue Valley Manor; and

WHEREAS, at the September 24, 1998 meeting testimony was presented by the applicant and citizens who will be affected by the development; and

WHEREAS, the Planning Commission, having considered the testimony, approved the project but added conditions to the PUD; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, that

The decision of the Planning Commission to approve a revised Planned Unit Development for the Rogue Valley Manor (File No. PUD-98-23) is modified and the council adopts the Findings of Fact and Conclusions of Law attached hereto and by this reference incorporated herein.

PASSED by the Council and signed by me in authentication of its passage this 5th day of November, 1998.

ATTEST: Beverly Sandblast
City Recorder

Jay A. [Signature]
Mayor

CITY OF MEDFORD
EXHIBIT # 2-R
File # AC-16-108

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Resolution No. 1998-249

CITY OF MEDFORD
EXHIBIT # 3
File # PUD-18-152

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November 5, 1998

Section 10.248 Conditional Use Permit Criteria. The approving authority (Planning Commission) must determine that the development proposal complies with either of the following criteria before approval can be granted.

(1) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.

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

FINDINGS OF FACT

1. The Alzheimer's clinic and skilled nursing facility are uses not allowed in the underlying zone.
2. The above project is located within 100 feet of the exterior boundary of the PUD and is not adjacent to a zone where the use is permitted.
3. The Alzheimer's clinic and skilled nursing facility are in the public interest for the following reasons and, therefore, can be approved under criterion No. 2.
 - a. There is an increasing demand for special Alzheimers' care facilities in the community due to the increasing age of the population and the incidence of this disease.
 - b. It is beneficial in the treatment of Alzheimers disease to have a separate facility.
4. Concerns regarding the Alzheimers' clinic and skilled nursing facility included the following:
 - a. Loss of property value because it's commercial development;
 - b. Creates additional traffic impacts causing noise and safety concerns and loss of quality of life;
 - c. People with dementia potentially shouting obscenities and potentially being unclothed.
5. The applicant proposed mitigation measures contained in Exhibit "Z2" which includes a separation from the adjacent neighborhood by a landscaped berm and 6-8-foot high wall, and 40-foot setback (agreed to verbally).

CONCLUSIONS

The City Council finds that the Alzheimers' clinic and skilled nursing facility are in the public interest, and, although they may cause some adverse impacts, conditions have been imposed (No. 12 as modified above and No. 13 on the Commission Report dated September 24, 1998 including Exhibit "Z2") to produce a balance between the conflicting interests consistent with criterion No. 2.

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FINAL ORDER

PUD-98-23

BASED UPON THE ABOVE, it is the finding of the Medford City Planning Commission that the approval of Rogue Valley Manor, a 25.2 acre expansion of a mixed use, will not be detrimental to the health, safety, or general welfare of the persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the City.

Accepted and approved this 24th day of September, 1998.

CITY OF MEDFORD PLANNING COMMISSION

Carl Bartlett

Carl Bartlett, Chair

ATTEST:

Mark Gallagher

Mark Gallagher, Secretary

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REVISED COMMISSION REPORT

File No.: PUD-98-23 Rogue Valley Manor Planned Unit Development (Revised)

Applicant: Rogue Valley Manor (Robert Foster, agent)

Request: Consideration of a revision and 25.2-acre expansion of a mixed use Planned Unit Development on 219.7 acres of property, located east of Interstate 5 between Ellendale and La Loma Drives, within the SFR-4 and SFR-10/BC (Single-Family Residential - 4 units and 10 units per acre/Bear Creek Overlay), MFR-20 and MFR-30 (Multiple-Family Residential - 20 units and 30 units per acre) and C-C (Community Commercial) zoning districts.

Decision: This Commission Report includes some of the original text related to the applicant's initial proposal, including discussion about all the commercial buildings, but has been modified, particularly with regard to conditions of approval, to reflect the Planning Commission's decision. The major text revisions are preceded by the word **Decision**.

Background:

The original planned unit development (PUD-84-3) approval was granted in 1984. On March 14, 1991, the Planning Commission approved a major revision to the PUD resulting in a 195.6 acre configuration to include up to 1053 dwellings and various amenities, the most notable of which was a 9-hole golf course. In July 1991, a minor revision was approved by the Planning Director to allow a 12,000 square foot expansion to the congregate dining facility.

On April 28, 1994, the Planning Commission approved a revision to the PUD which increased the project area to 213.3 acres and 1096 dwelling units. The 1996 revised PUD, approved in 1997, included some internal revisions and the addition of an existing residence resulting in a 213.8-acre project with 1097 dwelling units approved. To date, 12 phases of development have been completed or approved for construction which represents a total of 609 dwellings including the 75 congregate units currently under construction in Skyline Plaza on the south side of Manor Hill.

It should be noted that the current approved acreage total for the project, per the 1997 revision, has been corrected by the County Assessor. As a result of consolidation of tax lots within the project, it was determined that there were actually 194.5 acres of property. As this still represents all parcels previously approved, it is considered to be the correct project acreage. With the proposed additions per this revision (25.2 acres), the total area of the PUD will be 219.7 acres.

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Decision: Even though the Planning Commission did not approve all of the proposed commercial development for which there is not currently adequate public facilities, the boundary of the PUD proposal remains the same. The area that previously showed all the proposed commercial development, is now shown to be partially vacant with only the approved portion of the commercial development shown (Exhibit "Z3").

Relevant Sections of the Land Development Code:

On June 19, 1997, the City Council adopted new Planned Unit Development (PUD) standards and criteria as contained in Sections 10.230 through 10.245 of the Land Development Code and which establish the basis of review for the current proposal. Relevant sections of the revised code are as follows:

- 10.230 PUD General Provisions
- 10.235 Preliminary PUD Plan (including Approval Criteria)
- 10.240 Final PUD Plan (including Approval Criteria)
- 10.236 Revision or Termination of a PUD

Findings:

The applicant's findings which include the documents entitled Application to Amend the Planned Unit Development (Exhibit "B"), received February 27, 1998, and Supplemental Information Regarding Transportation Issues (Exhibit "C") received June 26, 1998, include a detailed discussion of the planned community as well as the requisite findings. References to the applicant's findings contained in this report are shown in *(italics)* and refer to Exhibit "B" to assist in locating the applicable supporting text. Each of the criteria for approval are identified in the findings (*Exh. "B" Pages 30-45*); therefore, they are not repeated herein. As many components of the approved Manor are unaffected by the revisions, discussions pertaining to the PUD criteria focus on the changes proposed at this time. The findings summarize the dwelling and acreage totals for the revised project as well as the proposed mix of uses and support facilities.

Decision: The applicant's final submittal now includes the required Revised Partial Master Site Plan, Exhibit "Z3." The revised plan includes the revisions required by the Planning Commission relative to the 138 PM peak hour trip limitation.

Project Compliance with Relevant Sections of the Land Development Code:

The staff discussion and analysis which follows includes references to the applicant's findings where relevant Code sections are also discussed.

Acreage Limitation: The proposed PUD will contain over 219 acres of property and, therefore, complies with the one-acre minimum. (*Exh. "B" Page 16*)

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Consolidated Applications: As the property is to remain under a single ownership (*Exh. "B" Page 16*) and city zoning exists on all of the property, no application for a land division or change of zone has been included as part of this proposal.

Common Area/Ownership: As the property is to remain under a single ownership (including that of a subsidiary or an affiliate of the Rogue Valley Manor) (*Exh. "B" Pages 16, 28, and 45*), establishment of a Homeowners' Association is not required.

Deviations from Standards:

Lots and Parcels As several of the existing parcels and associated tax lot lines will conflict with proposed building locations (e.g., Phase 13), a condition has been included to consolidate parcels, within each phase as it develops, with evidence thereof submitted at the time of final plan approval. No parcels less than the minimum lot sizes are proposed.

Yards, Setbacks, and Building Height: The applicant proposes that several of the buildings be allowed to exceed the 35-foot height limitation of the underlying residential zoning districts. This would include the Hotel/Conference Center (*B*), Office Building (*C*), Multi-Family and Congregate Housing (*I, K, O, Q, S, and T*), Medical Center (*P*), and Auditorium (*R*). Distance from the adjoining streets and/or from the nearest project boundary, or compatibility with anticipated commercial uses on adjoining property, is cited as the primary mitigating factor in terms of impacts on adjoining uses (*Exh. "B" Page 30-31*). The congregate housing on Ellendale (*I*) was originally to be set back only 20 feet from the side property line as depicted on the master plan (Exhibit "A"). The design details for this have been revised in response to neighborhood concerns which has resulted in a much greater setback for the 3-story structure (Exhibit "E"). Although comments in the findings (*Exh. "B" Page 31*) identify an existing 10 foot change in grade as a mitigating factor, the increased setback from adjoining residences has also been incorporated. Additional discussions regarding the height of buildings is included later in this report.

Parking, Bicycles, and Pedestrians: Residential parking is proposed to meet the standards for retirement facilities (*Exh. "B" Page 31 to 35 and Table Five*). A combined overall parking reduction of 8 percent at the various nonresidential support facilities is proposed and will be offset by provision of shuttle service throughout the development. Parking strategies are not expected to impact any areas outside of the development. Bicycle parking and pedestrian facilities will be required as prescribed by code as no specific deviations are requested.

Frontage, Access, Landscaping, and Signs: The applicant has not identified what, if any, specific deviations are sought (*Exh. "B" Page 35*). It is assumed that in the context of mixed uses within the development, signage would be requested that would not otherwise be permitted in the underlying residential zones. Such signage would be identified at the time of final plan approval. The Commission should consider what, if any, standards should be

applied to signs within the PUD, particularly those where uses not allowed in the underlying zone are proposed. It is suggested, for simplicity sake, that the signage standards for the zone in which the use typically occurs be used.

Decision: The Planning Commission deferred review of the signage to the Site Plan and Architectural Commission.

Streets: All existing streets within the boundaries of the PUD are private except for Ellendale Drive, a designated collector, and Shannon Drive, which turns into Rogue Valley Manor Drive approximately 1,000 feet north of Mira Mar Avenue. All new streets proposed within the revised PUD are proposed to be private as well. All private streets are subject to Fire Marshal approval in terms of emergency vehicle access. In fact, adjoining sidewalks have been specially constructed along some of the existing one-way streets to provide the requisite fire lane.

The applicant proposed to add a gated access on the end of Misty Lane to provide a secondary access to the Alzheimer/Clinic facility (Exh. "B" Page 25). There are existing gated accesses at the ends of Argonne Avenue and Donnalee Drive. All other streets that end at the Manor property will remain as dead-end streets with no access allowed. The Public Works Director (Exhibit "F") had suggested that gates on Misty Lane and Argonne Avenue be left open during the day to help reduce traffic impacts on streets serving the main entrances. Availability of secondary (local) access points into the PUD could help distribute trips such as would be accomplished by an interconnected street system. The Commission weighed this recommendation and, in light of the resultant additional traffic into adjoining neighborhoods, decided to leave the access points at Honor Drive, Misty Lane, and Argonne Avenue closed.

The Public Works Director initially recommended that an area for a roadway connection to the south project boundary be reserved for future access to adjoining lands also owned by the Manor and within the Urban Growth Boundary. This was intended to provide an alternative to using Donnalee Drive (and associated impacts of such use). Three cottage units would have had to be adjusted to accommodate the roadway. The recommendation was removed due to topographic constraints.

Decision: The Planning Commission required that Honor Drive, Misty Lane, and Argonne Avenue remain closed.

A 100-foot wide strip of land shall be deeded to the city for the southward extension of Highland Drive as part of the anticipated Highland/Garfield connection. The area beneath the portion of the street extension that will contain an overpass shall be reserved for such use by an easement. The proposed master plan identifies this area and proposes to locate parking in the area beneath the overpass.

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Continued
Boundary
Building
Den

Misty Lane
closed

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Decision: The above recommendation was deleted by the Planning Commission at the request of staff. Since the project will not be generating any additional vehicular trips beyond that currently allowed by the existing zoning, no additional street improvements are necessary.

The traffic impacts of the project are further discussed below in the context of the requisite findings for the proposed commercial uses (*Exh. "B" Pages 25 & 41; the Appendix; and Exhibit "C"*).

Street Lights: A private street light design has been used within the existing Manor project which will be continued (*Exh. "B" Page 35*). Specifications for street lighting shall be included at the time of final plan approval, subject to approval of the City Engineer.

Housing Density: The applicant has included a detailed summary of the housing density associated with the PUD (*Exh. "B" Pages 35-36 and Table Six*). Based upon the underlying residential zoning for the entire project, a maximum of 1,536 dwellings would be allowed for a standard residential development. It should also be noted that a minimum of 903 dwellings would be required to meet minimum density standards. With the 20 percent density bonus allowed for PUD's, a maximum of 1,844 dwellings would be allowed. As 22.2 acres of SFR-10 property are proposed to be utilized for commercial uses, the maximum dwellings allowed would be 1,316 or 1,624 with the PUD bonus. The minimum number of dwellings would be 815 when adjusted for the acreage proposed for the commercial development. As the applicant is proposing a maximum of 1,265 units, this project complies with density requirements.

Allowed Uses: The applicant has proposed both permitted and accessory uses as well as nonresidential uses that are not otherwise permitted in the underlying residential zones as described in Exhibit "C" Tables S4 and S6. Uses not allowed in the underlying zoning include the following:

- Restaurant
- Hotel/Conference Center
- Office Building
- Parking/Potential Small Office Buildings (2)
- Mixed Use Site E-F
 - E. Housing/Retail
 - F. Retail
- Mixed Use Site G-H-I
 - G. Housing/Retail
 - H. Retail
 - I. Housing

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As these nonresidential uses will occupy approximately 20.75 acres of the 219 acres within the PUD, the proposal complies with the 20 percent limitation (i.e., 43 acres maximum). The applicant's findings include the requisite discussion of the conditional use permit (CUP) and facilities adequacy criteria. Additional comments in regard to those findings are included below.

Decision: The above list of proposed uses has been reduced by the Planning Commission's approval of only that portion of the commercial equivalent to the 138 PM peak hour trips.

Housing Types: The applicant has included a detailed summary of the housing types and quantities associated with the PUD (*Exh. "B" Page 11, Table One, and Page 36*). A net increase of 168 dwellings is proposed from the previously approved 1,097 units for a total of 1,265 units. This new total includes; 374 attached single-family (Cottages), 96 upstairs apartments for general occupancy within the commercial portion of the development, 7 existing detached single-family residences, and 788 congregate (apartment) units. Congregate living facilities also include the medical center and Alzheimer's unit facilities within the existing PUD boundary. The revised PUD includes changes within the existing boundary to include a reduction of 59 cottage units and an increase of 68 congregate units for a net increase of 9 units.

Common Elements: As mentioned above, all property is to remain in the ownership of the Rogue Valley Manor (or its subsidiaries); therefore, formation of a Homeowners' Association is not necessary. As the sole owner, the Rogue Valley Manor shall record documents containing assurances that the common areas (elements) will be improved and maintained for their intended purpose (Section 10.230 (E)(3)).

Proposed Changes:

Much of the original design of the "Manor" PUD remains as a component of the current proposal and many of the associated issues (e.g., streets, access, buffers, etc.), remain the same as when previously approved. A summary of the currently proposed revisions to the development is included in the applicant's findings (*Exh. "B" Pages 7-10*), and further amended in Exhibit "C," and findings relevant to the CUP criteria included for those nonresidential uses within 100 feet of the project boundary pursuant to 10.230(D)(9)(b) (*Exh. "B" Pages 42-45, Exhibit 6*). Issues associated with some of the uses in the new master plan are also discussed in the following section:

Commercial Village - Ellendale Drive

Because this portion of the PUD includes uses that are not allowed in the underlying residential zone, it is required that a demonstration of Category A facility adequacy also be made (*Exh. "B" Page 41 and Appendices*). This includes storm drainage, sanitary sewer, water, and streets.

Traffic Based on the response from Oregon Department of Transportation (ODOT), it has been determined that the Barnett Road interchange will go to 90 percent of capacity and drop to Level of Service "E" (Exhibits "Q," "R," and "S") with the proposed development. This would be in violation of the standards established in the Oregon Highway Plan for highway operations. The applicant has made revisions to the proposal in the context of this issue and the requisite facilities adequacy finding. In the supplemental findings entitled Supplemental Information Regarding Transportation Issues (Exhibit "C"), the applicant has proposed a program of development equivalency and allocation of future facility capacity which may be an acceptable method of allowing approval of the long-term master plan. This has been a topic of much discussion within the community and the applicant's proposed conditions of approval are consistent with the developing program to deal with the street capacity issue.

The Public Works Director has determined that the surrounding streets have sufficient capacity to handle vehicle trips generated from this site without opening any additional access points, the freeway interchange notwithstanding. In acknowledging the reduced Level of Service (LOS) on Barnett Road at Ellendale Drive, it is suggested that approved roadways into the property (Argonne Avenue and Misty Lane) allow secondary ingress and egress by not closing gates during the day. In anticipation of access to lands immediately to the south of the project, space for a roadway to the south boundary could be preserved (i.e., no buildings). Such a roadway reservation would help prevent the use of existing residential streets (i.e., Donnalee Drive) for such future access.

Decision: The Planning Commission did not approve any uses not allowed in the underlying zone that would generate traffic beyond the 138 PM peak hour trips. The access points along the project perimeter were required to remain closed and the proposed road extension to the south mentioned above was removed as a recommendation due to topographic constraints.

Congregate Housing

Affordable Retirement Facility (A) - As the applicant proposes this 60-unit facility, and small office, as the next phase of development (Phase 13), detailed site, architectural, and landscape plans (Exhibit "E") have been submitted for review by the Planning Commission consistent with the exemption from Site Plan and Architectural Commission review. An application for final plan approval for Phase 13 per Section 10.240 is anticipated immediately following preliminary approval of the master plan. Such plans have been reviewed by the affected agencies and departments and conditions of development have been included in this report for development of that site upon approval of the PUD.

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The structure, which is to replace four existing single-family residences, is proposed to be three stories in height, exceeding the 35-foot height limitation of the underlying SFR-4 zone. The building was originally proposed to be set back 20 feet from the adjoining residential properties as depicted on the master plan (Exhibit "A"). Due to concerns over the visual impact of this building on the adjoining properties, the applicant has revised the site design placing the structure away from the project boundary (Exhibit "E"). The other tall structures in the PUD are far enough from the project boundaries that the extra height above the height limit does not exacerbate the line of sight obstruction that would be created by a structure located within the allowable setbacks of the underlying zone, as viewed from a neighboring property. It is recommended that sight line elevations be submitted at the time of Final Plan approval request demonstrating that any structure, if over 35 feet high, will not exceed the visual impacts of a 35-foot high, multiple-family residential structure built at the minimum setback of 20 feet from the project boundary. The Commission should also consider the overall size and bulk of the structure when assessing impacts on adjoining residences and an appropriate setback.

Alheimers' Unit/Special Care Facility - Discussed in the applicant's findings (*Exh. "B" Page 44-45*) and above in the discussion about streets (page 3). It should be noted that the applicant's findings state that there is "*an increasing need for quality professional care for Alheimers' patients*" (*Exh. "B" Page 45*) concluding that the public interest is being served per Criterion #2. The applicant has indicated that the facility will be an expansion of, and ultimately a relocation for, the existing special care/medical facility currently located at the main Manor building and that these facilities are to be for Manor residents. The Commission should consider the degree of "public interest" served when evaluating the impacts of such facilities. In the context of the proposed location, site design and landscaping features are identified by the applicant as a means to reduce impacts of the facility. However, the proposed 125 parking spaces suggest a staff and visitor component (i.e., vehicle trips) that may also impact the adjoining residential neighborhood and consideration should be given to what, if any, access to Misty Lane should be utilized, including the nature of the proposed gate. The potential for noise from exterior mechanical equipment and glare from exterior lighting should also be addressed.

Decision. The Planning Commission required the above facility to be single story in height and located no closer than 99 feet from the exterior boundary of the PUD in order to mitigate anticipated adverse impacts to adjoining properties. The Planning Commission also accepted the applicant's proposal to buffer the area with a landscaped berm and wall (Exhibit "Z2").

Auditorium - Discussed in the applicant's findings (*Exh. "B" Page 44*).

Areas/Issues of Special Concern:

Larson Creek - The lower section of the creek which adjoins or is contained within the boundaries of the project has been identified as a Class 1 fish habitat due to the observed presence of fish.

Larson and Bear Creeks are considered habitat for coho and chinook salmon, which have recently been placed on the threatened species list, as well as steelhead trout. In that regard, the Oregon Department of Fish and Wildlife has recommended that a 50-foot setback be applied to Larson Creek (Exhibit "J"). Similar concerns have been expressed by Oregon Trout (Exhibit "K") who also recommend that development be set back 50 feet from the creek. The Rogue Valley Council of Government (RVCOG) has submitted a letter discussing the above fish habitat concerns as well as water quality, storm drainage, and flood plain responsibilities of streamside developers as regulated by the City (Exhibit "L"). The Special Report from the Public Works Director also includes comments and conditions in regard to Larson Creek as a component of the city's storm drainage system (Exhibit "F").

The future development of a pedestrian/bicycle path along Larson Creek has been supported by the City as witnessed by the acquisition of an easement along upper stretches of the creek including the existing Rogue Valley Manor property between Hilldale Drive and Ellendale Avenue. Such a pathway is also conceptually shown primarily north of the creek on the master plan for the expanded portion of the PUD.

The above stream related objectives (fish habitat, storm drainage, recreation/transportation, water quality, and flood prevention) are not all mutually compatible in terms of how to treat the urban/waterway interface and the City is developing new policies and code language in regard to Larson Creek, similar to what has been adopted in the Southeast Plan, that appropriately weigh all of these concerns. Prior to actual legislative review and adoption of such setback restrictions, it is recommended that a development/construction setback of 20 feet from the top of the stream bank be maintained along the Manor's Larson and Bear Creek frontages. In requesting such a setback, it is recognized that development of impervious surfaces within close proximity to the creek negates the possibility of creating and maintaining the riparian corridor necessary to create a viable fish habitat. The 10 feet of the strip closest to the stream bank should be planted with riparian vegetation approved by ODFW. The remainder can be planted with ornamental vegetation that is also supportive of creating a viable fish habitat.

Decision. In response to concerns raised during the public hearing, the applicant proposed, and the Planning Commission accepted, a 50-foot setback from the top of the creek bank.

Building Height - General

The proposed congregate living facilities, auditorium, office building, and hotel/conference building will exceed the 35-foot height limitation of the underlying SFR and MFR zones. Although the exact height is not known at this time, none of the buildings will be as tall as the existing manor building. For the tall structures that are far enough from the project boundaries, the extra height above the height limit does not exacerbate the line of sight obstruction that would be created by a structure located within the allowable setbacks of the underlying zone, as viewed from a neighboring property.

It is recommended that sight line elevations be submitted at the time of Final Plan approval request demonstrating that any structure, if over 35 feet high, will not exceed the visual impacts of a 35-foot high structure built at the minimum setback of 20 feet from the project boundary. This does not include buildings previously approved that exceed the 35-foot height limit.

Conclusion:

Several portions of the proposed plan have concurrence from both the City of Medford staff and ODOT in meeting the required criteria. This includes the residential portion of the project that is consistent with the underlying zoning and that portion of the project that includes commercial development equivalent to the trips (138 PM peak hour) that would otherwise be generated by the underlying residential zoning.

ODOT and the City of Medford staff do not support approval of the third part of the proposal to conditionally approve the balance of the commercial development.

Decision. The Planning Commission found the project to meet the required criteria with the required revisions and the conditions of approval.

Commission Action:

Approval of PUD-98-23, per the Revised Commission Report dated September 24, 1998; including:

- Exhibit "A" - Master Plan Map (with amended portion contained in Exhibit "Z3");
- Exhibit "B" - Application to Amend the Planned Unit Development (Findings) received February 27, 1998;
- Exhibit "C" - Supplemental Information Regarding Transportation Issues submitted June 26, 1998;
- Exhibit "D" - Additional Operational Analysis (Supplemental Traffic Study) received April 6, 1998;
- Exhibit "E" - Phase 13 Site Plan, Elevations, and Landscape Plan;
- Exhibit "F" - Special Report from the Public Works Director No. PUD-98-23b dated July 16, 1998;
- Exhibit "G" - Memorandum from the Bureau of Fire Prevention dated April 10, 1998;
- Exhibit "H" - Letter from Bear Creek Valley Sanitary Authority dated April 8, 1998;
- Exhibit "I" - Memorandum from the Medford Water Commission dated March 31, 1998;
- Exhibit "J" - Letter from Oregon Department of Fish and Wildlife dated April 14, 1998;
- Exhibit "K" - Letter from Oregon Trout dated June 2, 1998;
- Exhibit "L" - Letter from RVCOG dated June 2, 1998;
- Exhibit "M" - Special Report from the Public Works Director No. PUD-98-23a (Phase 13) dated May 19, 1998;
- Exhibit "N" - Memorandum from the Bureau of Fire Prevention (Phase 13) dated July 8, 1998;
- Exhibit "O" - Memorandum from the Medford Water Commission dated July 8, 1998;
- Exhibit "P" - Memorandum from Medford Parks and Recreation (Phase 13) dated June 1, 1998;
- Exhibit "Q" - Letter from Mike Arneson ODOT (Oregon Department of Transportation) dated April 28, 1998;

- Exhibit "R" - Letter from Mike Arneson (ODOT) dated May 5, 1998;
 Exhibit "S" - Letter from Mike Arneson (ODOT) dated July 13, 1998;
 Exhibit "T" - Letter from Mike Arneson (ODOT) dated July 22, 1998.
 Exhibit "U" - Letter from Mike Arneson (ODOT) dated July 23, 1998.
 Exhibit "V" - Letter from Mike Arneson (ODOT) dated August 25, 1998.
 Exhibit "W" - Memo from Public Works Department dated August 20, 1998.
 Exhibit "X" - Letter from Tom Becker, Rogue Valley Manor, dated June 25, 1998.
 Exhibit "Y" - Letter from Tom Becker, Rogue Valley Manor, dated August 27, 1998.
 Exhibit "Z" - Letter from Chuck Fustish (Oregon Department of Fish and Wildlife) dated August 27, 1998.
 Exhibit "Z1" - Letter from Mike Arneson (ODOT) dated September 3, 1998.
 Exhibit "Z2" - Letter from Brian McLemore, Rogue Valley Manor (rebuttal), dated September 10, 1998.
 Exhibit "Z3" - Letter from Brian McLemore, Rogue Valley Manor, dated September 17, 1998 including Revised Partial Master Site Plan (commercial portion to comply with the 138 PM peak hour trip limitation), and
 Exhibit "Z4" - Supplemental Findings dated September 10, 1998;

and subject to the following conditions:

1. The revised Rogue Valley Manor Planned Unit Development includes uses that will generate vehicle trips in excess of the standard residential development allowed in the underlying zones. In order to maintain an acceptable Level of Service (LOS) at the Barnett Road/Stewart Avenue/Interstate 5 interchange, development of the nonpermitted uses shall be subject to the following:
 - A. The proposed nonpermitted uses set forth in Table S6 of the Rogue Valley Manor application (Exhibit "C") entitled Supplemental Information Regarding Transportation Issues (submitted June 25, 1998) can be developed if they are consistent with the Revised Partial Master Site Plan (Exhibit "Z3") and provided that the PM peak hour trips generated by the nonpermitted uses do not exceed a threshold limit of 138 PM peak hour trips.
2. A minimum setback of 50 feet shall be maintained along the Larson and Bear Creek frontages. This area shall remain natural or be planted with vegetation, approved by Oregon Department of Fish and Wildlife, that does not require irrigation.
3. Fire protection facilities and access shall be provided per Exhibit "G." All private streets are subject to Fire Marshal approval for adequacy of emergency vehicle access.

4. Comply with Special Report from the Public Works Director No. PUD-98-23b dated July 16, 1998 (Exhibit "F") with the following requirements deleted:
 - A. Revise the Master Plan to show a roadway extending to the southwest project boundary.
 - B. A 100-foot wide strip of land shall be deeded to the city for the southward extension of Highland Drive and the area beneath the portion of the street extension that will contain an overpass shall be reserved for such use by an easement.
5. Rogue Valley Manor shall record documents containing assurances that the common areas (elements) will be improved and maintained for their intended purpose.
6. Signage for nonresidential uses shall be subject to Site Plan and Architectural Commission review.
7. Exterior illumination for all nonresidential uses and congregate living facilities within the PUD shall not cause glare on any residential property that is not part of the PUD. Construction plans submitted for such uses shall include design specifications for all exterior lighting including a photometric site illumination plan consistent with the standards contained in Section 10.764.
8. All exterior mechanical equipment and trash collection facilities for uses within 100 feet of PUD boundaries that adjoin residential zones, excluding that for individual cottage units, shall be located within enclosures designed to conceal such facilities from view and maintain noise levels at or below those prescribed by Section 10.753 New Noise Sources.
9. Construction plans for all structures, except for those previously approved, that exceed the 35-foot height limitation shall include sight line elevations demonstrating that any such structure will not exceed the visual impacts of a 35-foot high structure built at the minimum setback of 20 feet from an exterior project boundary, excluding changes in grade (slopes).
10. Boundary line adjustments or lot consolidation of existing tax lots, shall be completed prior to final plan approval for each phase, where proposed buildings are located over lot lines with evidence thereof submitted at the time of final plan approval.
11. Prior to final plan approval, existing water lines shall be shown on a master plan to prevent conflicts with future building.

- 12. The Alzheimers' Clinic/Skilled Nursing Facility shall be single story only and set back a minimum of 99 feet from the exterior PUD boundary. The off-street parking shall not be greater than the minimum required by the Land Development Code.
- 13. The Alzheimers' Clinic/Skilled Nursing Facility shall be screened from the adjoining neighborhood as proposed in Exhibit "Z2."
- 14. Honor Drive, Misty Lane, and Argonne Avenue shall remain closed.
- 15. All HVAC (heating ventilation and air conditioning) equipment for buildings shall be located on the ground and concealed from view.
- 16. The review and approval of detailed building elevations and landscape plans is delegated to the Site Plan and Architectural Commission for all new development, except Phase 13 (HUD project).
- 17. Affordable Retirement Facility and Office - Phase 13 Site Development.

Apply for, and receive, Final Plan Approval pursuant to Section 10.240 per the approved design as shown in Exhibit "E" - Site Plan (revised), Elevations, and Landscape Plan; and the following:

- A. Comply with conditions contained in: Exhibit "M" - Special Report from the Public Works Director # PUD-98-23a dated May 19, 1998; Exhibit "N" - Memorandum from the Bureau of Fire Prevention dated July 8, 1998; Exhibit "O" - Memorandum from Medford Water Commission dated July 8, 1998; and Exhibit "P" - Memorandum from Parks and Recreation dated June 1, 1998; and including, but not limited, to the following:
- B. Prior to issuance of the first building permit, revised site and landscape plans shall be submitted for staff review showing:
 - (1) A different shrub species substituted for the Hawthorne.
 - (2) Specifications for root barriers for all trees within six (6) feet of hardscapes.
 - (3) Specifications for an automatic irrigation system including the location of an approved backflow prevention device.

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- (4) Finished floor elevations and the location and elevations for the 100-year flood plain as shown on the Federal Emergency Management Agency (FEMA) as administered by the Building Safety Department.
- (5) The deciduous trees shall be replaced with fast growing evergreen trees along the south side of the site and shrubs being a minimum size of 5 gallons.
- C. Prior to issuance of the first building permit, the property owner shall consolidate parcels to contain the residential structure and submit evidence thereof to the Planning Department.
- D. Prior to issuance of the first building permit, the property owner shall deed to the public a 15-foot Public Utility Easement (PUE) across the Ellendale Avenue frontage or provide evidence that such an easement exists.

Prior to recordation of the deed by the applicant, the deed, together with a Lot Book or Preliminary Title Report and releases of interest obtained from holders of trust deeds or mortgages on the property, shall be submitted to the Planning Department for review and approval. A sample easement form is available at the Planning Department.
- E. Exterior mechanical equipment and trash receptacles shall be concealed from public view.
- F. Prior to issuance of the first building permit, the property owner shall sign and record with the Jackson County Clerk's office a Building Site Improvement Agreement, with the original returned to the Planning Department, specifying that the following items will be completed within six (6) months of the date of the agreement:
 - (1) Install landscaping and irrigation per the approved plan.
 - (2) Pave all parking and vehicle maneuvering areas, including extruded curb around perimeter, to City of Medford specifications.
 - (3) Install bicycle parking per the approved plans.
 - (4) Construct concealment for mechanical equipment and trash receptacles.
 - (5) Install pedestrian walkways and bicycle parking per the approved plans.

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September 24, 1998

MEDFORD PLANNING COMMISSION



Carl Bartlett, Chair

PLANNING COMMISSION AGENDA: JUNE 11, 1998
JULY 23, 1998
AUGUST 27, 1998
SEPTEMBER 10, 1998
SEPTEMBER 24, 1998

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vis Wright Tremaine LLP

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June 25, 1998

Jim Eisenhard, Planning Director
Mark Gallagher, Senior Planner
City of Medford
411 W. 8th St.
Medford, OR 97504

VIA UPS OVERNIGHT

Re: Rogue Valley Manor Planned Unit Development Amendment
Supplemental Information Regarding Transportation Issues

Dear Jim and Mark:

Enclosed please find the Supplemental Information regarding the transportation issues associated with the Rogue Valley Manor's application to amend its planned unit development. We believe this additional information demonstrates compliance with Section 10.235 C.7. of the Medford Code regarding the allowance of certain non-permitted uses within the planned unit development ("PUD") and the adequacy of transportation facilities to accommodate that development.

As we have discussed, our approach to demonstrating compliance with Section 10.235 C.7. is to create a three-step process addressing the various uses proposed by Rogue Valley Manor in its application. Simply stated, the three-step process accomplishes the following:

Step 1: Identifies all proposed uses that are permitted and accessory uses within the underlying zoning of the Rogue Valley Manor property that does not require a transportation capacity analysis under the City of Medford Land Development Code.

Step 2: Identifies all proposed non-permitted uses in the underlying zoning that is specifically authorized in the PUD ordinance at Section 10.230 D.9.b. as "permitted uses." We have conducted an equivalency test examination of these proposed non-permitted uses as authorized under Section 10.235 C.7. and determined that the permitted uses in the underlying zone (SFR-10) would generate a threshold limit of 138 PM peak hour trips. As a result, under Step 2 of our analysis, Rogue Valley Manor would be entitled to apply this threshold to any of

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File # 940-18-152

Jim Eisenhard
 Mark Gallagher
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the proposed non-permitted uses and develop those uses so long as PM peak hour trips generated did not exceed the threshold limit of 138 PM peak hour trips. Based on Kittelson & Associates' analysis, the additional 138 PM peak hour trips as well as all of the PUD development associated with Step 1 can be accommodated by the existing transportation system and maintain a Level of Service D.

Step 3: Recognizes that certain of the proposed non-permitted uses authorized pursuant to Section 10.230 D.9.b. which would exceed the 138 PM peak hour trips cannot be developed at this time. However, Section 10.235 C.7. recognizes that proposed development can occur in the future if at the time of actual development the transportation facilities can be supplied in sufficient condition and capacity to support development of the proposed use.

As a result, we are proposing that all of the non-permitted uses be approved by the City, subject to conditions of approval, which will ensure that at the time of development the transportation facilities will be adequate. Two essential aspects of the proposed conditions, which are at Tab 4 of this booklet, are: (1) that the trigger to allow future development will be determined by an allocation assignment determined by either the City and/or ODOT or by future improvements of the transportation system; and (2) a future hearing will be conducted before the Planning Commission to consider continued compliance with Section 10.235 C.7.

We believe that our proposed three-step process enables Rogue Valley Manor to demonstrate compliance with the City's applicable legal standards but also demonstrates a willingness and commitment on the part of Rogue Valley Manor to cooperatively work with the City, ODOT and the community in addressing the transportation issues in this part of the City.

We look forward to meeting with you to discuss our approach and Supplemental Information. Thank you very much for your assistance and guidance in working with Rogue Valley Manor to find a workable solution that will be mutually beneficial to all interested parties to these issues.

Very truly yours,

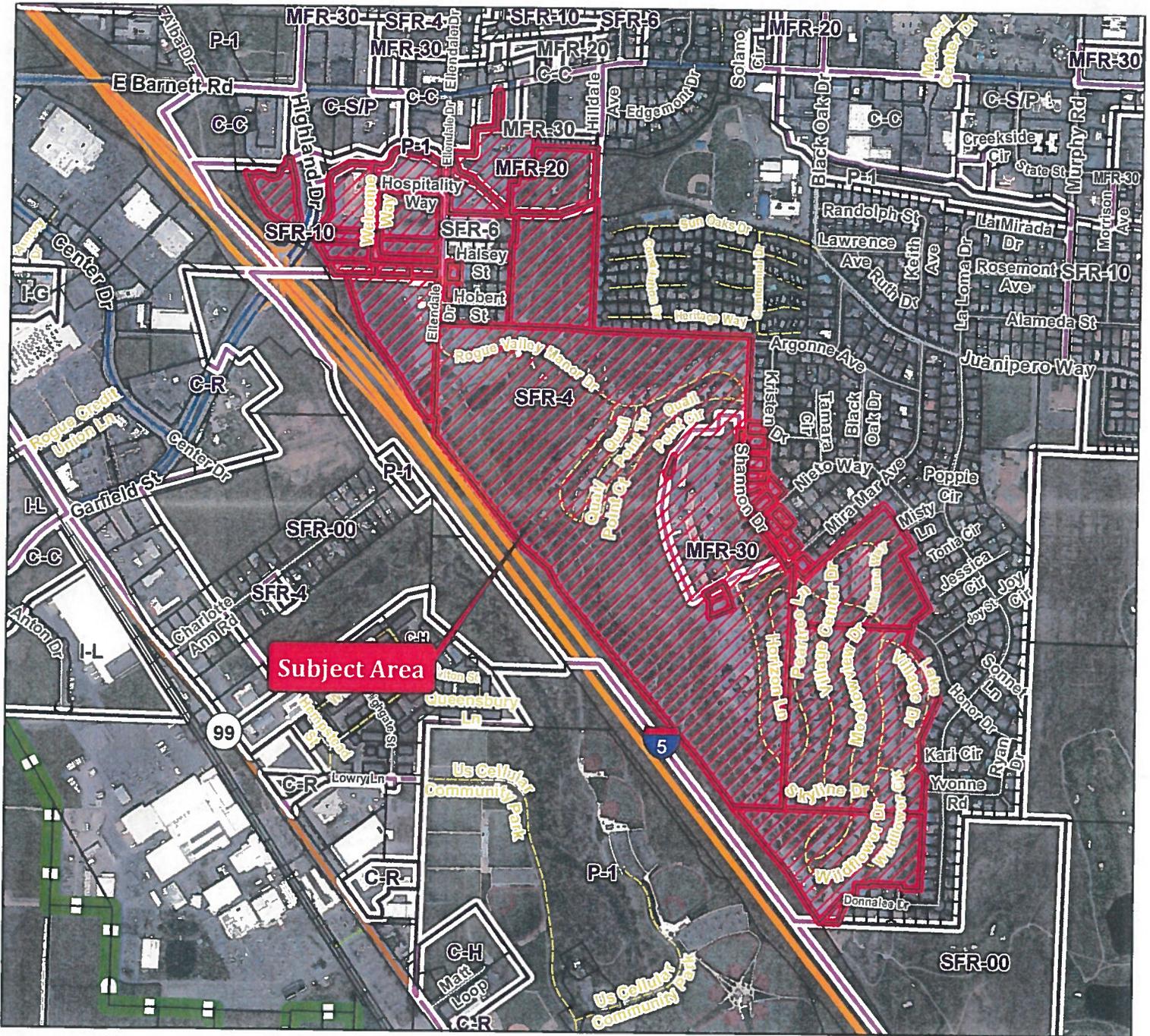
Davis Wright Tremaine LLP

Gregory S. Hathaway

GSH:ikt

Enclosure

cc w/encl.: Don Walker, Public Works Director, City of Medford
 Tom Becker, Rogue Valley Manor
 Brian McLemore, Rogue Valley Manor



Project Name:
Rogue Valley Manor Revision
PUD-98-23

Map/Taxlot:

Various Tax lots



10/24/2018

Legend

- Subject Area
- Zoning Districts
- Tax Lots

