# Planning Commission Agenda
# March 24, 2016

Commission Members

Tim D'Alessandro

David Culbertson

Norman Fincher

Joe Foley

Bill Mansfield

David McFadden

Mark McKechnie

Patrick Miranda

Jared Pulver

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

# Agenda

**Public Hearing**
**March 24, 2016**
5:30 PM

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

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**10. Roll Call**

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

20.1 **ZC-15-164** Final Order for a zone change from SFR-4 (Single Family Residential, four dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) for 5.72 acres located between Corona Avenue and Covina Avenue and between East McAndrews Road and Grand Avenue. (HATH LLC, Applicant; CSA Planning Ltd., Craig Stone, Agent)

20.2 **LDS-15-167** Consideration of a request for tentative plat approval for The Ridge at the Highlands Phases 2 – 10, a 67 lot subdivision on approximately 37.34 acres located at the northerly termini of Cherry Lane, Bermuda Drive and Stardust Way and approximately 100 feet north of Cloudcrest Drive, within the SFR-4/PD (Single Family Residential, four dwelling units per gross acre/Planned Development Overlay) zoning district. (Ayala Properties, LLC, Applicant; Urban Development Services, LLC, Agent)

20.3 **GF-16-028** Initiation of code amendment to allow micro-distilleries in commercial zoning districts. (City of Medford, Applicant)

**30. Minutes**

30.1 Consideration for approval of minutes from the March 10, 2016, hearing.

**40. Oral and Written Requests and Communications**

**50. Public Hearings – <u>New Business</u>**

50.1 **SV-15-169** Consideration of a request to vacate a portion of Second Street located between railroad right-of-way and Front Street. (John Lawton, Applicant; Farber Surveying, Agent)

50.2 **ZC-16-006** Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres located on the east side of Crater Lake Avenue approximately 700 feet south of Hollyhock Drive. (Blu Dutch LLC, Applicant; Richard Stevens & Associates, Inc., Agent)

50.3 **LDS-15-044** Consideration of a request for approval of a 176-lot residential subdivision tentative plat revision, approved under application number LDS-15-044, for the purpose of modifying phase boundaries and amending underlying reserve lots. The subject 116.58 acre property is located entirely on the south side of Cedar Links Drive, approximately 1,000 feet west of North Foothill Drive within an SFR-4 zone district. (Cedar Investment Group LLC, Applicant; CSA Planning Ltd., Agent)

50.4 **LDS-15-120** Consideration of a request for approval of a subdivision replat of Sky Lakes Village at Cedar Landing Phase 7A, in order to comport with requested modifications in the phase boundaries of the subdivision. The subject 116.58 acre property is located entirely on the south side of Cedar Links Drive, approximately 1,000 feet west of North Foothill Drive within an SFR-4 zone district. (Cedar Investment Group LLC. Applicant; CSA Planning Ltd.,/Craig Stone, Agent)

50.5 **LDS-16/002 E-16-003** Consideration of a request for tentative plat approval for Kasey Court Subdivision, a two phase, 6-lot residential subdivision with an exception to right of way dedication, on a 1.21 acre parcel located on the north side of Orchard Home Court, approximately 375 feet east of Orchard Home Drive within a SFR-6 (Single-Family Residential – 6 units per acre) zoning district. (Suncrest Homes LLC, Applicant; Scott Sinner Consulting, Inc., Agent)

**60. Reports**

60.1 Site Plan and Architectural Commission

60.2 Joint Transportation Subcommittee

60.3 Planning Department

**70. Messages and Papers from the Chair**

**80. Remarks from the City Attorney**

**90. Propositions and Remarks from the Commission**

**100. Adjournment**

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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-15-164 APPLICATION )
FOR A ZONE CHANGE SUBMITTED BY HATH LLC ) **ORDER**

ORDER granting approval of a request for changing the zoning from SFR-4 (Single-Family Residential, four dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) for 5.72 acres located between Corona Avenue and Covina Avenue and between East McAndrews Road and Grand Avenue.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below from SFR-4 (Single-Family Residential, four dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) for 5.72 acres located between Corona Avenue and Covina Avenue and between East McAndrews Road and Grand Avenue; 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 18, 2016, 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 areas within the City of Medford, Oregon:

37 1W 19AB Tax Lot 1700
37 1W 19AB Tax Lot 1800
37 1W 19AB Tax Lot 2100
37 1W 19AB Tax Lot 2200
37 1W 19AB Tax Lot 2201

is hereby changed from SFR-4 (Single-Family Residential, four dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) for 5.72 acres located between Corona Avenue and Covina Avenue and between East McAndrews Road and Grand Avenue.

Accepted and approved this 24th day of March, 2016.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Chair

ATTEST:

_____
Planning Department Representative

**BEFORE THE MEDFORD PLANNING COMMISSION**

**STATE OF OREGON, CITY OF MEDFORD**

| | | |
|---|---|---|
| IN THE MATTER OF TENTATIVE PLAT APPROVAL OF | ) | |
| | ) | **ORDER** |
| THE RIDGE AT THE HIGLANDS PHASES 2-10 [LDS-15-167] | ) | |

ORDER granting approval of a request for tentative plat approval for The Ridge at the Highlands Phases 2 – 10, a 67 lot subdivision on approximately 37.34 acres located at the northerly termini of Cherry Lane, Bermuda Drive and Stardust Way and approximately 100 feet north of Cloudcrest Drive, within the SFR-4/PD (Single Family Residential, four dwelling units per gross acre/Planned Development Overlay) zoning district.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and

2. The Medford Planning Commission has duly held a public hearing on the request for consideration of tentative plat approval for The Ridge at the Highlands Phases 2 – 10, a 67 lot subdivision on approximately 37.34 acres located at the northerly termini of Cherry Lane, Bermuda Drive and Stardust Way and approximately 100 feet north of Cloudcrest Drive, within the SFR-4/PD (Single Family Residential, four dwelling units per gross acre/Planned Development Overlay) zoning district, with the public hearing a matter of record of the Planning Commission on March 10, 2016.

3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and

4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for The Ridge at the Highlands Phases 2 – 10 stands approved per Staff Report dated March 3, 2016, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Staff Report dated March 3, 2016.

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

Accepted and approved this 24th day of March, 2015.

CITY OF MEDFORD PLANNING COMMISSION

_____

Planning Commission Chair

ATTEST:

_____

Planning Department Representative

# MEMORANDUM

| | | |
|---|---|---|
| Subject | Initiation of code amendment to allow **microdistilleries** in commercial zoning districts | |
| File no. | GF-16-028 | |
| To | Planning Commission | *for 2/24 meeting* |
| From | John Adam, Principal Planner | |
| Date | March 17, 2016 | |

## INTIATION

As discussed at the 3/14 study session, Planning Commission is being asked to consider initiating a code amendment to allow microdistilleries in commercial zoning districts. After initiation staff will schedule the item for action.

# Minutes

from Public Hearing on **March 10, 2016**

The regular meeting of the Planning Commission was called to order at 5:32 PM in the City Hall Council Chambers on the above date with the following members and staff in attendance:

**Commissioners Present**
Patrick Miranda, Chair
David McFadden, Vice Chair
Tim D'Alessandro
David Culbertson
Joe Foley
Bill Mansfield

**Commissioner Absent**
Mark McKechnie, Excused Absence
Jared Pulver, Excused Absence
Norman Fincher, Excused Absence

**Staff Present**
Jim Huber, Planning Director
Kelly Akin, Principal Planner
Kevin McConnell, Deputy City Attorney
Alex Georgevitch, City Engineer
Greg Kleinberg, Fire Marshal
Terri Rozzana, Recording Secretary

10. Roll Call

20. Consent Calendar/Written Communications.

**20.1 LDS-15-141 / E-15-142** Final Order for a proposed tentative plat for Panther Landing Subdivision, a seven lot residential subdivision, with an exception to reduce the street dedication requirement for South Columbus Avenue and an exception to the number of units allowed to take access off a minimum access easement, for an 0.86 acre parcel located on the east side of South Columbus Avenue, approximately 120 feet north of Garfield Street, within a SFR-10 (Single Family Residential – 10 dwelling units per gross acre) zoning district (1579 S. Columbus Avenue – 372W36CA2200). (Tommy Malot, Applicant/Agent)

Motion: Adopt the consent calendar.

Moved by: Vice Chair McFadden Seconded by: Commissioner Culbertson

Voice Vote: Motion passed, 6–0.

30. Minutes

**30.1.** The minutes for February 25, 2016, were approved as submitted.

40. Oral and Written Requests and Communications. None.

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

50. Public Hearings – New Business

**50.1 LDS-15-167** Consideration of a request for tentative plat approval for The Ridge at the Highlands Phases 2 – 10, a 67 lot subdivision on approximately 37.34 acres located at the northerly termini of Cherry Lane, Bermuda Drive and Stardust Way and approximately 100 feet north of Cloudcrest Drive, within the SFR-4/PD (Single Family Residential, four dwelling units per gross acre/Planned Development Overlay) zoning district. (Ayala Properties, LLC, Applicant; Urban Development Services, LLC, Agent)

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

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

Kelly Akin, Principal Planner, read the land division criteria and gave a staff report.

Vice Chair McFadden asked with the elimination of several streets what can Ms. Akin tell the Planning Commission about the proposed design the block lengths? Ms. Akin reported that the applicant provided findings for the block length ordinance. The circulation plan is relatively fixed. Because of the sloped areas staff feels that the Planning Commission could approve the elimination of those connections.

Vice Chair McFadden asked if the block lengths are acceptable or not has provisions been made to provide pedestrian walkways through the design? Ms. Akin replied the trail system provided an overall connection.

Vice Chair McFadden asked how will the City access the storm water detention system for maintenance? Ms. Akin replied that the southerly maintenance road shall be privately maintained by the Home Owner's Association. These private roads are required for City service vehicles to access the proposed underground facilities. These roads shall be located within common tracts of land and shall be constructed as all-weather access a minimum of 12-feet wide. Where road grades exceed 11-percent, these roads shall be paved.

Commissioner Foley asked if there was sufficient parking with the proposed design? Ms. Akin stated that these are single family detached units as they were planned previously.

Commissioner Foley asked when the other phases are constructed is the street classification going to remain the same or is going to have more traffic causing it to be more problematic? Ms. Akin reported that she does not know that it would be more problematic than any other standard residential road in the City.

Vice Chair McFadden asked if the original design called for narrower streets and has the street width been widen with the proposed plan to accommodate more on-street parking? Ms. Akin replied no. Cherry Lane has always been planned as a standard street section. The street sections were approved with the Planned Unit Development. The sections have not been proposed to change.

The Public Hearing was opened.

a. Mark Knox, Urban Development Services, LLC, 132 W. Main Street, Suite 202, Medford, Oregon, 97501. Mr. Knox stated that after reviewing the original plan there were excessive disturbance areas. There were ninety-degree roads going into a 35% sloped area. When those are cut down to a reasonable level to drive on the fanning of the earth has to happen. What could be done to mitigate that? Instead of 19 homes attached in threes and fours, spread them out using angled driveways. Also by reducing the lots in the north area of the plan it eliminated the public drive accessing from Stardust Way. Dwelling units were reduced from 83 to 67. The applicant is proposing more phases. He does not want to get into a situation where there is an excessive amount of product on the market. The pedestrian circulation plan is connecting to the pedestrian plan from phase 1 for a full loop circulation. Some portions share with the access roads but go back to a trail. The full loop is almost one mile. The applicant intends to install markers and benches. They have no issues with any of the City's conditions.

Vice Chair McFadden expressed some concern with the long route from Cherry Lane to Stardust Way for pedestrians. Mr. Knox stated that this is still a work in progress, especially those types of items.

b. Phil Elston, 326 Cliffwood Court, Medford, Oregon, 97504. Mr. Elston addressed the trail plan by stating that his background is 38 years in law enforcement. He had 10 years with the Phoenix Police Department and 28 years in federal service. He cannot speak for the trail in the middle of the proposed plan. The trail at the bottom right of the plan has some very serious issues. There is a water tower located there with nothing around it. To have a trail there is a burglar's paradise. To have a 12 foot road there that leads into the cul-de-sac is absolutely dangerous.

c. Paul Suppo, 4680 Cloudcrest, Medford, Oregon, 97504. Mr. Suppo likes this new revision as far as Bermuda Court goes for engineering and traffic control. He has several concerns. One is that Bermuda Court is very small and with that number of units coming out at Cloudcrest, he is concerned about the traffic. He recommended that there be a stop sign at Bermuda Court and Cloudcrest. A big concern of his is site. As one is coming onto Cloudcrest both houses have fairly steep yards. He does not think there is enough visual openness there. Another concern is rain water. There are no catch bin systems on Bermuda Court. There are no open drainage systems to catch water either direction on Cloudcrest. He is concerned that all the water will be pouring

down onto Cloudcrest creating issues. He asked the developer to help with erosion control when construction is going on.

Alex Georgevitch, City Engineer, addressed the intersection at Bermuda Court and Cloudcrest stating it is a T-intersection that under state law qualifies for a stop control.

The Engineering Department requires erosion and sediment control through the entire construction project and after construction until plans are established for this subdivision.

Vice Chair McFadden asked if Cloudcrest has curb, gutter and drainage system? Mr. Georgevitch stated that he cannot speak for this exact location but a portion to the west has curb and gutter. A lot of these roads were County roads that were widened. Some of them may or may not have curb and gutter. It may have roadside ditches. This development will be required to capture all water from this development and put it in a controlled public facility. Water should not be coming down Bermuda Court.

Vice Chair McFadden asked if the water tower access was through its own driveway off Cherry Lane or will it take access of the trail? Mr. Georgevitch deferred the question to the applicant. Mr. Knox stated there are two water towers. The one on the southeast corner has an existing 5 foot easement that was required in anticipation of the phase 2 connection.

Mr. Knox reported that he appreciates the concerns of the gentleman that was in law enforcement that testified. Mr. Knox asked the Planning Commission to keep the trail plan trying it out for several years. If there is a problem then eliminating then.

Mr. Knox addressed the curb and gutter on Cloudcrest stating they were fully improved.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of LDS-15-167 per the staff report dated March 3, 2016, including Exhibits A through N.

Moved by: Vice Chair McFadden Seconded by: Commissioner D'Alessandro

Voice Vote: Motion passed, 6-0.

60. Reports

**60.1** Site Plan and Architectural Commission.

Commissioner D'Alessandro reported that the Site Plan and Architectural Commission met on Friday, March 4, 2016. The Site Plan and Architectural Commission reviewed a three sided storage area for Pape. That item was approved. The Site Plan and

Architectural Commission had a good discussion regarding the multi-family design standards that the Planning Commission discussed several weeks ago.

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

**60.3** Planning Department

Kelly Akin, Principal Planner, reported that the Planning Commission's next study session is scheduled for Monday, March 14, 2016. The discussion will be on the initiation of a text amendment request for craft distilleries.

There is business scheduled for the Planning Commission on Thursday, March 24, 2016 and Thursday, April 14, 2016.

Last week the City Council adopted the Airport Master Plan related text amendment so that buildings inside the security fence are no longer subject to Site Plan and Architectural review. The Planning Commission had recommended approval of an alley vacation north of Dakota between Oakdale and Park Avenue. The City Council denied that request.

Next week the City Council will consider the Corona and Covina General Land Use Plan Map amendment that the Planning Commission heard at their last meeting.

The Planning Staff had a study session with the City Council on Thursday, February 25, 2016 regarding the Urban Growth Boundary. Staff recommended three alternatives and then there was a fourth from concerned parties. The City Council requested that be put on their agenda for Thursday, March 17, 2016.

Vice Chair McFadden asked at the last Planning Commission meeting if there were funds for a Planning Commissioner to attend the American Planning Association conference in Phoenix, Arizona this year. Staff apologies but there are no funds this year.

Commissioner D'Alessandro asked what were the City Councils concerns were with the alley vacation? Jim Huber, Planning Director reported that Vice Chair McFadden, as an employee of Avista, had submitted testimony that if the alley was to be vacated and an easement that there be no obstructions including a fence. Some of the property owners felt that if they could not fence it then it was not much value to them. There was the issue of protecting the gas line and some low lying cable lines with utility poles in the alley. Several of the neighbors use the alley as public right-of-way to get to the backs of their lots to trim trees. Again, if it was fenced they could not get to it. The City Council concluded that it still had public value so it should not be vacated.

70. Messages and Papers from the Chair. None.

80. Remarks from the City Attorney. None.

90. Propositions and Remarks from the Commission. None.

100. Adjournment

The meeting was adjourned at 6:27 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Rozzana
Recording Secretary

Patrick Miranda
Planning Commission Chair

Approved: March 24, 2016

# STAFF REPORT

for a Class-B decision: Street Vacation

| | |
|---|---|
| Project | East Second Street Vacation (between railroad right-of-way and Front Street)<br>Applicant: John & Claudia Lawton |
| File no. | SV-15-169 |
| To | Planning Commission *for 03/24/2016 hearing* |
| From | Carla Angeli Paladino, Planner IV |
| Reviewer | John Adam, AICP, Principal Planner |
| Date | March 17, 2016 |

## BACKGROUND

Proposal

Property owner request to vacate a 60 foot by 70 foot (4,200 square feet) section of East Second Street between the railroad right-of-way and Front Street. (See Exhibits A & B).

History

The application was submitted by a private property owner in late 2015. The request to initiate the right-of-way vacation and set a hearing date was approved by City Council in February 2016. The proposal will vacate a segment of right-of-way between the railroad tracks and Front Street. (Exhibit C)

Committee Comments

The project was presented to the Bicycle and Pedestrian Advisory Committee (BPAC) in February. The Committee discussed retaining a bicycle and pedestrian easement through the property in the event a crossing over the railroad tracks is approved in the future.

Agency Comments

The following agencies did not have any concerns or issues with the proposal: Medford Fire Department, Oregon Department of Transportation (ODOT), the City Surveyor, and Jennifer Ingram, the City's Database Technician. Relevant comments from City Public Works Engineering, Century Link, Medford Water Commission, and Avista Gas are incorporated in the report and attached. (Exhibits D-G)

Authority

This proposed project is a Class-B application for a street vacation. The Planning Commission is authorized to recommend, and the City Council to approve vacations under Medford Municipal Code §§10.102–122, 10.165, and 10.185.

## ANALYSIS

The proposal was submitted by John and Claudia Lawton, adjacent property owners to the north (tax lot 2800) of the subject right-of-way. Jack Schmidt is the property owner to the south (tax lot 2900). East Second Street in this location is unpaved, and does not include sidewalk, curb, or gutter along the Front Street side. The street right-of-way is fenced along the western boundary restricting access to the Central Oregon & Pacific Railroad (CORP) tracks. A number of utilities cross through the street right-of-way, including sanitary sewer, water, telephone facilities, and gas lines that connect into a station located on tax lot 2800. Comments received from the utility companies as well as City Engineering request the retention of an easement over the entire area to access, maintain, and construct such utilities within the vacated street segment. No structures including fencing shall be built within the easement area.

The intent of the abutting property owners is to use the property for vehicle parking for the adjacent businesses (Precision Electric on the south and a vacant tenant and Cut'N Break Construction to the north). Areas used for parking and maneuvering of vehicles

need to be paved and the frontage along Front Street shall be improved with curb, sidewalk, and standard driveway approach prior to use. A fence/gate is proposed to extend the length of the vacated right-of-way along Front Street to secure the property and further reduce pedestrian activity from the railroad tracks. Access for the utility companies shall be provided. Fencing shall not be installed east/west through the property.

## FINDINGS AND CONCLUSIONS

The criteria that apply to vacations are in Medford Municipal Code §10.202. The criteria are rendered in italics; findings and conclusions in roman type.

*Vacation Criteria. A request to vacate shall be approved by the approving authority (City Council) when the following criteria have been met:*

*10.202 (1). Compliance with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan.*

Findings

A review of the goals and policies in the Comprehensive Plan that relate to public facilities and transportation and the Transportation System Plan (TSP) do not specifically address the topic of right-of-way vacation. This location of East Second Street is unimproved and there is no approved railroad crossing in this location based on Table 3-18 (Summary of Medford Railroad Grade Crossings) in the Transportation System Plan.

Without clear direction from the adopted policy documents, the City Council must weigh the positives and negatives of vacating this right-of-way. The following are provided for consideration before making a decision. The area to be vacated is fenced and there is no approved railroad crossing in this location. Adjacent property owners have requested the land be vacated. They are interested in using and maintaining this property for the benefit of their businesses, and the site will be upgraded from its current condition if the property owners use it for vehicle parking (requiring the site to be paved). As a condition of vacating the right-of-way, the property owners shall be required to install street improvements (curb, sidewalk and standard driveway approach) along Front Street as a condition of development (i.e. paving the site). There are no identified plans for this segment of right-of-way to be improved by the City in the near future so it will remain unchanged from its current condition. The applicant's findings are attached. (Exhibit H)

On the other hand, the existing right-of-way may be better maintained in the public realm. City oversight of this land allows for existing utilities to be better protected from encroachments and maintains unobstructed access to the service providers. The right-of-way is one block away from the Central Business overlay. As downtown

continues to re-develop over time this area too may see changes that would necessitate improving the right-of-way and opening discussions and applying to ODOT rail for a new rail crossing to West Second Street. Unknown circumstances may require the City to purchase back the right-of-way if a future street connection is identified in this location providing a cost burden that would be unnecessary if it remains right-of-way. In discussing this issue with ODOT rail, a historical crossing is not on record and an application for an at grade crossing is this location would likely be disapproved.

Conclusions

Without specific policy on vacating right-of-way each situation must be evaluated individually. Based on the information noted above, the use of the site proposed by the adjacent property owners in conjunction with a condition to install street improvements and limit fencing provides a reasonable rational for vacating the right-of-way. The City Council may find in favor of vacating the East Second Street right-of-way in this location. This criterion can be satisfied.

*10.202 (2). If initiated by petition under ORS 271.080, the findings required by ORS 271.120.*

Findings

The application was not initiated by petition per the requirements in ORS 271.080(2) which requires consent of abutting property owners in a specified area surrounding the property to be vacated; therefore the findings required by ORS 271.120 are not applicable.

Conclusions

This criterion is not applicable to the project.

*10.202 (3). If initiated by the Council, the applicable criteria found in ORS 271.130.*

*The proposal will comply with the requirement of ORS 271.130 if the City Council can make the following findings:*

*a. That the owners of more than 50% of the affected area do not object in writing; and*

*b. That the vacation will not substantially affect the market value of any abutting property where the owner objects, unless the City provides for paying damages to the owner.*

Findings

The City Council initiated the vacation on Thursday, February 18, 2016, per Resolution No. 2016-21. The vacation was requested from one of two adjacent property

owners. No objections from property owners have been received to date. It is not anticipated that the vacation will substantially affect the market value of any abutting property.

Conclusions

No objections have been submitted regarding the proposal and a substantial effect in market value positively or negatively is not likely. The criterion is satisfied.

## RECOMMENDED ACTION

Based on the findings and conclusions that all of the approval criteria are met or are not applicable, forward a favorable recommendation to the City Council for approval of the street vacation per the staff report dated March 17, 2016, including Exhibits A through H including the following conditions of approval:

1. Reserve an easement over the subject right-of-way for public utilities that includes the right to access, maintain, and construct these utilities within the easement area. The language shall state no structures including fences shall be built over the easement area.

2. The property owners shall install street improvements along Front Street at the time of developing (paving) the vacated right-of-way.

3. No fencing shall be installed east/west across the property.

## EXHIBITS

A Legal description and map showing street location
B County Assessor's map showing street location
C Photograph of the right-of-way
D Public Works Department comments
E Century Link comments
F Medford Water Commission comments
G Avista Gas comments
H Applicant's findings of fact
Vicinity Map

## PLANNING COMMISSION AGENDA: MARCH 24, 2016

# Exhibit A

## Legal Description and Map showing street location

Property Description
A portion of East Second Street
John and Claudia Lawton

Beginning at the Southerly most corner of Block 27 as described on the Town Map of Medford, according to the Official Plat thereof, now of record in Jackson County, Oregon; thence South 35°30' East, along the Oregon and California Railroad right of way (now Central Oregon & Pacific Railroad), 60.00 feet to the Westerly most corner of Lot 6, Block 28 of said Town Map; thence North 54°30' East, along the Northerly line of said Lot 6 and the right of way of East Second Street, 70.00 feet; thence North 35°30' West, 60.00 feet to the Easterly most corner of said Block 27; thence South 54°30' West, along the Southerly line of said Block 27 and the right of way of East Second Street, 70.00 feet to the Point of Beginning.

Prepared By: Farber and Sons Inc
Farber Surveying
431 Oak Street
Central Point, OR 97502
(541) 664-5599

Date: December 14, 2015

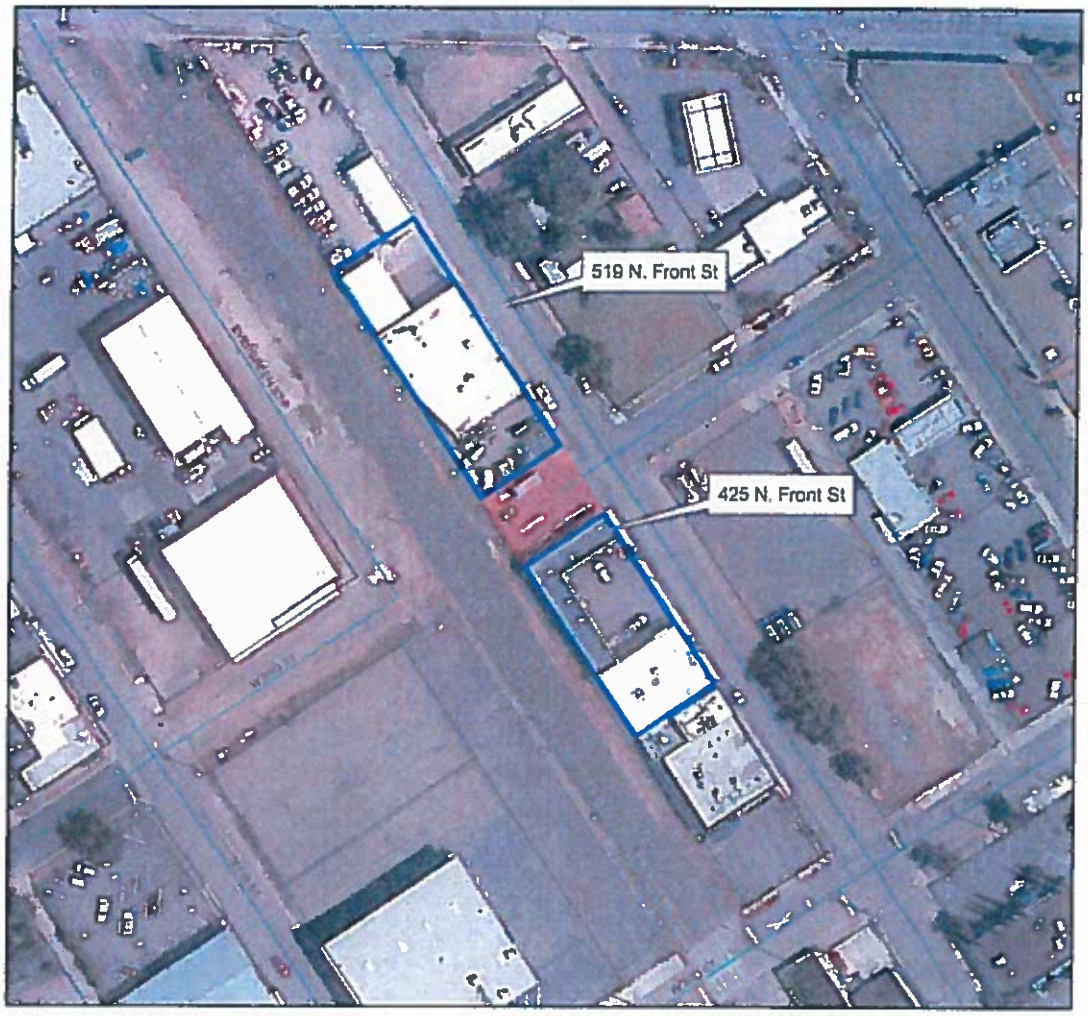
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 26, 1985
HERBERT A. FARBER
2189

RENEWS DEC 31 2015

EXHIBIT "A"

RECEIVED
DEC 16 2015




**Legend**

- STREETS
- Parcels
- Subject Properties
- Area to be Vacated

0 25 50 100 150 200 Feet

N

Map Generated by
Farber Surveying
431 Oak St
Central Point, OR 97502
Created: November 16, 2015

REGISTERED
PROFESSIONAL
LAND SURVEYOR

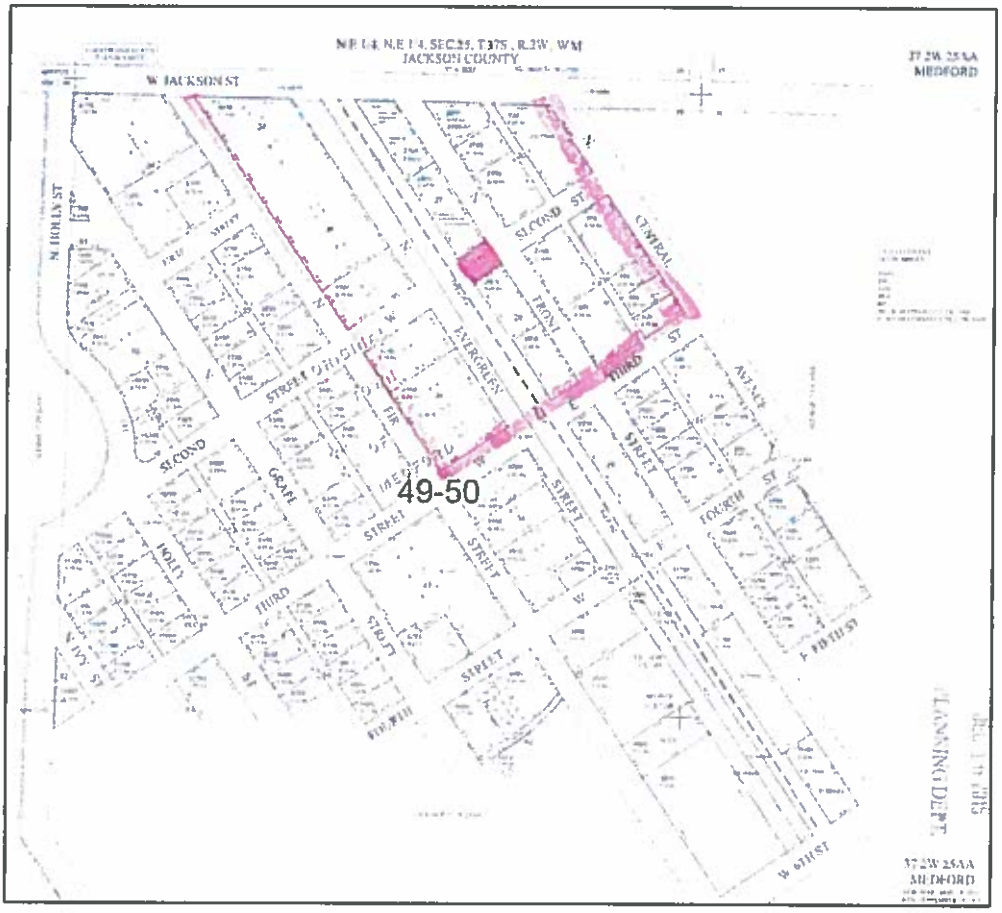
OREGON
JULY 26, 1988
HERBERT A. FARBER
2189

CITY OF MEDFORD
EXHIBIT #
File # SV-15-169

9

# Exhibit B

## Assessor's Map



# Exhibit C

## Photo of East Second Street

# Exhibit D

## Public Works – Engineering Comments

Continuous Improvement Customer Service

**CITY OF MEDFORD**

Date: 3/9/2016
File Number: SV-15-169

**PUBLIC WORKS DEPARTMENT STAFF REPORT**
**Lawton 2nd Street Vacation**

**Project:** **Request to vacate a portion of Second Street located between railroad right-of-way and Front Street.**

**Applicant:** **John Lawton, Applicant (Farber Surveying, Agent). Carla Paladino, Planner.**

---

Public Works concurs with the request to vacate the subject existing right-of-way, with the condition that an easement over the entire area shall be reserved for public utilities that exist therein. The easement shall include the right to access, maintain, and construct these utilities within the easement area. No structures shall be built over the easement area.

Prepared by: Doug Burroughs



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

# Exhibit E

## Century Link Comments

CenturyLink

February 17, 2016

Carla Paladino
City of Medford
Lausmann Annex, Room 240
200 S Ivy St
Medford, OR 97501

RE: SV-15-169 Project Name: Lawton/Farber 2nd Street Vacation

CenturyLink has reviewed this request for vacation as referenced above and finds that we have telephone facilities (20 conduits with multiple large copper and fiber cables) that exist within the area referenced in SV-15-169. In order to protect these facilities, we request that an easement be excepted there, from, to, CenturyLink on, over, in, under, across, above and along that certain real property.

Please SAVE and EXCEPT the following

An easement to CenturyLink on, over, in, under, across, above and along the T.37S., R.2 W., Section 25AA Tax Lot 28, property located at 519 N. Front Street, Medford, Jackson County, Oregon and on file with the County Recorder of Jackson County, Oregon as described in SV-15-169

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area

If the applicant would like to meet to discuss this action, they are welcome to contact CenturyLink Engineer, Jim Martin at (541) 776-8268 to set up an appointment

Sincerely,

Jim Martin
Senior Design Engineer

Attachment(s)

JRM/rdr

*CenturyLink Oregon Field Engineering Office*
*150 W Stewart Ave - Medford, OR 97501 - Fax (541) 776-8026*

# Exhibit F

## Medford Water Commission Comments

BOARD OF WATER COMMISSIONERS
***Staff Memo***

**TO:** Planning Department, City of Medford

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

**SUBJECT:** SV-15-169

**PARCEL ID:** (See attached map)

**PROJECT:** Request to vacate a portion of Second Street located between railroad right-of-way and Front Street; John Lawton, Applicant (Farber Surveying, Agent). Carla Paladino, Planner.

**DATE:** March 3, 2016

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

**CONDITIONS**

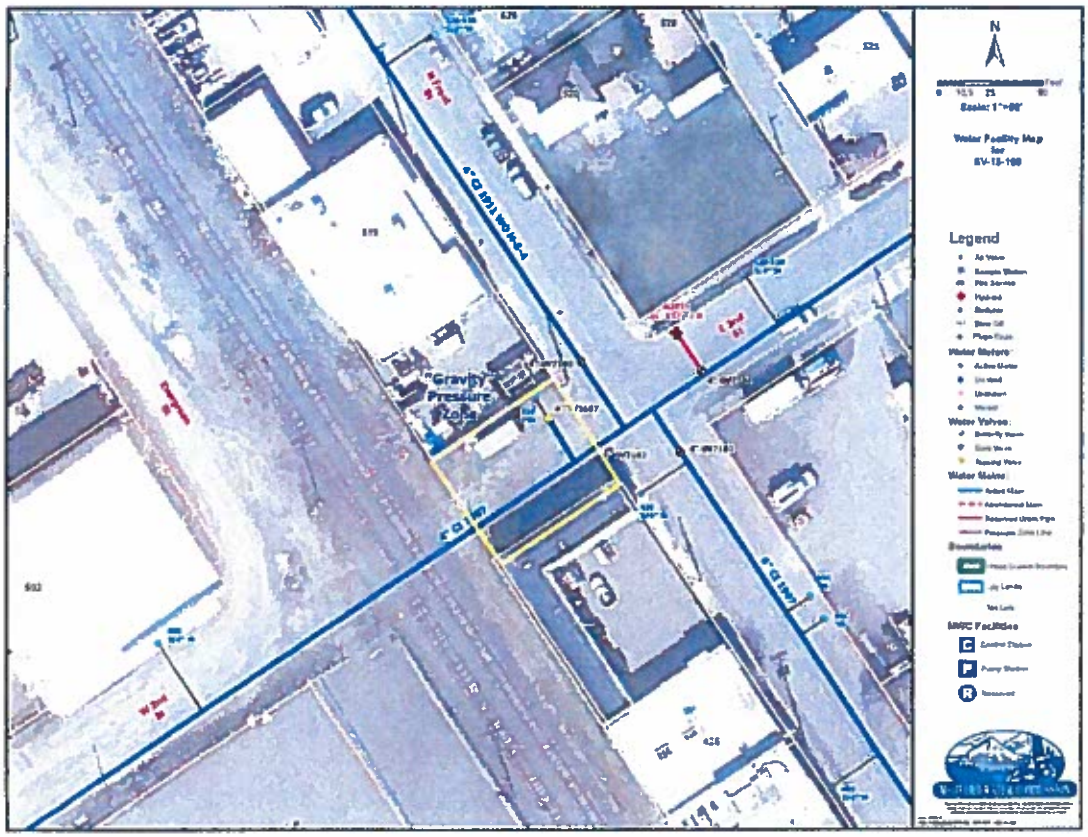
1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."

2. MWC requires that the current access/maintenance rights of a utility located in a public right-of-way be retained upon street vacation, or a new 10' wide easement over all existing water facilities be submitted for review and recordation to MWC engineering department.

**COMMENTS**

1. There is an existing 4-inch water line in the W 2nd Street right-of-way.

2. There is an existing 1-inch water meter in the W 2nd Street right-of-way that provides domestic water to Precision Electric, LLC located at 519 Front Street.


N
Legend
Gravity
Pressure
Zone

# Exhibit G

## Avista Gas Comments

**Carla G. Paladino**

| | |
|---|---|
| **From:** | McFadden, David <David.McFadden@avistacorp.com> |
| **Sent:** | Monday, March 14, 2016 4:22 PM |
| **To:** | Carla G. Paladino |
| **Cc:** | Martin, Jim; Brad Dill (brad.dill@chartercom.com); Jake Sarver, jason.middlebrook@pacificorp.com; Mike Conley (michael.l.conley@sprint.com) |
| **Subject:** | 2nd Street Vacation Comments - Avista |

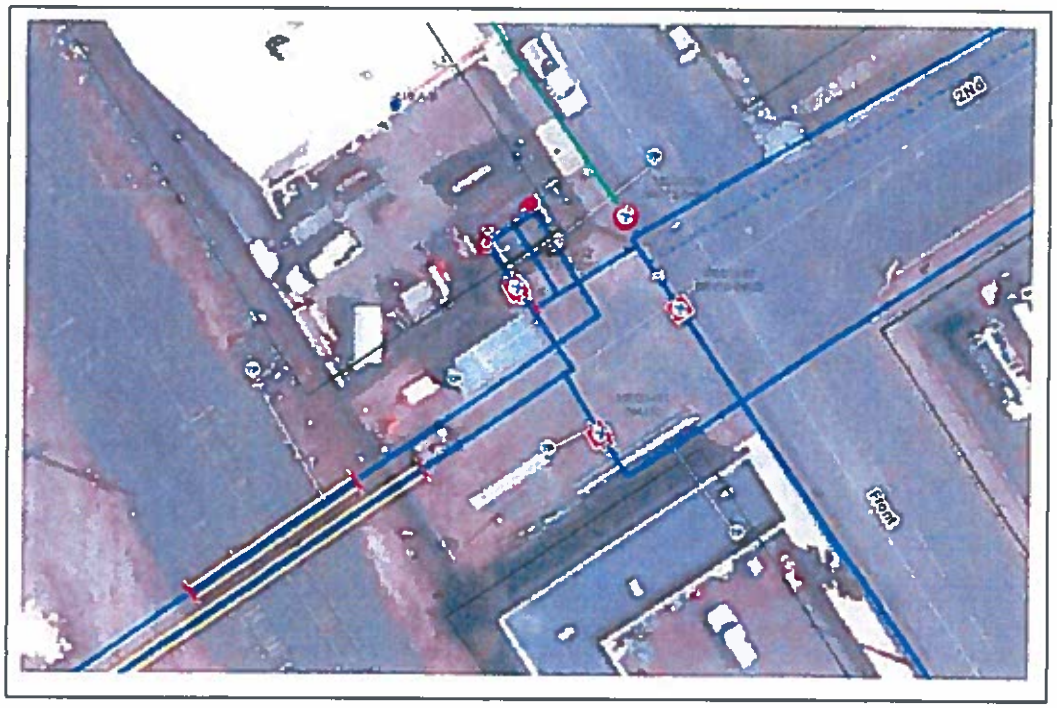
Ms Carla G. Paladino, City of Medford Planning Department

Avista Utilities has two major natural gas mains and at least two in-ground shut off valves located within the area of this proposed street vacation. These facilities serve an Avista regulator station located on private property at the northwest corner of N. Front and E. 2nd Street.

Avista asks that if the City approves this Vacation; that the City follow standard procedures; and create a Public Utility Easement over the whole area of the alley. This PUE should prohibit the construction of buildings, sheds, and fences on or over the vacated right of way, and require that the neighboring properties keep this alley passable, especially the in-ground control valves.

I am not aware of other utilities that may be present within the area of this vacation.

Thank You
David McFadden,
Avista, Medford



# Exhibit H

## Applicant's Findings of Fact

**BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD, OREGON:**

**IN THE MATTER OF AN APPLICATION )**

**FOR A VACATION OF A PUBLIC ROAD )**

**ASSESSORS MAP No 372W25AA-2800 )**

**LOCATED ON N. FRONT STREET )**

**IN MEDFORD, OREGON: )**

RECEIVED
DEC 16 2015
PLANNING DEPT.

- **Applicant:** John & Claudia Lawton
  519 Front Street
  Medford, Oregon 97501
- **Property Owner:** Same as Above
- **Agent:** Herbert A. Farber,
  431 Oak Street
  Central Point, Oregon 97502
- **Legal** T. 37 S., R. 2 W., Section 25AA Tax Lot 2800
- **Location:** The property is located at the 519 N. Front Street.
- **Zoning:** The parcel is zoned C-H.
- **Glup Map** The property is designated Heavy Commercial.
- **Project Name:** Public Road Vacation Request

NARRATIVE DESCRIBING SECTION 10.202 MEDFORD MUNICIPAL CODE

10.202 *Compliance with the Public Facilities Element of the Comprehensive Plan.*

10.202(1) *Compliance with the Public Facilities Element of the Comprehensive Plan.*

**This vacation will maintain all Public Facilities easements and will not affect any existing utility service, therefore is in compliance with the Public Facilities Elements of the Comprehensive plan.**

10.202(2) *If initiated by petition under ORS 271.080 per ORS 271.120, the City Council must determine the following:*

a) *For a plat vacation of part thereof: that two-thirds of the affected property owners consent in writing. Affected property owner are all owners of the property embraced within the plat or part thereof.*

**This element does not apply to this application.**

*Vacation: For a street or alley vacation: that 100% of the abutting property owners, and two thirds of the affected property owner consent in writing. Affected property owners are owners of all lands lying on either side of the street or alley proposed to be vacated and extending laterally to the next street that serves as a parallel street, but not to exceed 200 feet, and all property within 400 feet of the terminus of the part of the street or alley to be vacated*

**The abutting property owners consent in writing to this vacation.**

b) *That the required notice has been given.*

**Mailing labels for the properties within 200 feet of applicant's property are included.**

c) *That the vacation is in the public interest.*

**This element does not apply to this application.**

10.202(3) *If initiated by the City Council under ORS 271.130, the City Council must determine the following:*

*a) That more than 50% of the affected property owners do not object in writing;*

**John and Claudia Lawton., the applicant owns the 50% of the abutting property.**

*and,*

*b) That the vacation will not substantially affect the property value of any abutting property, or, if the vacation will substantially affect the market value of any abutting property where the owner object, the city will provide for paying for damages.*

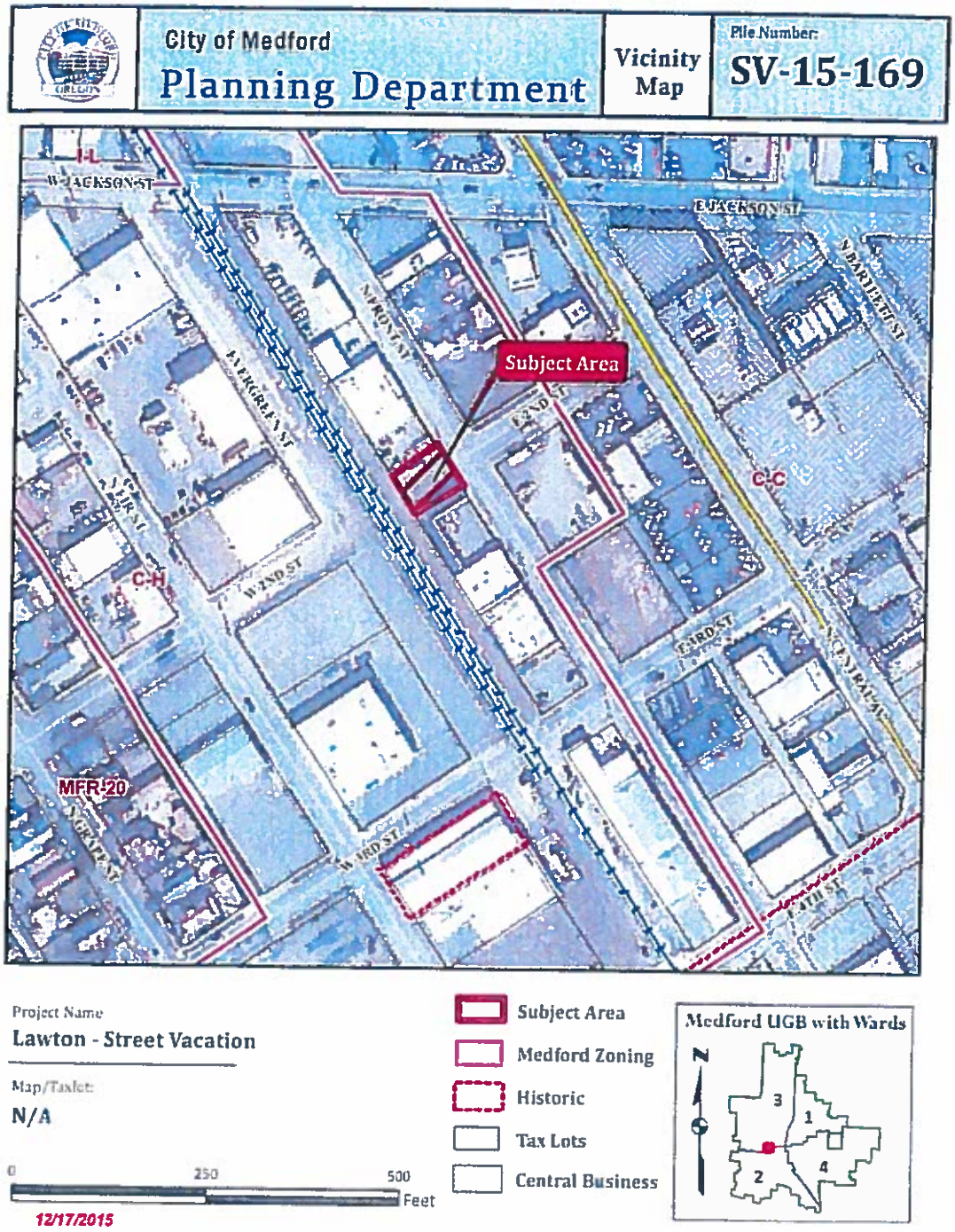
**There is no objection from all abutting property owners.**

Respectfully,

Herbert A Farber
December 14, 2015

2

# Vicinity Map



# STAFF REPORT

for a Type-C quasi-judicial decision: Zone Change

| | | |
|---|---|---|
| PROJECT | Blu Dutch - Zone Change<br>Applicant: Blu Dutch, LLC – Mark Huttema<br>Agent: Richard Stevens & Associates | |
| FILE NO. | ZC-16-006 | |
| TO | Planning Commission | *for March 24, 2016 hearing* |
| FROM | Tracy Carter, Planner II | |
| REVIEWER | Kelly Akin, Principal Planner | |
| DATE | March 17, 2016 | |

## BACKGROUND

### Proposal

Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres located on the east side of Crater Lake Avenue approximately 700 feet south of Hollyhock Drive.

### Subject Site Characteristics

| | |
|---|---|
| Zoning | I-G |
| GLUP | CM (Commercial) |
| Use | Single family residence, storage and vacant land |

### Surrounding Site Characteristics

| | | |
|---|---|---|
| North | MFR-20 | Multi-family homes |
| | I-G | Visar Construction Co. |
| East | MFR-20 | Multi-family homes |
| South | I-L | Trailers Plus |
| West | I-L | Business offices |

Related Projects

CP-13-032 UGBA Phase 1: Internal GLUP Amendment

Applicable Criteria

ZONE CHANGE APPROVAL CRITERIA – MEDFORD LAND DEVELOPMENT CODE SECTION 10.227

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

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

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

***

(c) For zone changes to any commercial zoning district, the following criteria shall be met for the applicable zoning sought:

(i) The overall area of the C-N zoning district shall be three (3) acres or less in size and within, or abutting on at least one boundary, residential zoning. In determining the overall area, all abutting property(s) zoned C-N shall be included in the size of the district.

(ii) The overall area of the C-C zoning district shall be over three (3) acres in size and shall front upon a collector or arterial street or state highway. In determining the overall area, all abutting property(s) zoned C-C shall be included in the size of the district.

(iii) The overall area of the C-R zoning district shall be over three (3) acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

(iv) The C-H zone shall front upon an arterial street or state highway. The C-H zone may abut the General Industrial (I-G), Light Industrial (I-L), and/or any commercial zone. The C-H zone is ordinarily considered to be unsuitable if abutting any residential and I-H zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

***

(e) For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one or more of the following criteria:

(i) The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows for only one zone;

(ii) At least 50% of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above;

(iii) At least 50% of the subject property's boundaries abut properties that contain one or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses; or

(iv) Notwithstanding the definition of "abutting" in MLDC 10.012 and for purposes of determining suitability under Section (1) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least 60 feet in width.

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

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

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

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

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

(iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs:

(a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or

(b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.

(iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.

(c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction of covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:

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

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

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

**ISSUES AND ANALYSIS**

Background

On December 4, 2014, the City Council adopted Ordinance 2014-154 changing the General Land Use Plan (GLUP) designation of approximately 500 acres within the Urban Growth Boundary in order to increase development capacity. At that time, the GLUP designation for the subject property was changed from General Industrial (GI) to Commercial (CM).

Medford Land Development Code (MLDC) 10.227(1)(c) lists locational criteria for zone changes to the Heavy Commercial (C-H) zone district. This subsection states that ordinarily the C-H zone is considered unsuitable when abutting any residential or Heavy Industrial zones, unless the applicant can show it would be suitable pursuant to MLDC 10.227(1)(e). In the Findings of Fact supplied, the applicant has demonstrated the proposed zone to be suitable pursuant to MLDC 10.227(1)(e) in that the subject property abuts residentially zoned properties to the north and east, but all other boundaries - totaling over 50% - abut zones expressly allowed per MLDC 10.227(1)(c).

Transportation System Plan

As part of the approval, a demonstration must be made that the change of zone is consistent with the Transportation System Plan (TSP). The TSP requires all modes of transportation be considered, including rapid transit, air, water, rail, highway, bicycle and pedestrian. This site does not have access to rapid transit, water, rail or other alternative modes of transportation. Air, highway, pedestrian and bicycle lanes are available in the general vicinity via the Medford Airport, Crater Lake Highway and the sidewalks and bicycle lanes available on Crater Lake Avenue.

General Land Use Plan Designation

The General Land Use Plan designation for the subject property is Commercial. The Comprehensive Plan specifies that the proposed Heavy Commercial zoning is an appropriate zone under that designation.

Agency Comments

*Public Works Department*

A Traffic Impact Analysis (TIA) was required as part of the subject application by the Public Works Department (Exhibit C). The study shows the change of zone from I-G (General Industrial) to C-H (Heavy Commercial) will increase the expected trip generation from 472 daily trips to 3,540 daily trips. The TIA identified the intersection of Owen Drive and Crater Lake Avenue as a facility failing at the present time, prior to adding project trips. Rather than mitigate this intersection, the developer proposes a trip cap. The developer proposes a cap at the existing zoning potential trips plus 249 trips, giving a total of 721 daily trips. A condition of approval has been included to accept the stipulation (Exhibit A).

The subject site lies within the Midway Drainage Basin and there are adequate existing storm drain facilities to serve this site. The site will be required to provide stormwater quality and detention at the time of development (Exhibit H).

At the time of future land division or development permit, Public Works may require additional right-of-way and public utility easement dedications and will condition the developer to improve their street frontage to the City's standards. Improvements may include paving, drainage, and curb, gutter, street lighting, sidewalk, and planter strips (Exhibit H).

*Rogue Valley Sewer Services*

Sanitary sewer services and facilities have adequate capacity to serve the proposed zoning (Exhibit E).

*Medford Water Commission*

Water facilities have adequate capacity to serve the subject property (Exhibit I).

No other issues were identified by staff.

**FINDINGS AND CONCLUSIONS**

With the applicant's stipulation regarding trip generation, the conclusion can be made that all of the criteria for a conditional zone change have been met.

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

## RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of ZC-16-006 per the staff report dated March 17, 2015, including Exhibits A through I.

## EXHIBITS

A Conditions of Approval
B Applicant's Findings of Fact received January 19, 2016
C Southern Oregon Transportation Engineering letter received January 19, 2016
D Public Works interoffice memo received February 4, 2016
E Rogue Valley Sewer Services memo received February 19, 2016
F Medford Fire Department Land Development Report received February 26, 2016
G ODOT memo received March 1, 2016
H Public Works Department Staff Report received March 2, 2016
I Medford Water Commission memo received March 2, 2016
Vicinity map

**PLANNING COMMISSION AGENDA:** **MARCH 24, 2016**

**EXHIBIT A**

Blu Dutch Zone Change
ZC-16-006
Conditions of Approval
March 17, 2016

**DISCRETIONARY CONDITIONS**

1. Accept the applicant's stipulation that development will be limited to a total of 721 total daily trips. Said stipulation will remain in effect until a study is approved that shows that the surrounding transportation facilities can operate acceptably with the additional trips. The study is required to meet the standards of Medford Land Development Code Sections 10.460 through 10.462.



CITY OF MEDFORD
EXHIBIT # A
File # ZC-16-006

RECEIVED

JANUARY 19, 2016

PLANNING DEPARTMENT

**BEFORE THE PLANNING COMMISSION**
**FOR THE CITY OF MEDFORD, OREGON:**

| | | |
|---|---|---|
| IN THE MATTER OF AN APPLICATION FOR A CHANGE IN ZONING DESIGNATION FOR 2.36 ACRES OF LAND, LOCATED ALONG CRATER LAKE AVE. SOUTH OF HOLLY-HOCK DRIVE; BLU DUTCH, LLC, THE APPLICANTS; RICHARD STEVENS & ASSOCIATES, INC. AGENTS | ) | FINDINGS OF FACT |

## I. RECITALS PERTAINING TO THE PROPERTY:

**PROPERTY OWNER & APPLICANT:** Blu Dutch, LLC
Mark Huttema
PO Box 422
Rogue River, OR 97537

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

**APPLICATION:** A request for a change of zoning designation from City of Medford General Industrial (I-G) to Heavy Commercial (C-H) consistent with the Medford Comprehensive Plan designation for the site, which is Commercial. The property is described as T.37S-R.1W-SEC. 08BC, Tax Lot 1800, located within the City Limit Boundary and consisting of approximately 2.36 acres. The purpose of this change of zoning is to acquire an appropriate zoning district with the recent changes to the General Land Use Plan map with the approval of the Internal Lands Inventory.



CITY OF MEDFORD
EXHIBIT # 8
File # ZC-16-006



10

## II. APPLICABLE CRITERIA:

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

**1. A vicinity map drawn at a scale of 1"= 1,000' identifying the proposed area of change.**

**2. An assessor's map with the proposed Zone Change area identified.**

**3. Legal description of the area to be changed. Legal description shall be prepared by a licensed surveyor or title company.**

**4. Property owner's names, addresses and map and tax lot numbers within 200 feet of the subject property, typed on mailing labels.**

**5. Findings prepared by the applicant or his representative addressing the criteria for zone changes as per Section 10.227, Zone Change Criteria.**

**FINDING:**

**The Planning Commission finds that this application for a change in zoning designation from I-G to C-H, with the information presented in support of the application, is consistent with the standards for submission as required above. Also provided are the applicable maps, the legal description of the area to be changed, and the names and addresses of all adjacent properties within 200 feet typed on mailing labels, and findings consistent with the requirements of Section 10.227.**

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

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

> *(1) The proposed zone is consistent with the Transportation System plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule. Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.*
>
> *(2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection c) below. The minimum standards for Category A services and facilities are contained in the Land Development Code and Goal 3, Policy 1 of the Comprehensive Plan "Public Facilities Element"."*

Consideration of the above criteria shall be based upon the eventual development potential for the area, and the specific zoning district being considered.

## CONSISTENCY WITH TRANSPORTATION SYSTEM PLAN

The Medford TSP has been adopted by the City of Medford and was acknowledged by the State in 2003. The TSP identifies existing and potential future street improvements to preserve the integrity of the local street system. The proposed uses of the property may not generate any additional vehicle trips. However, the proposed change of zoning from Medford I-G to Medford C-H, using the worst case scenario, will potentially generate greater Average Daily Trips (ADT) on the local street system. *(I-G generates approximately 200 ADT's per acre and the C-H generates approximately 1,500 ADT's per acre, for a potential increase of approximately 3,068 ADT's.)* The property fronts along Crater Lake Avenue/Highway, a major collector street for the City of Medford.

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

The site does not have access to rail, light rail, water, or other alternative transportation facilities or services. Pedestrian and bicycle access will be made available via the sidewalks and bicycle lanes in the immediate vicinity. These improvements are already existing along portions of Crater Lake Avenue. The site is accessible by motor vehicle from Crater Lake Avenue. The proposed development plan for the site conforms with all access management and location requirements of the City of Medford, Jackson County and ODOT to insure adequate and effective Access Management. The applicant submits that this requested zone change will not have a significant effect on the access management for the transportation facility serving the site.

The potential uses on this property are proposed to be multiple family dwellings on a portion of the site along with a mini-storage facility. Therefore, with the stipulated uses and potential traffic generation along with the established traffic counts on Crater Lake Avenue, the current capacity of the roadways will not be compromised by the change of zoning, with this stipulated trip count. This is confirmed with the Traffic Impact Study (TIS), prepared by Southern Oregon Transportation Engineering, LLC, attached with this application.

With the existing and pipeline traffic counts of this immediate area, provided by the City of Medford, the TIS has determined that there is adequate capacity available to serve the subject site with the proposed uses, with the stipulated traffic generation cap of 721 ADT's. This capacity of the existing road system will not be adversely affected by this application, due to the fact that sufficient capacity exists to operate acceptably within the performance standards for the anticipated cumulative generation in the area.

This can be found to be consistent with the existing and planned traffic facilities for the City of Medford, TSP.

**FINDING:**

> **The City of Medford finds that this change of zoning application from the I-G zoning district to C-H, as demonstrated and recommended by the TIS submitted by Kim Parducci, with Southern Oregon Transportation Engineering, LLC, is consistent with the Medford TSP, and is in compliance with Section 10.227(1) MLDC. With the stipulated traffic generation cap at 721 ADT's, there are no adverse impacts contemplated on the Highway 62, Interstate-5 Interchanges, or the local street system.**

## CONSISTENCY WITH THE GENERAL LAND USE PLAN MAP:

A review of the General Land Use Plan Map of the City of Medford indicates that this area of the City was re-designated from Heavy Industrial (HI) to Commercial (CM) by Ordinance No. 2014-154, Internal Study Areas (ISA). The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that permitted zoning districts within the CM designation are: Neighborhood Commercial (C-N), Community Commercial (C-C), Regional Commercial (C-R) and Heavy Commercial (C-H). This is consistent with the provisions of Sections 10.325-10.337 of the MLDC.

The proposed zoning district for the subject property is Heavy Commercial (C-H). This zoning district is consistent with the Commercial designation as identified on the GLUP map.

**FINDING:**

> **The subject property lies within the Urban Growth Boundary and City Limits of the City of Medford, and is found to be committed to Urban use by specifically being delineated on the General Land Use Plan Map as Commercial. The C-H zoning requested is found to be consistent with the General Land Use Plan Map.**

## CONSISTENCY WITH THE LOCATIONAL STANDARDS:

Subsection 10.227(1)(c) MLDC is applicable to this application for the locational standards requesting C-H zoning.

> *(c)(iv) The C-H zone shall front upon an arterial street or state highway. The C-H zone may abut the General Industrial (I-G), Light Industrial (I-L), and/or any commercial zone. The C-H zone is ordinarily considered to be unsuitable if abutting any residential and I-H zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.*

Discussion:

The subject property has frontage on Crater Lake Avenue / Crater Lake Highway that is identified as a state highway. The situs identified for the property is 3720 and 3724 Crater Lake Highway.

The abutting properties to the north and east are zoned MFR-20 with the abutting lands to the south zoned I-L and the abutting lands to the west zoned I-G with the City of

Medford. Therefore, with the abutting MFR-20 zoning, Subsection 10.227(1)(e) is also applicable for review.

(1)(e): *"For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one (1) or more of the following criteria:"*

> (e)(ii) *"At least fifty percent (50%) of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above."*
>
> (e)(iii) *"At least fifty percent (50%) of the subject property's boundaries abut properties that contain one (1) or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses;"*

Discussion:

The subject property's configuration is described as a flag lot where the flag pole portion abuts I-G and I-L zones. In addition, the entire southern and western boundaries are abutting these industrial zoned lands. The majority of the subject property's boundaries abut lands that are consistent with the provisions of Subsection 10.227(1)(c)(iv), MLDC.

The abutting properties to the north and east are zoned MFR-20 with the City of Medford, that are designated on the Medford GLUP map as Urban High Density Residential within the City of Medford. As allowed within Section 10.708(C) the proposed C-H zoning also permits the use of the site for multiple family residential developments. Therefore, the proposed multiple family uses that are allowed within both the C-H and MFR-20 are compatible with each other for development. The applicant is also desiring to locate multiple family dwellings in the eastern quadrant of the subject site.

The proposed C-H designation is consistent with the locational standards of Subsection 10.227(1)(c), due to the site abutting a state highway and that at least 50% of the site abuts a zone that meets the standards for (e)(ii) for the abutting industrial zoned properties. In addition, the proposed C-H zoning allows for multiple family residential developments consistent with the abutting MFR-20 zoning.

**FINDING:**

> **The City of Medford finds that the subject site requesting the Heavy Commercial (C-H) zoning district consists of 2.64 acres and meets the locational standards within Subsection 10.227(1)(c)(iv). This application is in compliance with Section 10.227(1) MLDC.**

## 2. COMPLIANCE WITH URBAN SERVICES AND FACILITIES

The next criterion, Section 10.227(2), for a zone change is:

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

**Sanitary Sewer:**

Sanitary Sewer service is provided by Rogue Valley Sewer Service (RVSS). There is an 8-inch line adjacent to the subject site located along the Hopkins Canal (OR 99-39796). The service line initiates within the flag pole portion of the property where a manhole is present. The Sanitary Sewer collection system is adequate to accommodate the proposed change of zoning with the proposed land uses. Sewer service can be extended to the development area by the owner/developer consistent with existing regulations. The sewer system is available in condition, capacity and location for any future development.

Sewage treatment is provided by the City of Medford Regional Waste Water Treatment Plant. The plant presently serves approximately 150,000 persons. The treatment capacity of the plant is approximately 20 Million Gallons per Day. The treatment plant has capacity to serve the expected population in the region for the foreseeable future.

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

**Water Service:**

Water service is provided by the Medford Water Commission, which is currently serving the subject property and vicinity. There is an existing 8-inch line traversing the subject property, within the flag pole portion of the site. Extension and development of the water system within the property, for future development, is the responsibility of the property owner/developer. Adequate service lines are available to serve the subject site upon any future development.

Water capacity of the Medford Water Commission system is currently serving a population of approximately 130,000 persons, with a potential capacity to serve approximately 185,000 people. The present sources and distribution system have a capacity of 71 million gallons per day (Medford Water Commission, 2008). Adequate water capacity exists to serve the subject site.

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

**Storm Drainage:**

Currently, the vicinity that has been developed to urban standards have improved urban storm drain facilities. There is an existing 12-inch storm drain line adjacent to the site at the northwest corner. In addition, the Hopkins Canal may be used for storm water drainage purposes. Sufficient capacity of the storm water drainage system exists to serve the subject property.

The subject site lies within the Midway Drainage Basin. Midway Creek is part of the storm sewer system and provides storm drainage for the area. Any future development of the site will require an integrated storm sewer system, with the construction drawings prepared and the engineering to provide the storm sewer system in accordance with the City of Medford, at the time the development is proposed.

> *(2)(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;*

The subject site fronts along the east side of Crater Lake Avenue, designated as a collector street, and south of Hollyhock Drive designated as a residential street. Vehicular access to serve the property currently exists from Crater Lake Avenue.

The existing zoning on the property is I-G and the proposed zoning with the City is C-H. These zoning districts differ with potential uses that will have an increase in vehicle trips generated. However, the applicant is desiring to stipulate to a trip generation cap for the site.

The applicant retained Kim Parducci with Southern Oregon Transportation Engineers, LLC to conduct a TIS for the subject property, to demonstrate that the local street system is adequate to support this change in zoning designation with a stipulated trip generation cap. The TIS concluded that:

*"When an unconditional approval is not possible without some form of mitigation to maintain an adequate level of service, the City of Medford Municipal Land Development Code (MLDC) 10.461(1) allows trip stipulations to reduce traffic..."*

Improved urban public streets currently serve the subject property and the surrounding area. Based on the TIS submitted with this application, it is demonstrated that these public streets, with the stipulated traffic generation cap of 721 ADT's, have sufficient capacity to serve the subject property and the proposed change of zoning.

**FINDING:**

**Based upon the information contained herein, the City of Medford finds that there are adequate Category "A" public facilities to supply potable water to the property, as water distribution system improvements have already been in place in the vicinity. Sanitary sewer service is available to the site and capacity at the Regional Treatment Plant is adequate to accommodate the area. With the stipulated traffic generation cap of 721 ADT's, there is sufficient capacity on the existing local street system to accommodate the future uses in compliance with C-H zoning designation, consistent with the Medford TSP. The storm drainage facilities will be in compliance with the Master Storm Drain Plan.**

## SUMMARY AND CONCLUSIONS:

In order for an amendment to the Medford Zoning Map to be approved, the Planning Commission must find that the applicant has made the requisite findings for a zone change, in compliance with Section 10.227 MLDC.

A review of the application, these Findings of Fact, the supporting documentation and the Traffic Impact Study demonstrates that this application complies with the applicable standards of the Land Development Code, is consistent with GLUP map and is consistent with the Medford Transportation System Plan.

With this information provided, the applicants respectfully request that the City of Medford designate the subject property, (37-1W-08BC, TL 1800), as Heavy Commercial (C-H) on the Official Zoning Map for the City of Medford, Oregon.

Respectfully Submitted,

RICHARD STEVENS & ASSOCIATES, INC.

RECEIVED

JANUARY 19, 2016

PLANNING DEPARTMENT

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC
112 Monterey Drive - Medford, Or. 97504 – Phone (541) 941-4148 – Email Kwkp1@Q.com

January 6, 2016

Karl MacNair, Transportation Manager
City of Medford
Public Works/Engineering Division
200 South Ivy Street, Lausmann Annex
Medford, Oregon 97501

RE: I-G to C-H Zone Change Analysis

Dear Karl,

Southern Oregon Transportation Engineering, LLC evaluated trip generations for a proposed zone change from I-G (General Industrial) to C-H (Heavy Commercial) on 2.36 acres at Township 37S Range 1W Section 8BC tax lot 1800. The subject parcel is located along the east side of Crater Lake Avenue south of Hollyhock Drive and is currently occupied by a single residence.

## Background

The subject parcel is estimated to generate 472 average daily trips (ADT) under I-G zoning (using the City's 200 ADT per acre generation). Heavy Commercial (C-H) is estimated (using the City of Medford C-H trip generation of 1500 ADT/acre) to generate 3,540 ADT or produce a net increase of 3,068 ADT to the transportation system. The City's land development code requires a traffic impact analysis for any proposed land use action which generates a net increase of 250 ADT or more to the transportation system. Based on this, a traffic analysis is shown to be required.

## Analysis and Recommendations

For the analysis, 10% of the City's 1,500 ADT/acre trip generation rate for C-H was used to determine an equivalent volume of p.m. peak hour trips. This produced 354 p.m. peak hour trips with 177 inbound and 177 outbound. A count taken at the intersection of Hollyhock and Crater Lake Avenue was used to determine trip distributions to and from the subject parcel. The count showed 71% of inbound traffic coming from the south and 81% of outbound traffic going to the south, or the equivalent of 126 pm peak hour trips from the south and 143 trips to the south. It is reasonable to conclude that 269 p.m. peak hour trips to/from the subject parcel will reach the nearest intersection to the south with 25 or more peak hour trips, which is the threshold for determining when an intersection may be substantially impacted and require analysis. An existing conditions analysis, however, shows this intersection already exceeding the City's operational level of service "D" standard during the p.m. peak hour, which means some form of mitigation would be required to meet facility adequacy requirements. Since this is known up front, the applicant would like to pursue the alternate option of requesting a trip cap stipulation.

When an unconditional approval is not possible without some form of mitigation to maintain an adequate level of service, the City of Medford Municipal Land Development Code (MLDC) 10.461(1) allows trip stipulations to reduce traffic. For this application, the maximum trip stipulation would



CITY OF MEDFORD
EXHIBIT # C
File # ZC-16-006

include the base zoning ADT (I-G) plus up to 249 ADT, which is 721 ADT. A trip cap stipulation of 721 ADT is, therefore, proposed for this application.

If you have any questions or concerns please feel free to contact me.

Sincerely,

Kimberly Parducci PE, PTOE
**Southern Oregon Transportation Engineering, LLC**

REGISTERED PROFESSIONAL ENGINEER
53200PE
OREGON
SEPT 10, 2002
KIMBERLY PARDUCCI
RENEWS 12/31/16

Attachments: Parcel Vicinity Map
Count Data
Synchro Output
Medford Land Development Code
Scoping Letter

Cc: Peter Mackprang, Medford Engineering
Clark Stevens, Richard Stevens & Associates, Inc.
Client

# CITY OF MEDFORD
INTEROFFICE MEMORANDUM

RECEIVED
FEB 0 : 2016
PLANNING DEPT.

**DATE:** February 3, 2016

**TO:** Douglas Burroughs

**FROM:** Peter Mackprang

**SUBJECT:** Blu Dutch ZC 16-006 371W8BC1800 3720 Crater Lake Ave

Public Works has received a Traffic Impact Analysis report for the property identified as 371W8BC1800 located at 3720 Crater Lake Ave comprised of 2.36 acres. The owner requests a zone change from I-G (general industrial) to C-H (heavy Commercial). Under the current I-G zoning, the property is expected to generate 472 daily trips. The property would be expected to generate 3540 daily trips under C-H zoning.

The TIA identifies the intersection of Owen Dr and Crater Lake Ave as a facility failing at the present time, prior to adding project trips. Rather than mitigate this intersection, the developer proposes a trip cap. The developer proposes that the project cap trips at the existing zoning potential trips plus 249 trips.

The total trip cap will be 721 daily trips until a study is approved that shows that the surrounding transportation facilities can operate acceptably with additional trips. The study is required to meet the standards of Medford Municipal Code sections 10.460, 10.461, and 10.462.



CITY OF MEDFORD
EXHIBIT # D
File # ZC-16-006

RECEIVED
FEB 1 2 2016
PLANNING DEPT.

# ROGUE VALLEY SEWER SERVICES

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

February 19, 2016

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

**Re: ZC-16-006, Blu Dutch Zone Change (371W08BC - 1800)**

ATTN: Tracy,

There is an 8 inch sewer main that crosses the flagpole portion of the property just East of the irrigation canal. This sewer main has adequate capacity to serve the proposed density.

Future development must be reviewed for compliance with RVSS standards.

Sincerely,

Carl Tappert

Carl Tappert P.E.
Manager

K:\DATA\AGENCIES\MEDFORD\PLANNG\ZONE CHANGE\2016\ZC-16-006_BLU DUTCH.DOC

CITY OF MEDFORD
EXHIBIT # E
File # ZC-16-006



20

# Medford Fire Department

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



RECEIVED
FEB 2 2016
PLANNING DEPT.


## LAND DEVELOPMENT REPORT - PLANNING

**To:** City of Medford Public Works

**LD Meeting Date:** 03/02/2016

**From:** Fire Marshal Kleinberg

**Report Prepared:** 02/19/2016

**File #:** ZC - 16 - 6

**Site Name/Description:**

Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres located on the east side of Crater Lake Avenue, approximately 700 feet south of Hollyhock Drive; Blu Dutch, LLC., Applicant (Richard Stevens & Associates, Inc., Agent). Tracy Carter, Planner

| DESCRIPTION OF CORRECTIONS | REFERENCE |
|---|---|
| **Approved as Submitted** | |
| **Meets Requirement:** No Additional Requirements | |

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

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

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

**Tracy R. Carter**

**From:** MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us>
**Sent:** Tuesday, March 01, 2016 2:47 PM
**To:** Tracy R. Carter
**Subject:** ZC-16-006

RECEIVED
MAR 01 2016
PLANNING DEPT.

Tracy,

Thank you for sending agency notice of a consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres located on the east side of Crater Lake Avenue, approximately 700 feet south of Hollyhock Drive. We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

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

CITY OF MEDFORD
EXHIBIT # G
File # ZC-16-006

Continuous Improvement Customer Service

RECEIVED
MAR 02 2016
PLANNING DEPT.

**CITY OF MEDFORD**

LD Date: 3/2/2016
File Number: ZC-16-006

# PUBLIC WORKS DEPARTMENT STAFF REPORT
## Blue Dutch LLC Zone Change

**Project:** Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres.

**Location:** Located on the east side of Crater Lake Avenue, approximately 700 feet south of Hollyhock Drive.

**Applicant:** Blu Dutch, LLC., Applicant (Richard Stevens & Associates, Inc., Agent). Tracy Carter, Planner.

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 Category 'A' urban services and facilities under its jurisdiction meet those requirements. The Category urban services and facilities the Public Works Department manages are sanitary sewers within the City's sewer service boundaries, 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 Midway Drainage Basin. The City of Medford has existing storm drain facilities in Crater Lake Avenue. This site would be able to connect to these facilities at the time of development. This site will be required to provide stormwater quality and detention at time of development.



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

CITY OF MEDFORD
EXHIBIT # H
File # ZC-16-006 56

This site is bisected by the Hopkins Canal. Medford Irrigation District (MID) and Rogue River Valley Irrigation District (RRVID) limits are both adjacent to this portion of the canal. The Developer shall provide written approval from MID and/or RRVID for any work to the canal or within their easement. Any proposed stormdrain connection to the canal is subject to the governing districts approval.

## III. Transportation System

Public Works has received a Traffic Impact Analysis (TIA) report for the property identified as 371W8BC1800 located at 3720 Crater Lake Avenue comprised of 2.36 acres. The owner requests a zone change from I-G (general industrial) to C-H (heavy commercial). Under the current I-G zoning, the property is expected to generate 472 daily trips. The property would be expected to generate 3540 daily trips under C-H zoning.

The TIA identified the intersection of Owen Drive and Crater Lake Avenue as a facility failing at the present time, prior to adding project trips. Rather than mitigate this intersection, the developer proposes a trip cap. The developer proposes that the project cap trips at the existing zoning potential trips plus 249 trips.

The total trip cap will be 721 daily trips until a study is approved that shows that the surrounding transportation facilities can operate acceptably with the additional trips. The study is required to meet the standards of Medford Municipal Code section 10.460, 10.461, and 10.462.

At the time of future land division or development permit, Public Works may require additional right-of-way and public utility easement (PUE) dedications and will condition the developer to improve their street frontage to the City's current standards. Improvements shall include paving, drainage, and curb, gutter, street lighting, sidewalk, and planter strips.

Prepared by: Doug Burroughs



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

BOARD OF WATER COMMISSIONERS

# Staff Memo

MEDFORD WATER COMMISSION

| | | |
|---|---|---|
| **TO:** | Planning Department, City of Medford | RECEIVED |
| **FROM:** | Rodney Grehn P.E., Water Commission Staff Engineer | MAR 02 2016 |
| **SUBJECT:** | ZC-16-006 | PLANNING DEPT. |
| **PARCEL ID:** | 371W08BC TL 1800 | |
| **PROJECT:** | Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres located on the east side of Crater Lake Avenue, approximately 700 feet south of Hollyhock Drive; Blu Dutch, LLC., Applicant (Richard Stevens & Associates, Inc., Agent). Tracy Carter, Planner. | |
| **DATE:** | February 25, 2016 | |

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

**COMMENTS**

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."

2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.

3. The MWC system does have adequate capacity to serve this property.

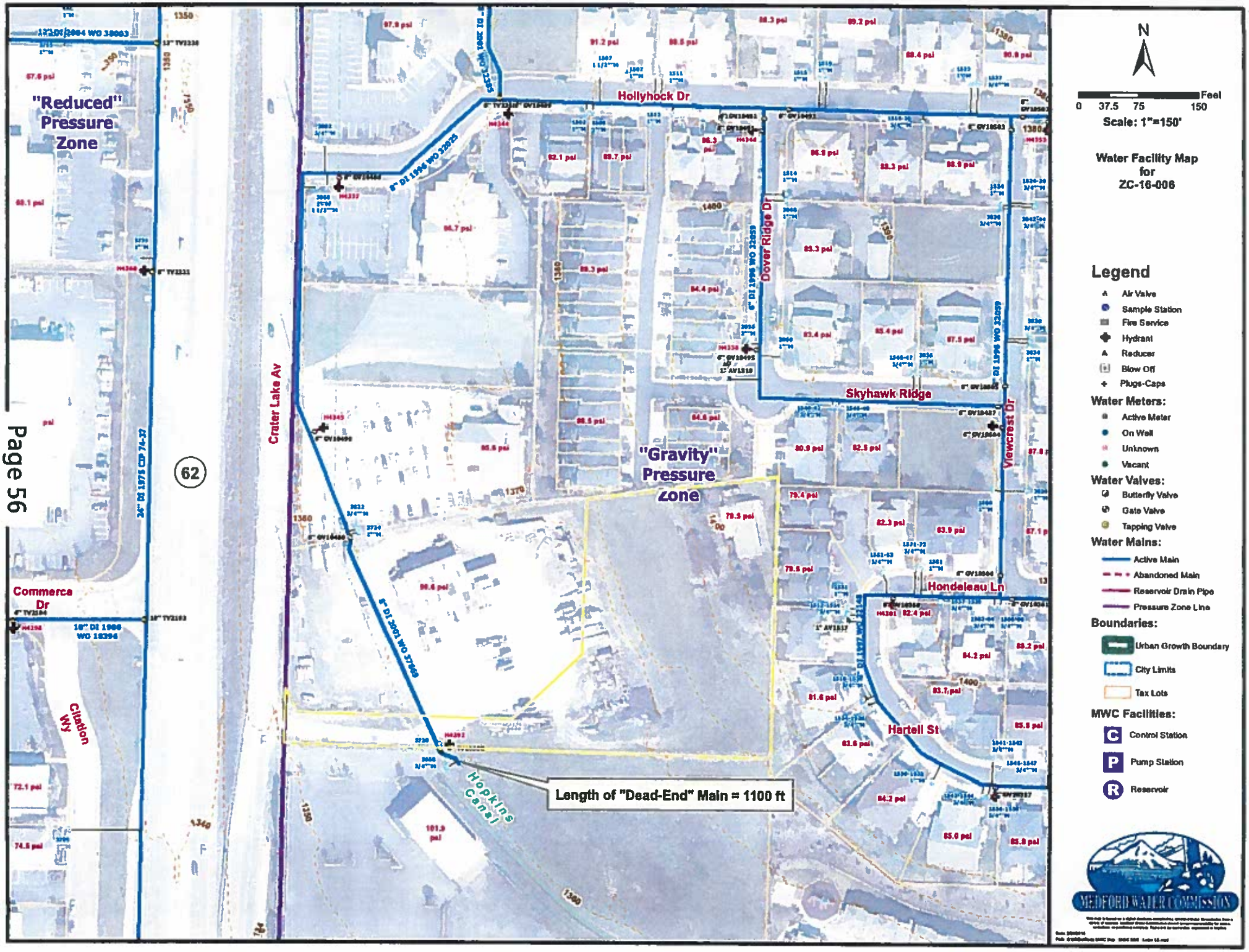
4. Off-site water facility construction may be required depending on future land development review.

5. On-site water facility construction may be required depending on future land development review.

6. MWC-metered water service does exist to this property. There is an existing ¾-inch water meter located near driveway to site and Hopkins Canal.

7. Access to MWC water lines for connection is available. There is an existing 8-inch water line within an existing 10-foot wide easement per OR 99-43804.

CITY OF MEDFORD
EXHIBIT # I
File # ZC-16-006


"Reduced" Pressure Zone
"Gravity" Pressure Zone
Hollyhock Dr
Dover Ridge Dr
Skyhawk Ridge
Viewcrest Dr
Hondeleau Ln
Hartell St
Crater Lake Av
Commerce Dr
Citation Wy
Hopkins Canal
Length of "Dead-End" Main = 1100 ft
N
0 37.5 75 150 Feet
Scale: 1"=150'
Water Facility Map for ZC-16-006
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
MEDFORD WATER COMMISSION

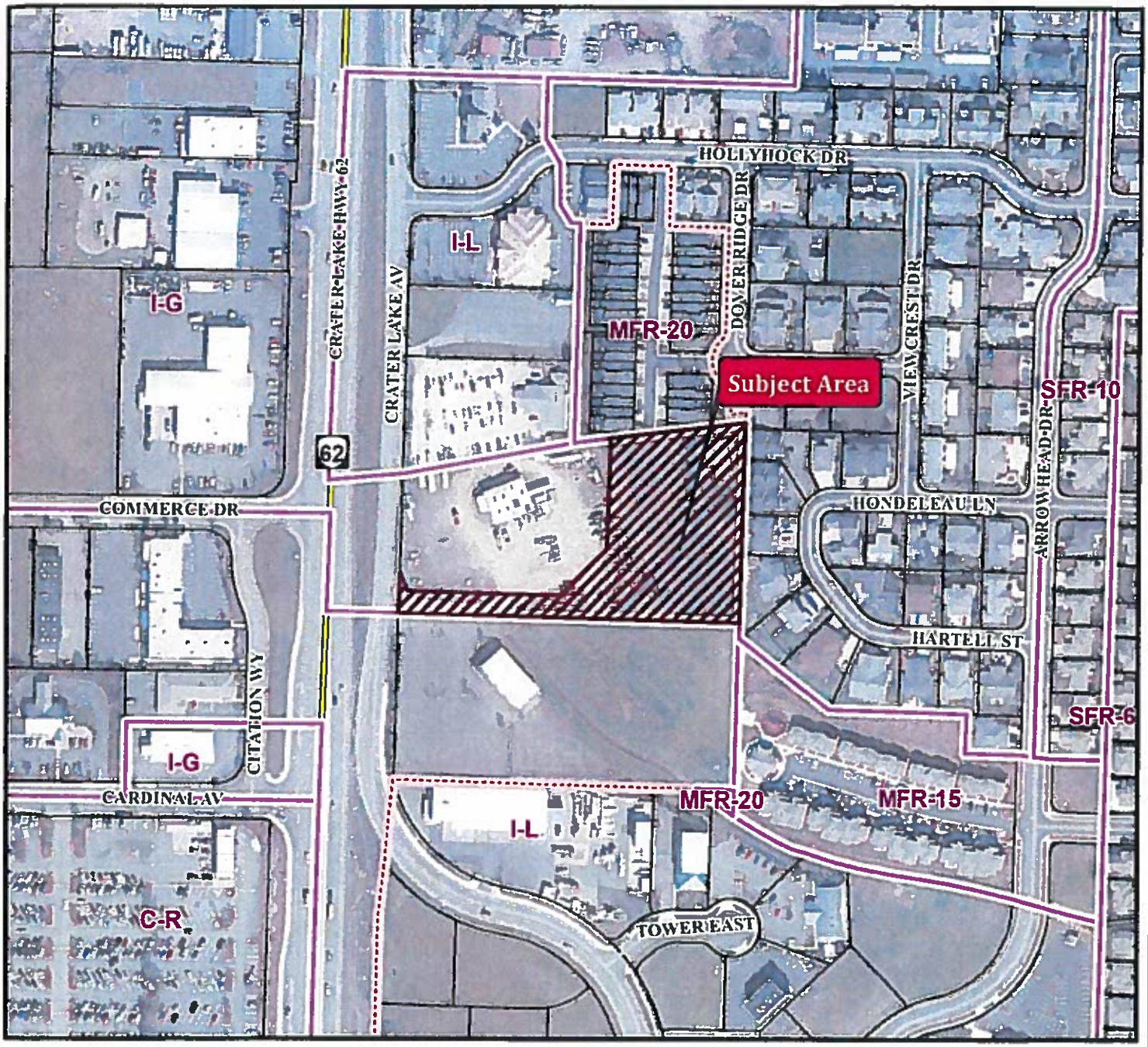
City of Medford

# Planning Department

Vicinity Map

File Number:

**ZC 16-006**




Project Name:

**Blu Dutch Zone Change**

Map/Taxlot:

**371W08BC TL 1800**

0 62.5125 250 375 500 Feet

Subject Area

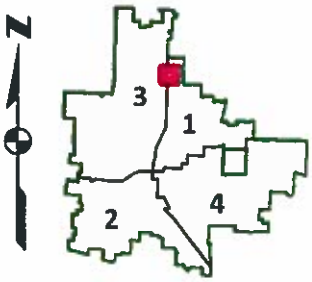
Medford Zoning

UGB

Tax Lots

PUD

Medford UGB with Wards




01/21/2016

# STAFF REPORT

for a Type-C quasi-judicial decision: Tentative Plat

| | |
|---|---|
| PROJECT | High Cedars<br>Applicant: Cedar Investment Group LLC; Agent: CSA Planning Ltd. |
| FILE NO. | LDS-15-044 |
| TO | Planning Commission *for 03/24/2016 hearing* |
| FROM | Desmond McGeough, Planner III |
| REVIEWER | Kelly Akin, Principal Planner |
| DATE | March 17, 2016 |

## BACKGROUND

### Proposal

Consideration of a request for a revision to the Cedar Landing tentative plat for the High Cedars Subdivision. The proposed revision request applies only to the portion of the Cedar Links project south of Cedar Links Drive. Applicant is requesting approval for a 176-lot residential subdivision tentative plat revision for the purpose of modifying phase boundaries and amending underlying reserve lots. The subject 116.58 acre property is located entirely on the south side of Cedar Links Drive, approximately 1,000 feet west of North Foothill Drive within an SFR-4 zone district.

### Subject Site Characteristics

| | |
|---|---|
| Zoning | SFR-4 |
| GLUP | UR (Urban Residential) |
| Use | Vacant Golf Course |

### Surrounding Site Characteristics

| | | |
|---|---|---|
| North | SFR-4 | Single Family Dwellings |
| South | SFR-4 | Single Family Dwellings |
| East | SFR-4 | Single Family Dwellings |
| West | SFR-4 | Single Family Dwellings |

Related Projects

| | |
|---|---|
| PUD-05-035 | Cedar Landing PUD |
| LDS-05-036 | Cascade Terrace Subdivision |
| LDS-05-037 | Sky Lakes Subdivision |
| PUD-05-035 | Termination of 5.47 acre portion of PUD for park property in 2011 |
| LDS-13-121 | Sky Lakes Village Subdivision Phases 7A & 7B |
| PUD-13-119 | PUD Revision |
| E-14-059 | Exception to required right-of-way dedication |
| PUD-14-136 | PUD Revision |
| LDS-14-137 | Sky Lakes Village Phase 1 Tentative Plat |
| LDS-14-138 | The Village at Cedar Landing Phase 1 Tentative Plat |
| PUD-15-043 | PUD Revision to change commercial, multi-family and condominium use south of Cedar Links to single-family residential use. |
| LDS-15-044 | 176 Lot Tentative Plat for High Cedars Subdivision |
| SV-15-101 | Street Vacation of a portion of Normil Terrace and Farmington Avenue. |

Applicable Criteria

Medford Municipal Code

**Land Division, §10.270**

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

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

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

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

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

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

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

Corporate Names

The application lists Cedar Investment Group, LLC as the owner of the subject property. As per the State of Oregon Business Registry, Eric Artner is listed as the registered agent.

**ISSUES AND ANALYSIS**

Project History

On April 27, 2006, the Planning Commission approved Cedar Landing Planned Unit Development (PUD-05-035), a master plan for the redevelopment of the 122.12-acre site to provide a mixture of residential uses, commercial development and a preservation of existing open space. The overall project is organized into four sub areas with multiple phases that are described as follows:

1. High Cedars (43.0 ± acres), at time of plan approval, consisted of five (5) phases, which included single-family lots, 55 and older, pad lots and common area/open space.

2. The Village at Cedar Landing (21.42 ± acres) is made up of five (5) phases of single-family lots, condominiums, retirement facilities and common area/open space.

3. Cascade Terrace (15.4 ± acres) is comprised of two (2) phases of small single-family lots targeted for detached dwellings and residents aged 55 or older.

4. Sky Lakes Village (41.6 ± acres) consists of single-family residential lots and common area/open space.

Three phases of the original project have final plan and plat approvals. Sky Lakes Village Phases 5, 6, and 7A have received final plat and plan approvals. In addition, a request was approved to allow the termination of portions of Cascade Terrace and Sky Lakes

Village. The 5.47 acre terminated portion of the project was sold to the City for use as a public park.

In 2013, a revision to the PUD was approved which included modifications for naming, numbering, and design. In January 2015, an exception was approved for the reduction of required right-of-way dedication for Cedar Links Drive. The Planning Commission approved modifications to the street design as part of the original approval in order to preserve existing Cedar trees on the north side of Cedar Links Drive. An Exception was necessary in order to reduce the amount of right-of-way dedication.

In April 2015 the Planning Commission approved a revision to the PUD regarding changes to the north side of Cedar Links Drive and tentative plats for Sky Lakes Phase 1 and The Village Phase 1.

In June of 2015, the Planning Commission approved a PUD revision (PUD 15-143) and 176 lot subdivision tentative plat (LDS-15-044) for the portion of the PUD south of Cedar Links Drive. Specifically, significant revisions of the PUD included the following revisions:

- Reconfiguration of the entire south area into 5 phases.
- Changing all commercial, multi-family, and condominium uses to single-family detached residential use.
- Removal of the below grade pedestrian crossing at Cedar Links Drive.
- Providing a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive.
- Relocating pedestrian paths.

## Project Update

The sole purpose of the subject application (LDS-15-044) and correlating application for the replat of Sky lake Village at Cedar Landing Phase 7A(LDS-15-120) is simply to revise the phasing boundaries associated with the High Cedars subarea Tentative Plat approved in June 2015 (LDS-15-044).

The applicant initially proposed in 2015 that the subject tentative plat would be built–out in five phases. The applicant now proposes to develop the south half of the Cedar Landing development in twelve phases, rather than five.

The subject plat is virtually identical to the plat approved in June 2015, with the exception of the proposed phasing modifications and minute adjustments in the alignment of Farmington Avenue and Normil Terrace. There are no changes proposed to lot configuration, density, allowed uses, open space, pedestrian paths, road locations,

location of infrastructure, or any design element modification that would result from an approval of the subject request.

**FINDINGS AND CONCLUSIONS**

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

- The findings identify the request modifies the number of phases from five phases to ten phases. The proposed request modifies the number of phases from five phases to twelve phases.

**RECOMMENDED ACTION**

Adopt the findings presented by the applicant as modified by staff and direct staff to prepare a Final Order for approval per the staff report dated March 17, 2015, including Exhibits A through J.

**EXHIBITS**

A Conditions of Approval
B Revised tentative plat for High Cedars at Cedar Landing, received December 16, 2015
C Applicant's Findings of Fact, received August 27, 2015; including,
- Assessor Map
- Aerial Map with City of Medford Zoning Classifications depicted
- General Land Use Plan (GLUP) Map
- Copy of Sky Lakes Village at Cedar Landing Phase 7A Plat.
- Final Order approving PUD-15-043 and LDS-15-044
- Proposed Tentative Plat Map for High Cedars
- Proposed Replat of Sky Lakes Village at Cedar Landing Phase 7A

D Public Works Staff Report, dated February 24, 2016
E Medford Water Commission Memo, dated February 23, 2016
F Fire Department Report, prepared February 19, ,2016
G Building Department Memo, dated February 24, 2016
H Address Technician Memo, dated February 24, 2016
I ODOT e-mail correspondence, received February 26,2016
J Jackson County Roads Department Letter, dated February 12, 2016
Vicinity map

**PLANNING COMMISSION AGENDA:** **MARCH 24, 2015**

**EXHIBIT A**

High Cedars Revised Tentative Plat
LDS-15-044
Conditions of Approval
March 17, 2016

**CODE CONDITIONS**

1. Prior to Final Plat approval, the applicant shall:

    a. Comply with the Public Works Department Report dated February 24, 2016 (Exhibit D).

    b. Comply with the Water Commission Staff Memo dated February 23, 2016 (Exhibit E).

    c. Comply with the Medford Fire Department Report, prepared J February 19, 2016 (Exhibit F).

    d. Comply with the Jackson County Roads Department Correspondence, dated February 12, 2016 (Exhibit J).

    e. Comply with the Address Technician Memo, dated February 24, 2016 (Exhibit H).

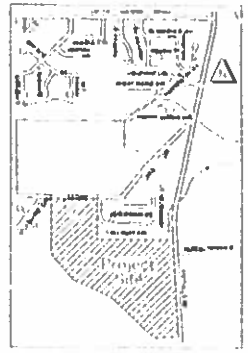
**CITY OF MEDFORD**
**EXHIBIT** "A"
**FILE # LDS-15-044 Revision**

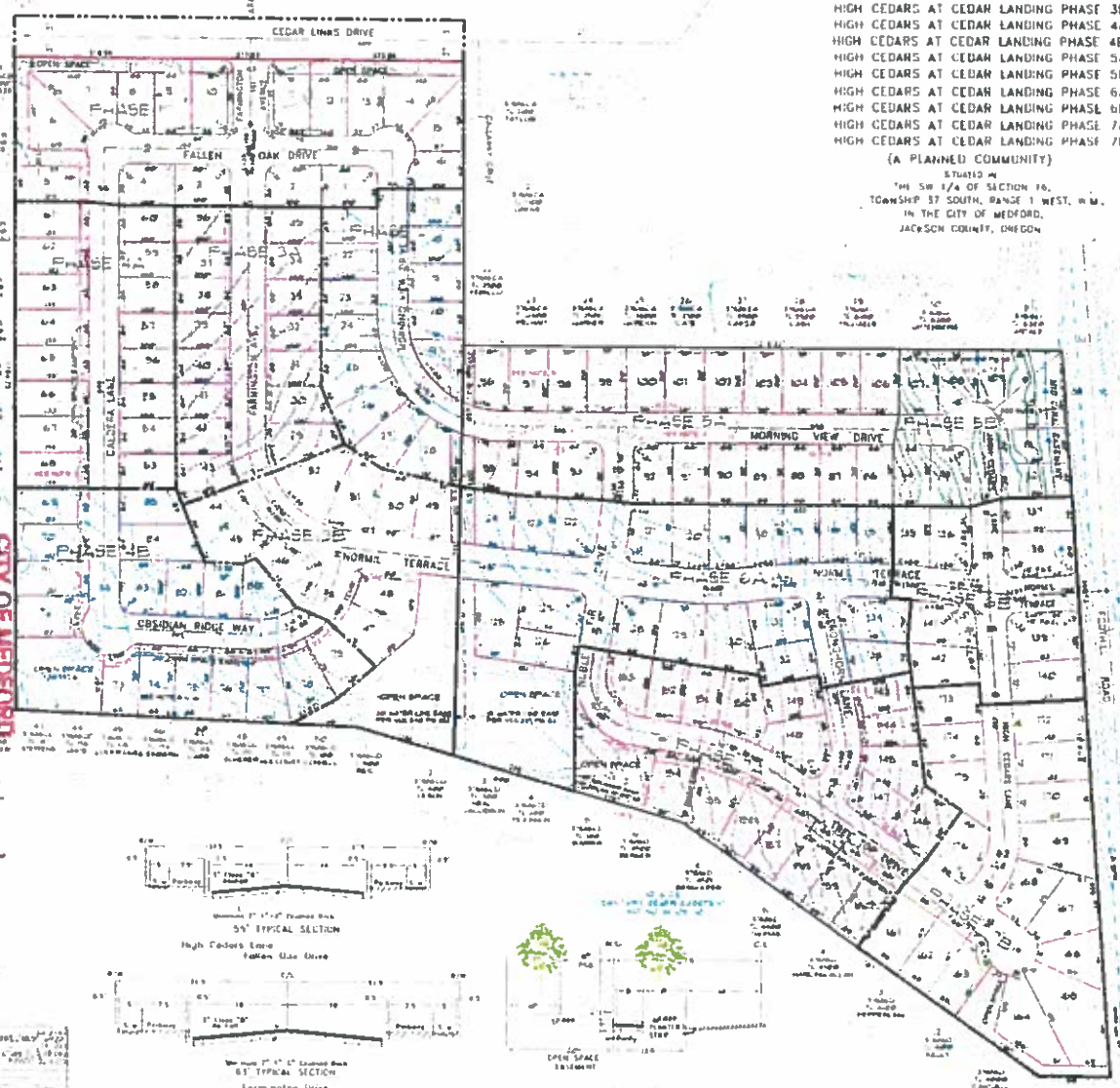
TENTATIVE PLAT
FOR
HIGH CEDARS AT CEDAR LANDING PHASE 1
HIGH CEDARS AT CEDAR LANDING PHASE 2
HIGH CEDARS AT CEDAR LANDING PHASE 3A
HIGH CEDARS AT CEDAR LANDING PHASE 3B
HIGH CEDARS AT CEDAR LANDING PHASE 4A
HIGH CEDARS AT CEDAR LANDING PHASE 4B
HIGH CEDARS AT CEDAR LANDING PHASE 5A
HIGH CEDARS AT CEDAR LANDING PHASE 5B
HIGH CEDARS AT CEDAR LANDING PHASE 6A
HIGH CEDARS AT CEDAR LANDING PHASE 6B
HIGH CEDARS AT CEDAR LANDING PHASE 7A
HIGH CEDARS AT CEDAR LANDING PHASE 7B
(A PLANNED COMMUNITY)
SITUATED IN
THE SW 1/4 OF SECTION 16,
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.,
IN THE CITY OF MEDFORD,
JACKSON COUNTY, OREGON

APPLICANT/OWNER

SURVEYING

VICINITY MAP




HIGH CEDARS AT CEDAR LANDING PHASE 1
HIGH CEDARS AT CEDAR LANDING PHASE 2
HIGH CEDARS AT CEDAR LANDING PHASE 3A
HIGH CEDARS AT CEDAR LANDING PHASE 3B
HIGH CEDARS AT CEDAR LANDING PHASE 4A
HIGH CEDARS AT CEDAR LANDING PHASE 4B
HIGH CEDARS AT CEDAR LANDING PHASE 5A
HIGH CEDARS AT CEDAR LANDING PHASE 5B
HIGH CEDARS AT CEDAR LANDING PHASE 6A
HIGH CEDARS AT CEDAR LANDING PHASE 6B
HIGH CEDARS AT CEDAR LANDING PHASE 7A
HIGH CEDARS AT CEDAR LANDING PHASE 7B

REGISTERED PROFESSIONAL LAND SURVEYOR

RECEIVED
Planning Dept.

CITY OF MEDFORD
EXHIBIT # B
File # LDS-15-044
Revision

RECEIVED
AUG 27 2015
PLANNING DEPT.

BEFORE THE PLANNING COMMISSION

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

| | |
|---|---|
| IN THE MATTER OF AN APPLICATION TO AUTHORIZE A REVISION TO A TENTATIVE SUBDIVISION PLAT THAT WAS PREVIOUSLY APPROVED UNDER LDS-15-044, FOR THE SOLE PURPOSE OF MODIFYING PHASE BOUNDARIES WITHIN THE HIGH CEDARS SUBAREA OF CEDAR LANDING, A PLANNED UNIT DEVELOPMENT. THE REQUEST ALSO SEEKS TO AMEND THE UNDERLYING RESERVE LOTS AND RESPECTIVE ACCESS BY MANNER OF REPLATTING SKY LAKES VILLAGE AT CEDAR LANDING, IN ORDER TO REMAIN CONSISTENT WITH THE PROPOSED PHASING BOUNDARIES REQUESTED HEREIN. THE SUBJECT PROPERTY IS SITED ENTIRELY ON THE SOUTH SIDE OF CEDAR LINKS DRIVE ON 116.58 ACRES OF LAND ZONED SFR-4 ON LAND LOCATED APPROXIMATELY 1,000 FEET WEST OF NORTH PHOENIX ROAD IN THE CITY OF MEDFORD, OREGON<br><br>Applicant: Cedar Investment Group, LLC<br>Agent: CSA Planning, Ltd. | FINDINGS OF FACT AND CONCLUSIONS OF LAW<br><br>*Applicant's Exhibit 1* |

I

## NATURE AND SCOPE OF APPLICATION

This application regards the Cedar Landing Planned Unit Development ("PUD") and involves a request for two revisions as follows:

- Replat of "*Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)*" in order to comport with the requested phase boundaries.
- Amendment of the Cedar Landing High Cedars Subarea Tentative Plat approved under LDS-15-044 for the sole purpose of modifying the phase boundaries.

There will be no changes to lot configurations, densities, allowed uses, open space, paths, road layout, location of infrastructure or modification to any design element of the PUD as a result of the request. The proposed phase boundary changes better enable the individual



CITY OF MEDFORD
EXHIBIT "C"
FILE # LDS-15-044 Revision 7

phases to be constructed in a manner commensurate with the timing and delivery needs of infrastructure.

The proposed Tentative Plat amendment seeks the following Phase changes:

- Creation of ten (10) phases instead of five (5). The original five phases were relatively large in both physical dimension and number of dwelling units provided in each phase. The original phase boundaries were also oriented in a manner that made it more difficult to accommodate the phases independent of one another. The proposed phasing plan allows for all of the phases to be constructed independent of one another, once phases 1A and 2B are completed. This will allow for a better response to market demand and accommodation of needed infrastructure.

The Replat of *Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)* seeks the following changes:

- Reconfiguration of reserve lots 95 through 99 in order to comport with the proposed phase boundaries proposed herein above.

- Dedication of right of way in a manner that is consistent with the currently approved Preliminary PUD Plan, the proposed amended Tentative Plat and the proposed Replat, herewith submitted. The portions of rights of way to be dedicated through the replat are necessary in order to provide practical frontage and legal access for all reserve lots included in the replat. The configurations of proposed rights of way are consistent in all ways with the layout approved under LDS-15-044.

This document, entitled *Findings of Fact and Conclusions of Law* is submitted into evidence as Applicant's Exhibit 1. Its purpose is to present facts relevant to the applications and show how these support the Planning Commission's final decision. Applicant's Exhibit 1 demonstrates how the evidence, in this instance, supports an affirmative decision to approve the applications. Applicant urges that this document and the evidence therein referenced are adopted by the Planning Commission in support of any affirmative decisions the Commission may reach.

## II

## EVIDENCE SUBMITTED WITH APPLICATION

Applicant herewith submits the following evidence in support of its applications seeking approval for revision to the Cedar Landing High Cedars Subarea Tentative Plat and Replat of the *"Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)"*:

**Exhibit 1.** The proposed Findings of Fact and Conclusions of Law (this document) which demonstrates how these modified Land Division applications comply with the applicable substantive criteria of the MLDC

**Exhibit 2.** Jackson County Assessor plat map T37S-R1W-Section 16ca which depicts the

subject properties.

**Exhibit 3.** City of Medford Zoning depicted on an Aerial Map

**Exhibit 4.** City of Medford General Land Use Plan (GLUP) Map

**Exhibit 5.** Copy of Sky Lakes Village at Cedar Landing Phase 7A Plat

**Exhibit 6.** Aerial Map from 2014 showing improvements to date.

**Exhibit 7.** Final Order approving PUD-15-043and LDS-15-044.

**Exhibit 8.** Proposed Tentative Plat Map, *"Tentative Plat For High Cedars At Cedar Landing Phase 1A...1B...2A...2B...3A...3B...4A...4B...5A...5B (A Planned Community"*

**Exhibit 9.** Proposed Replat *"Tentative Plat Replat of Lots 95, 96, 97, 98 and 99 of Sky Lakes Village At Cedar Landing Phase 7A (A Planned Community)"*

**Exhibit 10.** Completed application forms for Tentative Subdivision Plat Revision and Replat and powers of attorney from the record owner of the subject property which permits CSA Planning, Ltd. to act procedurally in its name

## III

## RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The criteria under which the applications for Replat and Tentative Plat revisions for land division must be approved are in Article II of the Medford Land Development Code (MLDC). The criteria are recited verbatim below and again in Section V where each is followed by the conclusions of law:

### *C. LAND DIVISION – TENTATIVE SUBDIVISION PLAT*

**10.270 Land Division Criteria**

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

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

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

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

(4) Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary, to 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) Has streets that are proposed to be held for private use, that they are distinguished from the public street on the tentative plat, and reservations or restrictions relating to the private streets are set forth;

(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

"C"

## IV

## FINDINGS OF FACT

The following facts are established and found to be true with respect to this matter:

1. **Background; Relevant Prior City Approvals:** The City of Medford has taken several land use actions concerning this property and others are still pending as reported below:

   - **PUD-05-35:** On April 27, 2006, the City of Medford Planning Commission approved PUD-05-35 is a planned unit development (PUD) named Cedar Landing with four sub-areas, each with their own phasing plan, covering approximately 122 acres. The four subareas were as follows:

     - The Village at Cedar Landing with 5 Phases including retirement facilities; mixed use commercial / residential; single family residential and common area / open space
     - Cascade Terrace with Phases with single family residential and open space
     - Sky Lakes Village with Phases with single family residential and open space
     - High Cedars with Phases including 55 and older lots, duplexes, townhomes, single family lots and common area/open space.

     Of the original Cedar Landing PUD, two phases — Phases 5 & 6 of Sky Lakes Village — have received final plat approval by the City and have been developed.

   - **Termination of 5.47 acres for City of Medford Park:** On April 14, 2011 the City of Medford approved the termination of 5.47 acres within Phase 1 of the Sky Lakes Village and Phases 1 and 2 of the Cascade Terrace. The same 5.47 acre was acquired by the City of Medford for a future Neighborhood Park.

   - **PUD-13-119** On February 27, 2014 the City of Medford Planning Commission approved PUD-13-119, an amendment to PUD-05-35. PUD-13-119 dissolved remaining portions of Cascade (following termination noted herein above) into The Village subarea and renumbered the phases within The Village subarea. The portion formerly within Cascade became phase 1 of The Village.

   - **Property Line Adjustments:** Property line adjustments reconfiguring lots 37-1W-16BD-400 and 300 to their current configuration.

   - **LDS-13-121** Final Plat for Sky Lakes Phase 7 creating 16 lots on 4.33 acres. Creation of 9 reserve acreage lots throughout the PUD coincident with subarea and phase boundaries. The portion lying south of Cedar Links Drive was recorded as Plat Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community) creating lots 96 through 99 thereof.

   - **E-14-136:** Approved exception to right of way width on north side of Cedar Links Drive.

- **PUD-14-136, LDS-14-137 and LDS-14-138:** Approved revision to the westerly half of Cedar Landing PUD lying north of Cedar Links Drive; Pending minor revisions to roads and lot configurations within Phase 1 of Sky Lakes (Formerly Phases 1-4) creating 60 lots; Pending revision to Phase 1 of The Village (formerly part of Cascade Terrace) creating 38 lots.

- **PUD-15-043 and LDS-15-044:** Approved Preliminary PUD Plan and Tentative Plat approving the High Cedars Subdivision Phases 1 through 5, comprising the entire portion of the Cedar Landing PUD lying south of Cedar Links Drive.

  Conditions of approval for PUD-15-043 and LDS-15-044 required:

  - The underlying reserve lots that were created through the *Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)* to be adjusted to match the approved phasing boundaries. While the condition specifically referred to the reconfiguration by manner of property line adjustment, a replat accomplishes the same objective in a more straightforward fashion. In response to this condition, a series of Property Line Adjustments were filed with the City of Medford. Because a replat can accomplish the same objective in a cleaner fashion, the property line adjustments have been requested to be withdrawn, in favor of the replat.

  - The Farmington Avenue and Normil Terrace rights of way created through *Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)* for purposes of providing access to underlying reserve lots are to be adjusted or otherwise modified to match the reserve lot configurations approved under PUD-15-043 and LDS-15-044. An adjustment of right of way requires both a street vacation and a new dedication. In response to this condition, requests for vacating the relevant portions of Farmington Avenue and Normil Terrace were filed with the City of Medford. Because a replat can dedicate right of way in a more straightforward fashion, the separate request for dedication has been withdrawn, in favor of accomplishing the same through replat. However, pursuant to ORS 92 a replat cannot be used to vacate public rights of way. Thus, the current application for vacation of Farmington Avenue and Normil Terrace has been tendered.

2. **Subject Property Ownership and Details**: According to the records of the Jackson County Assessor and Medford Planning Department, the entirety of the Cedar Landing PUD includes the properties identified in the table herein below. The parcels affected by the proposed amendments are reported in below Table 1 and indicated in the column titled "Part of Amendment." The subject property includes lands within the Cedar Landing PUD which are located south of Cedar Links Drive and identified on the Sky Lakes Village at Cedar Landing Phase 7A plat as Lots 95, 96, 97, 98 and 99. The subject property is also described on the Assessor's plat map as Township 37 South, Range 1 West, Section 16,

"C"

Tax Lot 1400 and Township 37 South, Range 1 West, Section 16CA, Tax Lot 2200.[1]

***Table 1***

**PUD Ownership and Value; Authority to Amend the PUD**
Sources: Jackson County Assessor; CSA Planning, Ltd.

| Map & Tax Lot | Acreage | Ownership of Record | Assessed Improvements | Assessed Land | Part of Amendment |
|---|---|---|---|---|---|
| 37-1W-16-1400 | 25.58 | Cedar Investment Group LLC | 0 | 748,230 | Yes |
| 37-1W-16-800 | 32.72 | Cedar Investment Group LLC | 453,120 | 731,670 | |
| 37-1W-16-802 | 1.25 | Jantzer Monty R/Theresa | 0 | 0 | |
| 37-1W-16-803 | 5.42 | Medford City | 0 | 0 | |
| 37-1w-16AC-1100 | 0.65 | Horton Craig Dean/Mary Jane | 402,770 | 112,050 | |
| 37-1W-16BD-200 | 14.73 | Cedar Investment Group LLC | 0 | 867,080 | |
| 37-1W-16BD-211 | 0.55 | Jantzer Monty R/Theresa | 0 | 0 | |
| 37-1W-16BD-214 | 0.4 | Jantzer Monty R/Theresa | 0 | 0 | |
| 37-1W-16BD-300 | 3.32 | Jantzer Monty R | 750 | 125,230 | |
| 37-1W-16BD-400 | 2.73 | Jantzer Monty Ray/Theresa L | 87,150 | 116,390 | |
| 37-1W-16CA-2200 | 22.45 | Cedar Investment Group LLC | 0 | 658,140 | Yes |
| Cedar Links Drive R.O.W | 3.1 | | | | |
| Saint Frances, Saint Augustine, & Wheat Ridge Drive | 2.3 | | | | |
| | 115.2 | | | | |

3. **Property Location:** The Cedar Landing PUD property is located on both sides (north and south) of Cedar Links Drive, approximately 1,000 feet of west of North Phoenix Road, comprising what was formerly the Cedar Links Golf Course. The portion proposed to be amended (and subject to these applications) is located south of Cedar Links Drive. The property is within the corporate limits of Medford and its urban growth boundary (UGB). The location of the subject property in relation to the present corporate limits of the City and to other land in the surrounding area is depicted on Exhibit 4

4. **Comprehensive Plan and Zoning:** The property has a General Land Use Plan (GLUP)[2] designation of Urban Residential (UR) and is zoned SFR-4. See, Exhibits 3 and 4

5. **Surrounding Land Uses:** All surrounding lands are zoned SFR-4 as shown on Exhibit 3. With exception of lot 37-1W-16D-3600 lying east of Foothill Road that is comprised of more than 50 acres is owned by PacifiCorp that is partially developed with a substation.

[1] The Sky Lakes Village at Cedar Landing Phase 7A plat was recently recorded. As the plat is processed by the Jackson County Assessor the property will be assigned new tax lot numbers, one for each of the lots created in said plat.

[2] Also known as a Comprehensive Plan Map Designation.

All surrounding lands are developed single family residential lots and dwellings.

6. **Topography**: Most of the property is gently sloped and drains to the northwest with slopes of approximately 2 to 3 percent. The steepest portions of the property proposed for development are those lying along Foothill Road where there are slopes of approximately 12 percent with a few minor inclusions in excess of 15%.

7. **Floodplain; Wetlands; Drainage:** There is no 100-year mapped floodplain on the property. Portions of the property contain wetlands as indicated in the exhibits relied upon for PUD-15-043. Drainage is generally to the northwest, with portions that drain to the southwest.

8. **Neighborhood Circulation Plan:** The proposed subdivision is not located within one of Medford's Adopted Neighborhood Circulation Plans, however is located within the approved Cedar Landing PUD Master Plan.

9. **Proposed Changes to Tentative Plat For High Cedars at Cedar Landing**

   - Creation of ten (10) phases identified as Phases 1a, 1b, 2a, 2b, 3a, 3b, 4a, 4b, 5a and 5b. The original five phases were large in both physical dimension and number of dwelling units provided. The original phase boundaries were also oriented in a manner that made it more difficult for all phases to be constructed independent of one another. The proposed phasing plan is configured such that once phases 1A and 2B are completed, all other phases may be constructed independent of one another. This design will allow better response to market demand and accommodation of infrastructure.

   - Open Space will be provided in the identical design and configuration as approved through PUD-15-043 and LDS-15-044. As illustrated on Exhibit 8, the timing of open space delivery is reasonable and proportionate to each phase.

     - The open space easement across lots 28 and 29 is split by the boundaries of Phases 1B and 2A. Applicant herewith agrees to stipulate to completion of full open space improvements on said lots 28 and 29 at the development of either Phase 1B or 2A, whichever occurs first.

10. **Proposed changes sought through a Replat of Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community):**

    - Reconfiguration of reserve lots 95 through 99 in order to comport with the proposed phase boundaries proposed herein above.

    - Dedication of the Farmington Avenue and Normil Terrace rights of way in a manner that is consistent with the currently approved Tentative Plan and the proposed amended Tentative Plan. The portions of rights of way to be dedicated through the replat are necessary in order to provide practical street frontage and legal access for all reserve lots included in the replat. The configurations of proposed rights of way are consistent in all ways with the layout approved most recently by the Planning Commission under LDS-15-044.

"E"

- Because a replat cannot be used to vacate the portions of Farmington Avenue and Normil Terrace previously established under *Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)*, a separate application for the partial vacation of Farmington Avenue and Normil Terrace is pending and will be processed approximately concurrent with this request[3]. The replat depicted at Exhibit 9, does not reflect the current rights of way to be vacated because their vacation is anticipated to be completed prior to recordation of the replat.

## V

## CONCLUSIONS OF LAW

The following conclusions of law are based on the evidence enumerated in Section II and the findings of fact contained in above Section IV and which relate to the approval criteria for a Replat and Tentative Subdivision Plat Revision Approval. The approval criteria are recited verbatim below and are followed by the conclusions of law of the Planning Commission.

The Conclusions of Law are addressed herein below, which seek the following approvals:

**A.** Revision to the Cedar Landing High Cedars Subarea Tentative Plat; and

**B.** Replat of the *"Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)"*

Here the Commission concludes with respect to standards and criteria in the MLDC prerequisite to approving the first step of a land division.[4]

### *C. LAND DIVISION – TENTATIVE SUBDIVISION PLAT*

#### *Land Division Approval Criteria*

**10.270 Land Division Criteria.**

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

#### *Land Division Criterion 1*

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

[3] Final authority for street vacations rests with the City Council

[4] Subdivisions (land divisions) are a two-step process

"C"

**Discussion; Conclusions of Law:** The Planning Commission concludes there are no specific plans applicable to this area and there are no goals or policies that function as approval criteria for the subject application. The Planning Commission further concludes that no elements of design are proposed to change and the existing design complies with all applicable design standards of Article IV and V as documented and approved through LDS-15-044.

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### *Land Division Criterion 2*

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

**Conclusions of Law:** The Commission concludes that the only remainder of the property owned by Applicant is limited to portions of the overall Cedar Land PUD located on the north/opposite side of Cedar Links Drive well removed from the subject property. The proposed changes are limited to changing the phasing boundaries and no elements of transportation interconnectivity or access are being revised. The LDS-15-044 decision for approval and conclusions relied thereupon remain unchanged by this request.

There is nothing in the proposed phasing revisions to suggest that it will in any way prevent development of other portions of the Cedar Landing PUD situated on the north side of Cedar Links Drive.

There is also no evidence that the proposed land divisions will prevent the development of other adjoining land or access thereto because, in fact, all land surrounding the subject property is fully developed with the exception of some land on the opposite side of Foothills Road from the subject property, with which it is concluded to be infeasible and undesirable to interconnect with access. For the reasons thus described, the Planning Commission concludes that this application is consistent with Land Division Criterion 2 because this land division will not prevent development of the remainder of the property under the same ownership or of adjoining land or of access thereto.

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### *Land Division Criterion 3*

(3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford, except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; 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;

**Conclusions of Law:** The proposed subdivision is to include the name *"Tentative Plat For High Cedars At Cedar Landing Phase 1A...1B...2A...2B...3A...3B...4A...4B...5A...5B (A Planned Community."* High Cedars was approved by the Planning Commission in 2006 as part of the original approval under PUD05-035 and again earlier this year under PUD15-043

and LDS15-044. The matters now before the Planning Commission do not affect the project name.

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### *Land Division Criterion 4*

(4) Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary, to the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;

**Discussion; Conclusions of Law:** The Planning Commission concludes that the proposed land divisions will include new public streets configured in the identical manner recently approved under PUD-15-043 and PUD-15-044 (as evidenced by Exhibits 8 and 9). The connections with surrounding lands are in a manner that conforms to all existing and proposed street layouts, none of which contemplated interconnections with the subject property. As such, based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of Land Division Criterion 4.

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### *Land Division Criterion 5*

(5) Has streets that are proposed to be held for private use, that they are distinguished from the public street on the tentative plat, and reservations or restrictions relating to the private streets are set forth;

**Conclusions of Law:** The proposal does not include private streets and Land Division Criterion 5 is concluded to be inapplicable.

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### *Land Division Criterion 6*

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

**Discussion; Conclusions of Law:** Based upon the evidence, the Planning Commission concludes the project is a considerable distance from the nearest EFU zoning district and will not, therefore, create an unmitigated land use conflict with adjoining agricultural lands.

* * * * * * * * * * * * * * * * * * * *

## VI

## AGREED TO STIPULATIONS

Applicant herewith agrees to stipulate to the following matters if the same are made conditions attached to the approval of this application:

1. **Street Vacations.** Applicant will prosecute the partial vacations of Farmington Avenue and Normil Terrace prior to the recordation of the Replat approved herein.

2. **Street Dedications.** Applicant will submit and record the Final Plat for the Replat approved herein which will modify the underlying reserve lots and create rights of way for Farmington Avenue and Normil Terrace in a manner consistent with the phasing boundaries also approved herein.

3. **Open Space Improvements on Lots 28 and 29:** The open space easement across lots 28 and 29 is split by the boundaries of Phases 1B and 2A. The completion of all open space improvements required to be provided on both lots 28 and 29 must occur with the development of either Phase 1B or 2A, whichever occurs first.

4. **All conditions of PUD-15-043 and LDS-15-044** not otherwise specifically altered herein above will remain in full force.

## VII

## ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, it is ultimately concluded that the case for revision to the High Cedars Tentative Plat and a Replat of *"Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)"* is consistent with all of the relevant criteria in the Medford Land Development Code (MLDC) as hereinabove enumerated and addressed.

**Dated: August 27, 2015**

Respectfully submitted on behalf of Applicant Cedar Investment Group, LLC:

CSA PLANNING, LTD.

Craig A. Stone
President

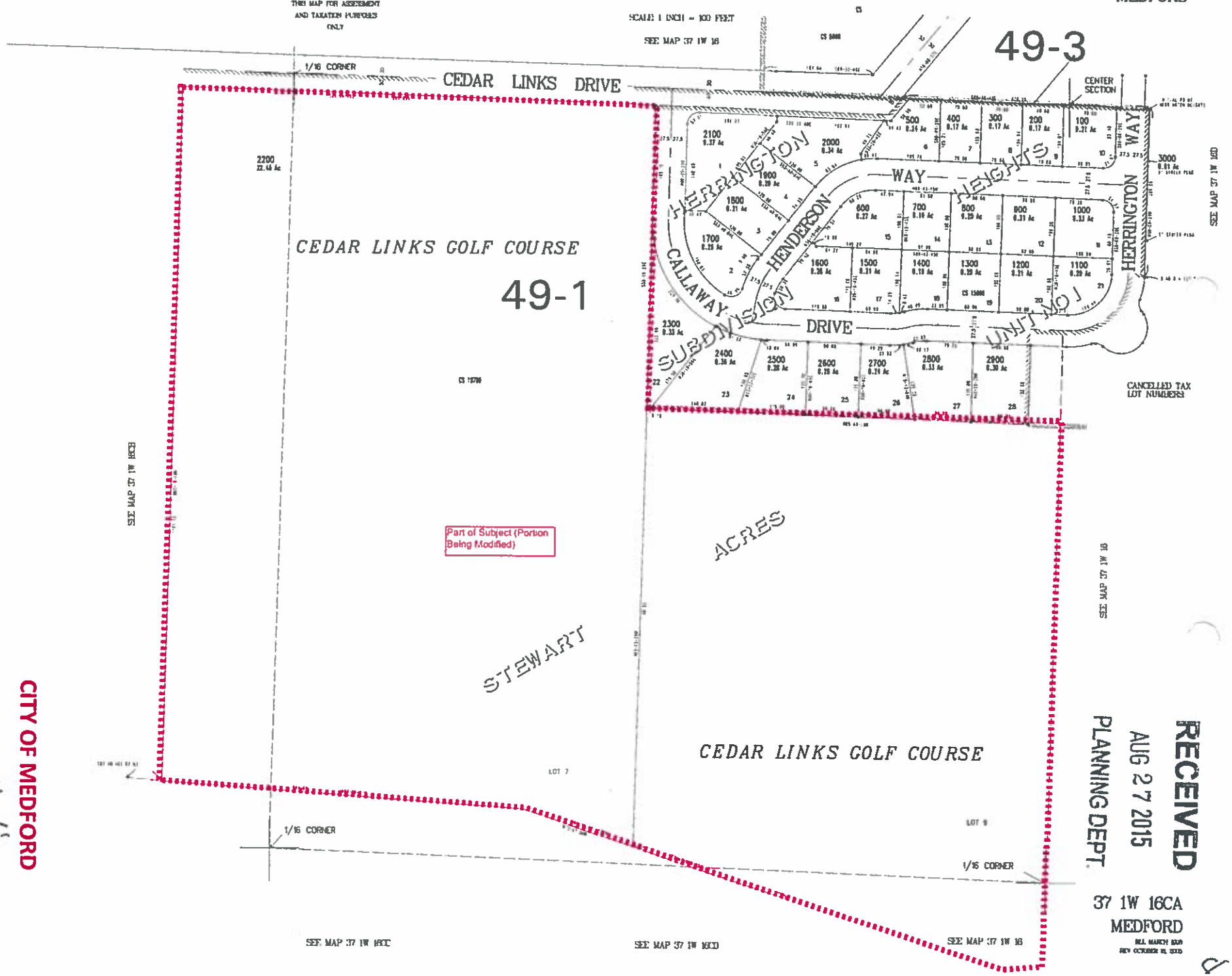
NE 1/4, SW 1/4, SEC16 T37S R1W. W.M.
JACKSON COUNTY

**EXHIBIT 2**

37 1W 16CA
MEDFORD

IMPORTANT
THIS MAP FOR ASSESSMENT AND TAXATION PURPOSES ONLY

SCALE 1 INCH = 100 FEET

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37 1W 16CA
MEDFORD

CREATED TUESDAY NOVEMBER 07, 2006 3:19 PM By HENSOLSH

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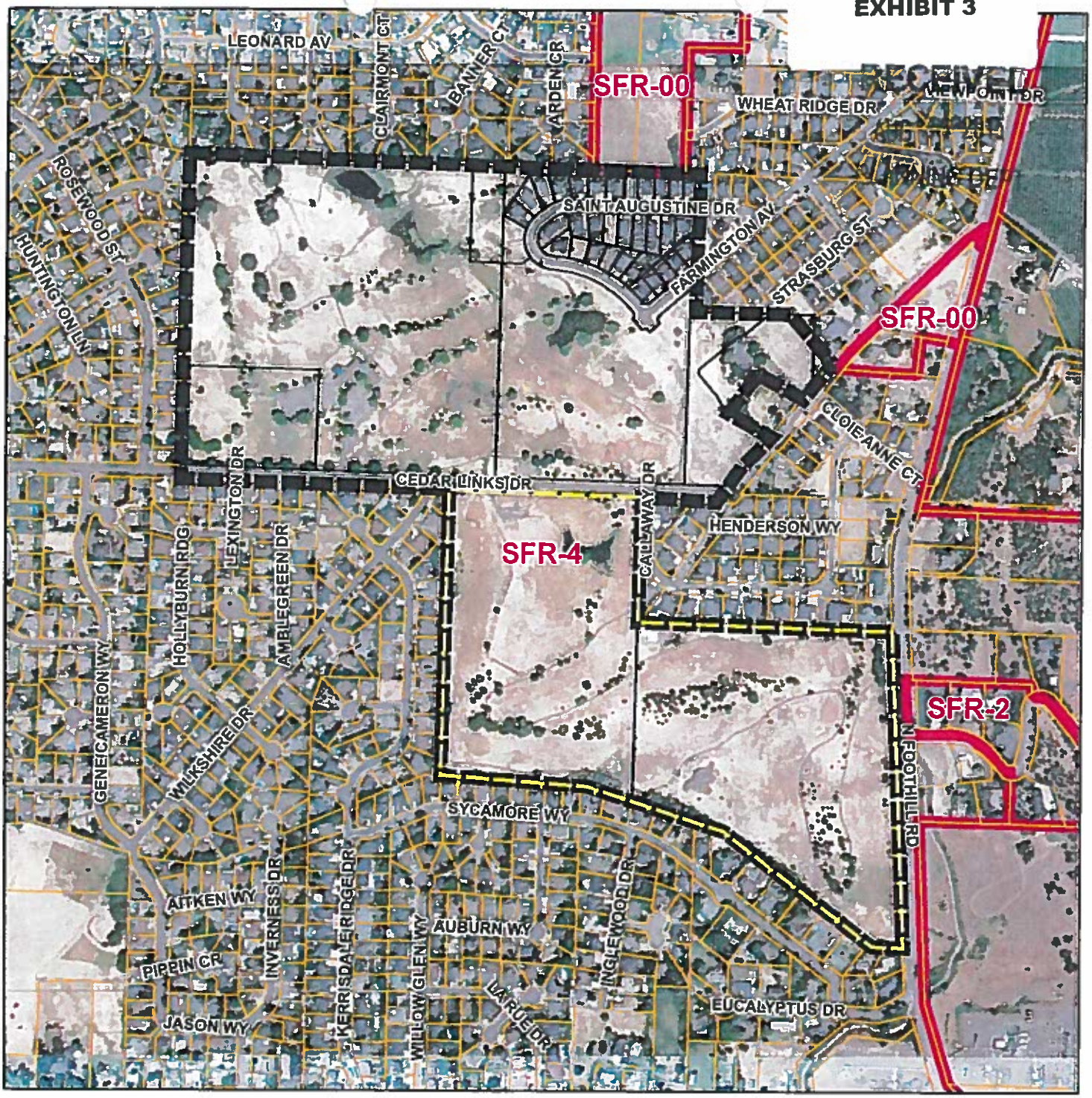
EXHIBIT 3




## Legend

- Area of Proposed Amendment
- PUD Original Boundary
- Lots within PUD Boundary
- Tax Lots
- Medford Zoning

# Zoning Map on Aerial

Cedar Investment Group LLC

2014 Aerial

N
W E
S

600 300 0 60

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FILE # LDS-15-044 Revision



9

EXHIBIT 4

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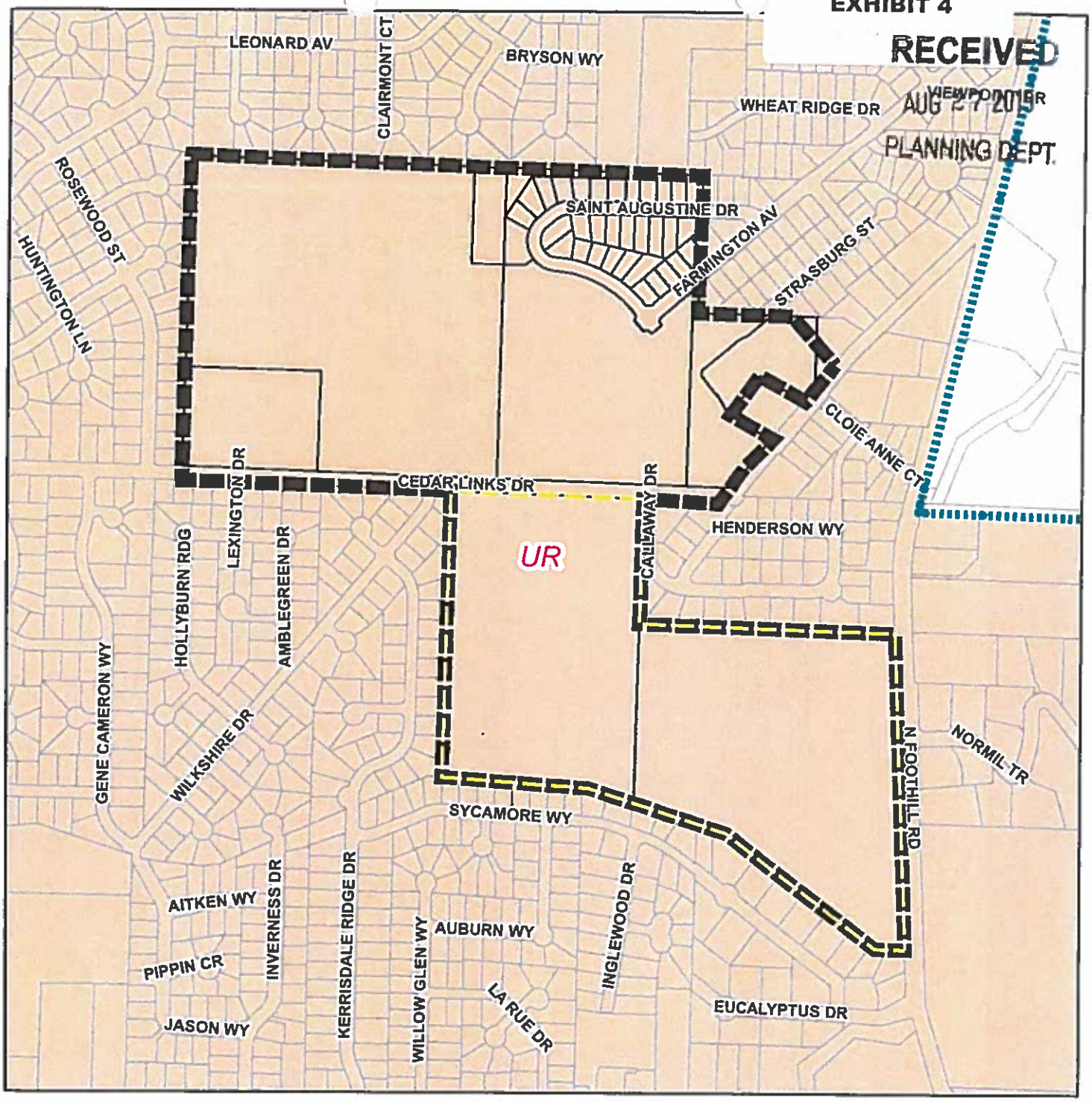


Area of Proposed Amendment
PUD Original Boundary
Urban Growth Boundary
Lots within PUD Boundary
Tax Lots

**Medford GLUP**

UR

# GLUP Map

Cedar Investment Group LLC
Cedar Landing PUD Revision
37-1W-16-1400 &
37-1W-16CA-2200

N
W E
S

600 300 0 600

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EXHIBIT "C"
FILE # LDS-15-044 Revision



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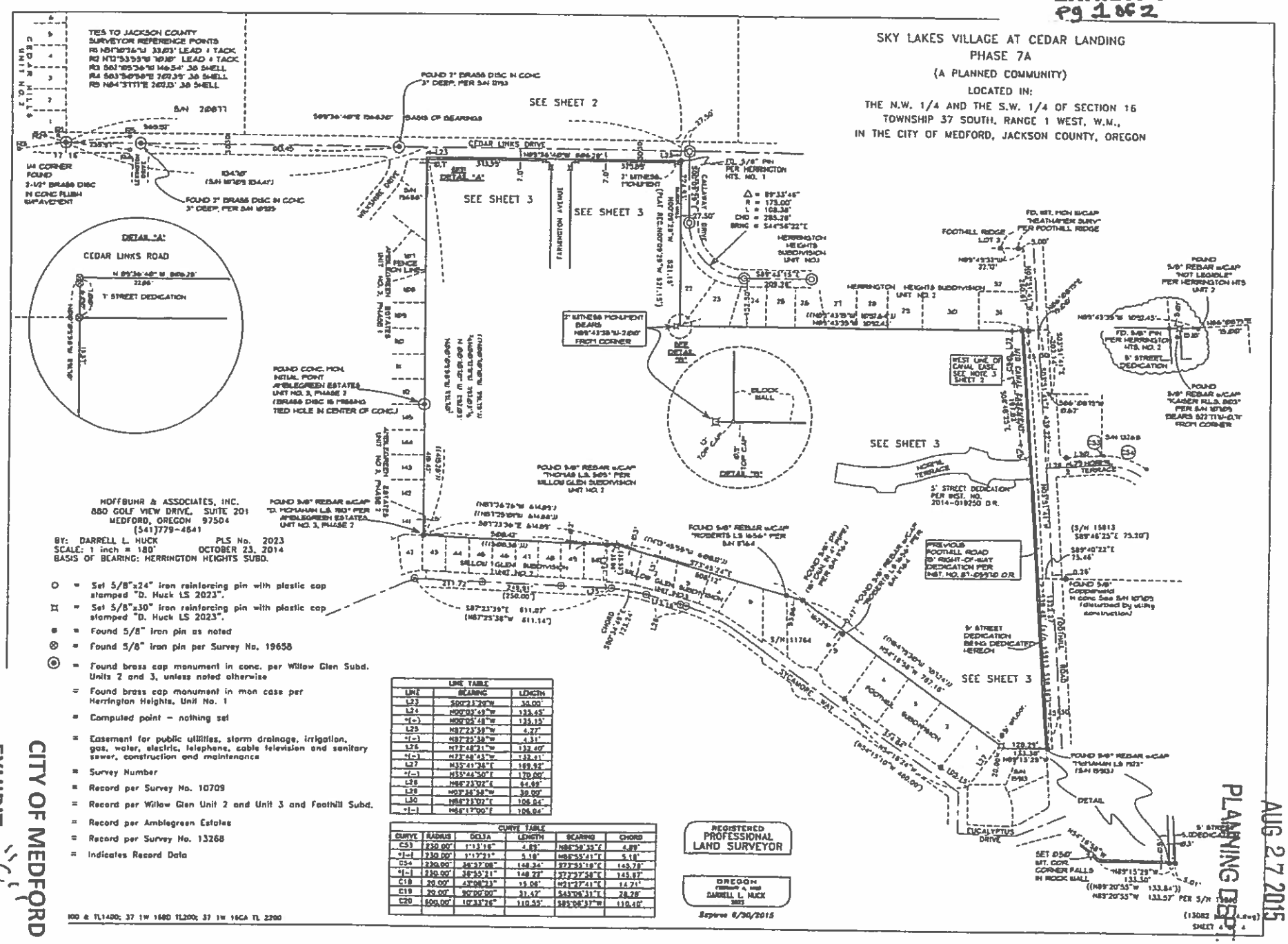
EXHIBIT 5
pg 1 of 2

# SKY LAKES VILLAGE AT CEDAR LANDING
## PHASE 7A
(A PLANNED COMMUNITY)

LOCATED IN:
THE N.W. 1/4 AND THE S.W. 1/4 OF SECTION 16
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.,
IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON




- ○ = Set 5/8"x24" iron reinforcing pin with plastic cap stamped "D. Huck LS 2023".
- ⌑ = Set 5/8"x30" iron reinforcing pin with plastic cap stamped "D. Huck LS 2023".
- ● = Found 5/8" iron pin as noted
- ⊗ = Found 5/8" iron pin per Survey No. 19658
- ⊙ = Found brass cap monument in conc. per Willow Glen Subd. Units 2 and 3, unless noted otherwise
- = Found brass cap monument in mon case per Herrington Heights, Unit No. 1
- = Computed point – nothing set
- = Easement for public utilities, storm drainage, irrigation, gas, water, electric, telephone, cable television and sanitary sewer, construction and maintenance
- = Survey Number
- = Record per Survey No. 10709
- = Record per Willow Glen Unit 2 and Unit 3 and Foothill Subd.
- = Record per Amblegreen Estates
- = Record per Survey No. 13268
- = Indicates Record Data

LINE TABLE

| LINE | BEARING | LENGTH |
|---|---|---|
| L23 | S00°21'20"W | 30.00' |
| L24 | N00°03'49"W | 135.45' |
| *(-) | N00°05'48"W | 135.15' |
| L25 | N87°23'38"W | 4.27' |
| *(-) | N87°25'38"W | 4.31' |
| L26 | N77°48'21"W | 132.40' |
| *(-) | N77°48'43"W | 132.41' |
| L27 | N35°41'26"E | 169.92' |
| *(-) | N35°44'50"E | 170.00' |
| L28 | N66°23'02"E | 64.69' |
| L29 | N03°36'38"W | 39.00' |
| L30 | N66°23'02"E | 106.04' |
| *(-) | N66°17'00"E | 106.04' |

CURVE TABLE

| CURVE | RADIUS | DELTA | LENGTH | BEARING | CHORD |
|---|---|---|---|---|---|
| C53 | 230.00' | 1°13'18" | 4.89' | N86°38'35"E | 4.89' |
| *(-) | 230.00' | 1°17'21" | 5.18' | N86°35'41"E | 5.18' |
| C54 | 230.00' | 36°37'08" | 146.34' | S72°33'18"E | 143.78' |
| *(-) | 230.00' | 36°35'21" | 146.22' | S72°33'38"E | 143.87' |
| C18 | 20.00' | 47°08'23" | 15.06' | N21°27'41"E | 14.71' |
| C19 | 20.00' | 90°00'00" | 31.42' | S43°06'31"E | 28.28' |
| C20 | 600.00' | 10°33'26" | 110.55' | S85°08'31"W | 110.40' |

100 & TL1400; 37 1W 16BD TL200; 37 1W 16CA TL 2200

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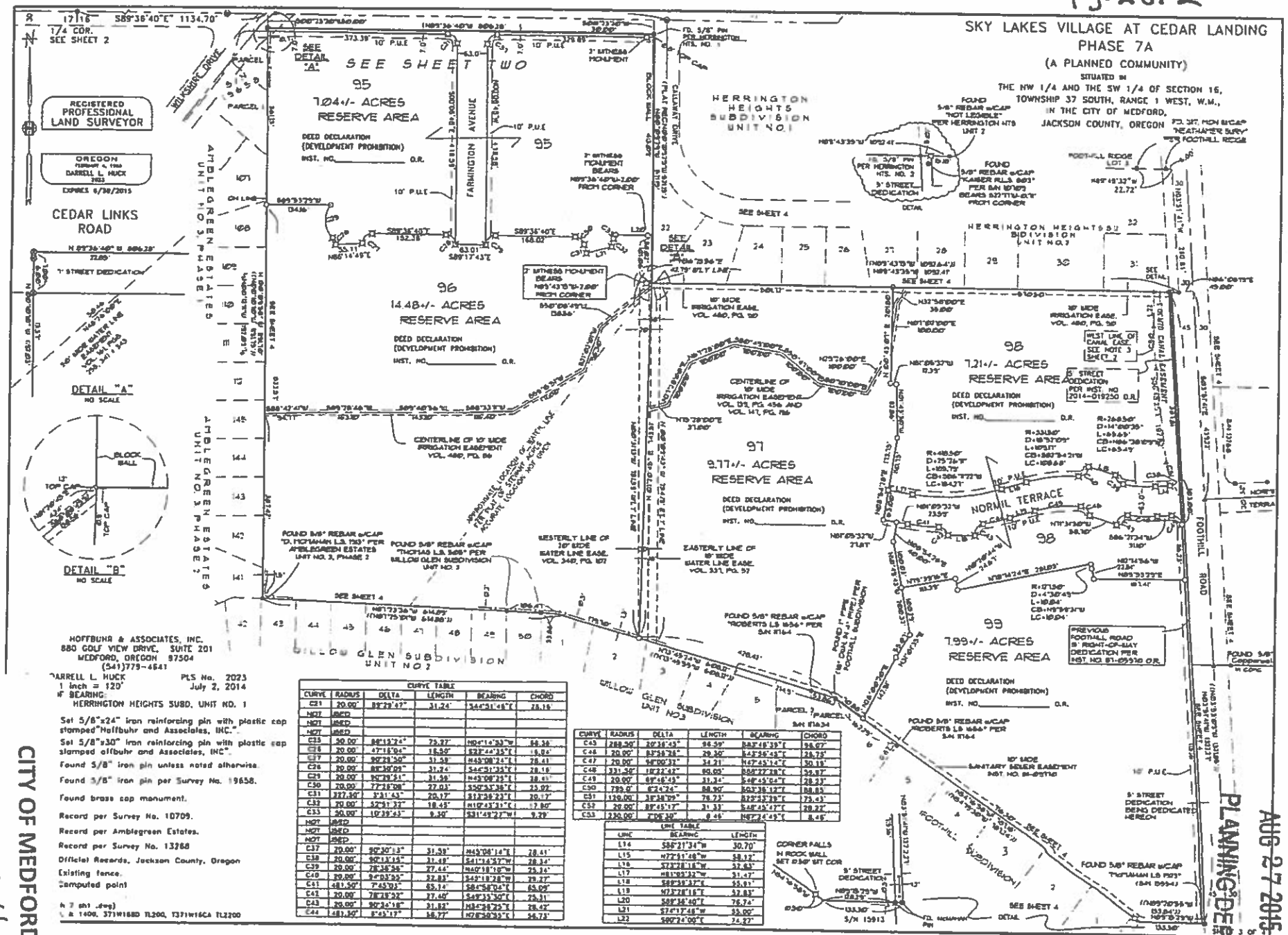
# SKY LAKES VILLAGE AT CEDAR LANDING PHASE 7A

(A PLANNED COMMUNITY)

SITUATED IN THE NW 1/4 AND THE SW 1/4 OF SECTION 16, TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M., IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON




HOFFBUHR & ASSOCIATES, INC.
880 GOLF VIEW DRIVE, SUITE 201
MEDFORD, OREGON 97504
(541)779-4641

DARRELL L. HUCK — PLS No. 2023
1 inch = 120' — July 2, 2014
NF BEARING: HERRINGTON HEIGHTS SUBD. UNIT NO. 1

Set 5/8"x24" iron reinforcing pin with plastic cap stamped "Hoffbuhr and Associates, INC.".

Set 5/8"x30" iron reinforcing pin with plastic cap stamped offbuhr and Associates, INC".

Found 5/8" iron pin unless noted otherwise.

Found 5/8" iron pin per Survey No. 19658.

Found brass cap monument.

Record per Survey No. 10709.

Record per Amblegreen Estates.

Record per Survey No. 13268

Official Records, Jackson County, Oregon

Existing fence.

Computed point

N 7 ch1 .dwg
L & 1400, 371W16BD TL200, T371W16CA TL2200

| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | RADIUS | DELTA | LENGTH | BEARING | CHORD |
| C21 | 20.00' | 89°29'47" | 31.24' | S44°51'48"E | 28.16' |
| NOT | USED | | | | |
| NOT | USED | | | | |
| NOT | USED | | | | |
| C25 | 50.00' | 88°15'24" | 73.27' | N04°14'53"W | 66.36 |
| C26 | 20.00' | 47°18'04" | 16.50' | S23°44'35"E | 16.04' |
| C27 | 20.00' | 90°29'50" | 31.58' | N45°08'24"E | 28.41 |
| C28 | 20.00' | 88°38'09" | 31.24' | S44°51'35"E | 28.19 |
| C29 | 20.00' | 90°29'51" | 31.58' | N45°08'25"E | 28.41' |
| C30 | 20.00' | 77°28'08" | 27.03' | S50°33'36"E | 25.02 |
| C31 | 327.30' | 3°31'43" | 20.17' | S12°35'23"E | 20.17' |
| C32 | 20.00' | 52°31'32" | 18.45' | S10°43'31"E | 17.80' |
| C33 | 50.00' | 10°39'43" | 9.30' | S31°49'27"W | 9.29' |
| NOT | USED | | | | |
| NOT | USED | | | | |
| NOT | USED | | | | |
| C37 | 20.00' | 90°30'13" | 31.59' | N45°08'14"E | 28.41' |
| C38 | 20.00' | 90°13'14" | 31.48' | S41°14'57"W | 28.34' |
| C39 | 20.00' | 78°38'56" | 27.44' | N40°18'18"W | 25.34' |
| C40 | 20.00' | 94°03'55" | 32.83' | S45°18'28"W | 29.27' |
| C41 | 481.50' | 7°45'03" | 65.14' | S84°54'04"E | 65.09' |
| C42 | 20.00' | 78°28'32" | 27.40' | S49°33'30"E | 25.31' |
| C43 | 20.00' | 90°36'18" | 31.62' | N84°54'25"E | 28.47' |
| C44 | 481.50' | 8°45'17" | 36.77' | N76°50'35"E | 36.73' |

| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | RADIUS | DELTA | LENGTH | BEARING | CHORD |
| C45 | 288.50' | 20°36'45" | 96.59' | S83°48'39"E | 96.07' |
| C46 | 20.00' | 83°58'28" | 29.30' | S42°56'45"E | 26.75' |
| C47 | 20.00' | 96°00'31" | 34.21' | N47°45'14"E | 30.19' |
| C48 | 331.30' | 15°22'42" | 90.05' | S88°27'28"E | 89.87' |
| C49 | 20.00' | 89°46'45" | 31.34' | S48°45'04"E | 28.23' |
| C50 | 739.0' | 6°24'24" | 88.90' | S03°36'12"E | 88.85 |
| C51 | 120.00' | 38°38'09" | 78.73' | S19°33'39"E | 73.43' |
| C52 | 20.00' | 89°45'17" | 31.33' | S46°45'47"E | 28.22' |
| C53 | 230.00' | 2°06'38" | 8.46' | N67°24'49"E | 8.46' |

| LINE TABLE | | |
|---|---|---|
| LINE | BEARING | LENGTH |
| L14 | S86°21'34"W | 30.70' |
| L15 | N77°51'48"W | 58.12' |
| L16 | S73°28'16"W | 37.63' |
| L17 | N81°05'32"W | 31.47' |
| L18 | S89°38'37"E | 55.01' |
| L19 | N73°28'16"E | 37.83' |
| L20 | S89°38'40"E | 76.74' |
| L21 | S74°17'48"W | 33.00' |
| L22 | S89°24'00"E | 24.27' |

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FILE # LDS-15-044 Revision

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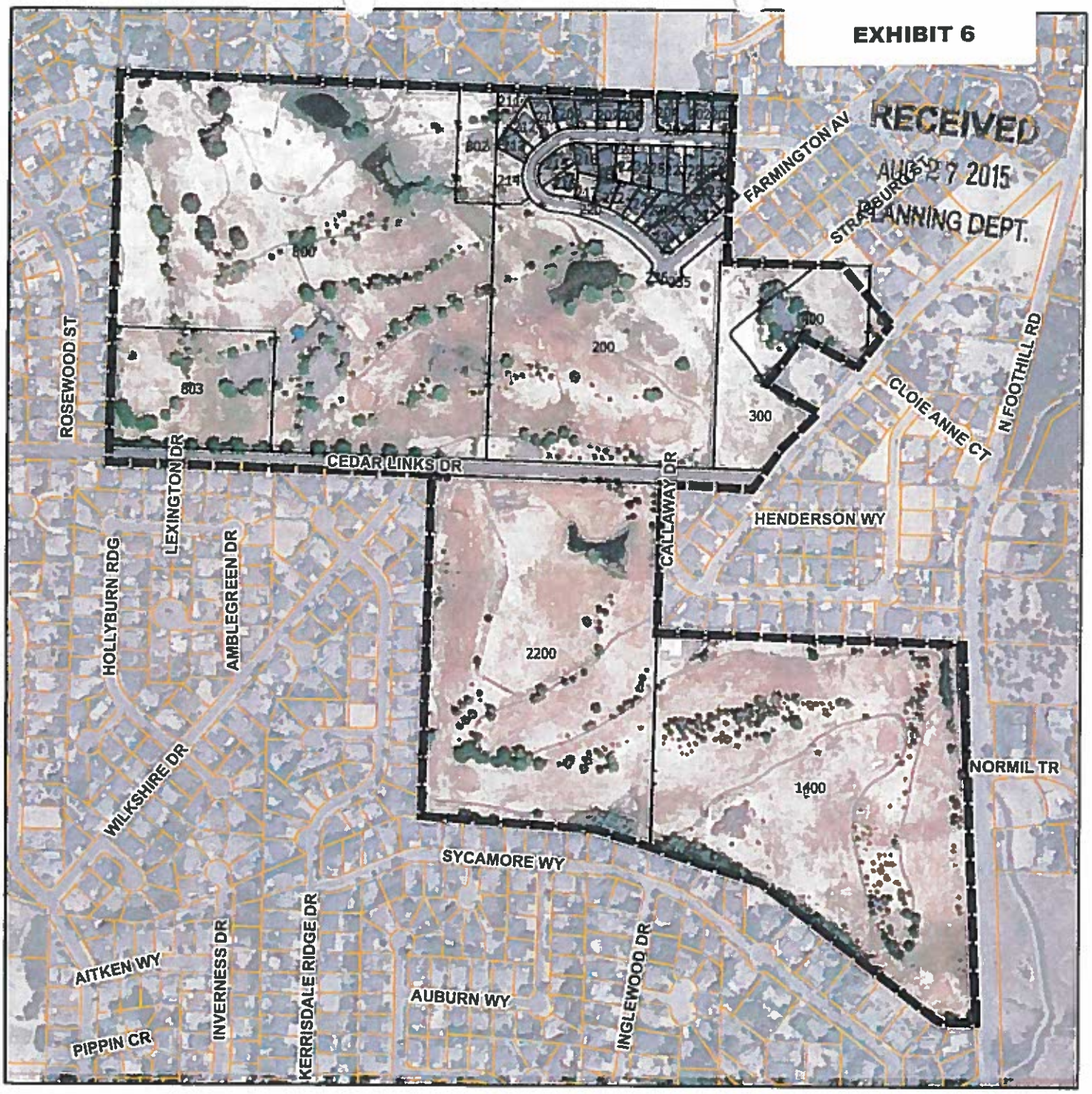


## Legend

- PUD Original Boundary
- Lots within PUD Boundary
- Tax Lots

CSA Planning, Ltd.

# PUD-05-35 Boundary on 2014 Aerial

Cedar Investment Group LLC

N
W E

500 250 0

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EXHIBIT 7

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City of Medford

# Planning Department

*Working with the community to shape a vibrant and exc*

June 15, 2015

Cedar Investment Group LLC
2728 W. Main Street #8
Medford, OR 97504

**Decision date**: June 11, 2015
**Final appeal date**: June 29, 2015
**File no.**: PUD-15-043 / LDS-15-044

Re: **Notice of Planning Commission Action**

Dear Mr. Artner:

The Medford Planning Commission adopted the final orders containing Findings of Fact relating to the approval of the following requests:

Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district.

The final date for filing an appeal is 14 days from the date the notice is mailed. The written appeal and filing fee must be received by the City Recorder no later than 5:00 p.m. on the Final Appeal Date stated above. Appeals must be filed in the form prescribed, and will be decided based upon Medford Land Development Code Sections 10.051-10.056 (copies available).

The approval is based on the Findings of Fact and subject to the conditions and time periods set forth in the Planning Commission Report dated May 28, 2015.

The applicant may now submit for final plat approval pursuant to Medford Land Development Code Sections 10.276 – 10.280, Submittal of Final Plats. In accordance with Section 10.269 (enclosed), unless the final plat is approved by the Planning Director



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EXHIBIT "C"
LDS-15-044 Revision



12

or a letter requesting an extension of time is submitted to the Planning Department prior to the expiration date, the tentative plat approval will expire in two years (June 11, 2017).

In accordance with Medford Land Development Code Sections 10.240(B) and (C) (enclosed), the applicant must now file for final plan approval within three years, or the Preliminary PUD Plan approval will expire on May 28, 2018.

Sincerely,

James E. Huber

James E. Huber, AICP
Planning Director

JH/tlr

Enclosures: Final Order / Planning Commission Report
Medford Land Development Code Sections 10.269 and 10.240(B), (C) and (D)

cc: Craig Stone, CSA Planning Ltd., 4497 Brownridge Terrace, #101, Medford, OR 97504
Affected Agencies
Interested Parties

"c"

## Medford Land Development Code

### 10.269 Expiration of Tentative Plat Approval

(1) Approval of a tentative plat application shall take effect on the date the final order for approval is signed, unless appealed, and shall expire two (2) years from the effective date unless the final plat has been approved by the Planning Director pursuant to Sections 10.276 - 10.280. If a request for an extension of a tentative plat application approval is filed with the Planning Department within two (2) years from the date of the final order, the Planning Commission shall grant an extension not to exceed one (1) additional year. Extensions shall be based on findings that the facts upon which the tentative plat application was first approved have not changed to an extent sufficient to warrant refiling of the application. All approvals made prior to the adoption of this ordinance shall expire one (1) year from the date of adoption of this ordinance, notwithstanding permitted extensions and previous phasing authorizations.

(2) When it is the developer's intent to record and develop a tentatively platted land division in phases, the approving authority may authorize a time schedule for platting the various phases in periods exceeding one (1) year, but in no case shall the total time period for platting all phases be greater than five (5) years without having to resubmit the tentative plan. Phases platted after the passage of one (1) year from approval of the tentative plat will be required to modify the tentative plat as necessary to avoid conflicts with changes in the Comprehensive Plan or this chapter.

### 10.240 Final PUD Plan – Application Procedures

B. Time Limit for Preliminary PUD Plan Approval: Preliminary PUD Plan approval shall be valid for three (3) years and may not be extended. The three-year period shall be the date the Final Order approving the Preliminary PUD Plan was signed by the Planning Commission Chairperson. If a Preliminary PUD Plan is appealed, the three-year period shall begin on the date on which all appeals were resolved, including the resolution of all issues on remand. Within the three-year time period, an application for a Final PUD Plan must be filed for the entire site or for the first phase if the PUD has been approved for phased development.

C. PUD: The Final PUD Plan may be submitted for the entire project or for each phase consistent with the approved Preliminary PUD Plan. If a Preliminary PUD Plan was not approved as a phased project, nothing in this Subsection shall prevent the Planning Director from approving a Final PUD Plan in phases

provided that the Planning Director approves a phasing plan pursuant to Subsections 10.235(B)(3)(c) and 10.230(E)(4) as part of the Final PUD Plan approval, and provided further that the phasing plan ensures that essential services such as roads, fire access, storm drain, and sewer are available to serve each successive phase. After Final PUD Plan approval for the first phase, Final PUD Plans must be filed with the City for any subsequent phases.

D. Time Limit Between Phases: After Final PUD Plan approval for the first phase of a PUD having approved multiple phases, and for each successive phase thereafter, no more than five (5) years shall lapse between the approval of phases. If more than five (5) years pass between the Final PUD Plan approval of any two (2) PUD phases after the first phase, the Planning Commission may, without the consent of the owners of the PUD, initiate action to terminate undeveloped portions of the PUD under Subsection 10.245(B).

**BEFORE THE MEDFORD PLANNING COMMISSION**

**STATE OF OREGON, CITY OF MEDFORD**

| | | |
|---|---|---|
| IN THE MATTER OF PLANNING COMMISSION FILE PUD-15-043 APPLICATION FOR A REVISION TO CEDAR LANDING SUBMITTED BY CEDAR INVESTMENT GROUP LLC. | ) ) ) | **ORDER** |

ORDER granting approval for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.245(A), Revision of a Preliminary or Final Planned Unit Development Plan; and

2. The Medford Planning Commission has considered in an open meeting the applicant's request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district; and

3. Evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and

4. After consideration and discussion, the Medford Planning Commission, upon a motion duly seconded a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive,

"C"

west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district.

THEREFORE LET IT BE HEREBY ORDERED that the approval for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district, per the Planning Commission Report dated May 28, 2015.

Accepted and approved this 11th day of June, 2015.

CITY OF MEDFORD PLANNING COMMISSION

David McFadden

Planning Commission Chair

ATTEST:

Lori L. Rozzano

Planning Department Representative

"C"

**BEFORE THE MEDFORD PLANNING COMMISSION**

**STATE OF OREGON, CITY OF MEDFORD**

| | | |
|---|---|---|
| IN THE MATTER OF TENTATIVE PLAT APPROVAL OF | ) | |
| | ) | **ORDER** |
| THE HIGH CEDARS SUBDIVISION PHASES 1 THROUGH 5 [LDS-15-044] | ) | |

ORDER granting approval of a request for tentative plat approval for the High Cedars Subdivision Phases 1 through 5.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and

2. The Medford Planning Commission has duly held a public hearing on the request for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5 located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district and of a request for a revision to the Cedar Landing Planned Unit Development (PUD). The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths, with the public hearing a matter of record of the Planning Commission on May 28, 2015.

3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and

4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for High Cedars Subdivision Phases 1 through 5 stands approved per the Planning Commission Report dated May 28, 2015, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated May 28, 2015.

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

"C"

Accepted and approved this 11th day of June, 2015.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

# PLANNING COMMISSION REPORT

for a Type-C quasi-judicial decision: PUD Revision and Tentative Plat

FILE NO. PUD-15-043 / LDS-15-044

DATE May 28, 2015

## BACKGROUND

### Proposal

Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district.

### Subject Site Characteristics

| | |
|---|---|
| Zoning | SFR-4 |
| GLUP | UR (Urban Residential) |
| Use | Vacant Golf Course |

### Surrounding Site Characteristics

| | | |
|---|---|---|
| North | SFR-4 | Single Family Dwellings |
| South | SFR-4 | Single Family Dwellings |
| East | SFR-4 | Single Family Dwellings |
| West | SFR-4 | Single Family Dwellings |

### Related Projects

| | |
|---|---|
| PUD-05-035 | Cedar Landing PUD |
| LDS-05-036 | Cascade Terrace Subdivision |

"C"

| | |
|---|---|
| LDS-05-037 | Sky Lakes Subdivision |
| PUD-05-035 | Termination of 5.47 acre portion of PUD for park property in 2011 |
| LDS-13-121 | Sky Lakes Village Subdivision Phases 7A & 7B |
| PUD-13-119 | PUD Revision |
| E-14-059 | Exception to required right-of-way dedication |
| PUD-14-136 | PUD Revision |
| LDS-14-137 | Sky Lakes Village Phase 1 Tentative Plat |
| LDS-14-138 | The Village at Cedar Landing Phase 1 Tentative Plat |

Applicable Criteria

Medford Municipal Code

**Planned Unit Development, §10.235(C)**

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

1. The proposed PUD:
   a. preserves an important natural feature of the land, or
   b. includes a mixture of residential and commercial land uses, or
   c. includes a mixture of housing types in residential areas, or
   d. includes open space, common areas, or other elements intended for common use or ownership, or
   e. is otherwise required by the *Medford Land Development Code*.

2. The proposed PUD complies with the applicable requirements of this Code, or
   a. the proposed modified applications of the Code are necessary for the project to be consistent with the criteria in Section 10.235(C)(1)(a-e), and
   b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
   c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria there under:
   a. Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
   b. Public Facilities Strategy pursuant to ORS 197.768 as amended.
   c. Limited Service Area adopted as part of the Medford *Comprehensive Plan*.

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

5. If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.230(D) (8)(c), the applicant shall alternatively demonstrate that either:
   1) demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or
   2) the property can be supplied by the time of development with the following Category "A" public facilities which can be supplied in sufficient condition and capacity to support development of the proposed use:
      a. Public sanitary sewerage collection and treatment facilities.
      b. Public domestic water distribution and treatment facilities.
      c. Storm drainage facilities.
      d. Public streets.

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

6. If the Preliminary PUD Plan includes uses proposed under Subsection 10.230(D)(8)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.248.

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

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

3. Burden of Proof; Criteria for Revisions: The burden of proof and supporting findings of fact and conclusions of law for the criteria in Subsections 10.235(D) or 10.240(G), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the

whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Subsection 10.235(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

**Land Division, §10.270**

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

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

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

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

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

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

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

Corporate Names

The application lists Cedar Investment Group, LLC as the owner of the subject property. As per the State of Oregon Business Registry, Eric Artner is listed as the registered agent.

**ISSUES AND ANALYSIS**

Project History

On April 27, 2006, the Planning Commission approved Cedar Landing Planned Unit Development (PUD-05-035), a master plan for the redevelopment of the 122.12-acre site to provide a mixture of residential uses, commercial development and a preservation of existing open space. The overall project is organized into four sub areas with multiple phases that are described as follows:

1. High Cedars (43.0 ± acres) consists of five (5) phases including single-family lots, 55 and older, pad lots and common area/open space.

2. The Village at Cedar Landing (21.42 ± acres) is made up of five (5) phases of single-family lots, condominiums, retirement facilities and common area/open space.

3. Cascade Terrace (15.4 ± acres) is comprised of two (2) phases of small single-family lots targeted for detached dwellings and residents aged 55 or older.

4. Sky Lakes Village (41.6 ± acres) consists of single-family residential lots and common area/open space.

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

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

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

Most recently, in April 2015 the Planning Commission approved a revision to the PUD regarding changes to the north side of Cedar Links Drive and tentative plats for Sky Lakes Phase 1 and The Village Phase 1. The changes to the PUD on the north side of Cedar Links Drive are similar to those presented in this application and specifically addressed street design, number of lots, the relocation of paths, a reduction in the front yard setback, and an increase in maximum lot coverage.

Project Update

The applicant is now requesting a PUD revision for the portion of the PUD south of Cedar Links Drive. Specifically, the revisions consists of reconfiguring the entire area into 5 phases; changing all commercial, multi-family, and condominium uses to single-family detached residential; removing the below grade pedestrian crossing at Cedar Links Drive; creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; relocating the pedestrian paths. In addition, the applicant is seeking approval of the tentative plat for High Cedars Phases 1 through 5. In addition, this revision includes minor modifications necessary for the project to ensure compliance with all code provisions.

*Phasing*

The phasing has been changed slightly to adjust for the changes in uses and subareas. The commercial area adjacent to Cedar Links Drive was previously a part of The Village subarea (phase 4). Now, as proposed all detached single-family residential, the entire portion of the PUD south of Cedar Links Drive makes up the High Cedars subarea, consisting of phases 1 through 5.

*Changes to Proposed Uses*

The most significant and substantive revision proposed is that of the land uses for the portion of the PUD south of Cedar Links Drive. Previous versions of the PUD included a mixture of commercial uses, and various housing types, in addition to detached single-family residential units in this area south of Cedar Links Drive. This current revision proposes to remove all other land uses and housing types, leaving the entire area (approximately 48 acres) as detached single-family residential homes, situated on 176 lots. The proposed revision also reduces the amount of open space provided to just over 11 total acres, including the open space easements.

| Land Use/Housing Type | Previous Approvals | Proposed Revision PUD-15-044 |
|---|---|---|
| Commercial Lots (sq ft) | 42,630 sq ft | 0 |
| Senior Single-Family Dwellings | 34 | 0 |
| Condominium Units | 13 | 0 |
| Detached Single-Family Dwellings | 65 | 176 |
| Duplex Units | 22 | 0 |
| Townhomes | 36 | 0 |
| Open Space Area & Easements (sq ft) | 689,234 sq ft / 15.82 Ac | 489,444 sq ft / 11.24 Ac |
| *Sources: PUD Plan PUD-14-136; Applicant's Exhibit 7 Preliminary PUD Plan* | | |

These proposed revisions to the PUD do not result in a significant change in density. The approximate 114 acres included in the PUD with the underlying zoning of SFR-4, results in an allowable residential density range of roughly 285 units up to about 547 units with a 20 percent density bonus due to the large nature of the PUD. Although the housing types are now proposed to be all detached-single family, the total number of proposed units increases only slightly from 170 total units to 176 total units in this portion of the PUD. Together with the northern portion of the PUD, the total number of proposed housing units is 461, which falls well within the allowable range.

***DECISION:*** *The Planning Commission discussed the change of uses extensively, including both the removal of a commercial component on the south side of Cedar Links Drive as well as the change in housing type diversity. Discussion by the Commission, explanations from Staff, and findings from the applicant indicated that there was sufficient compatibility with the already developed portion of the PUD – detached single-family residential – to adequately satisfy the criteria in §10.245(A)(3).*

*Pedestrian Crossing*

The original PUD plan for Cedar Landing included a below-grade pedestrian crossing to be constructed at Cedar Links Drive. This was an element only briefly described in the applicant's written narrative with the original proposal in 2005. The applicant is now requesting that the Commission eliminate the requirement for this pedestrian crossing. There is adequate pedestrian connectivity provided within both the north and south portion of the PUD, although this change would result in no clearly designated pedestrian connection across Cedar Links Drive.

*Access to Foothill Road*

As proposed, access to Foothill Road will now be limited to a single access point from within this portion of the PUD south of Cedar Links Drive. The connection point will be at Normil Terrace. A second connection was previously proposed as what was then referred to as Timbered Ridge (now Tree Top Drive).

It is likely that development of this project will begin to occur furthest from Foothill Road due to the associated improvements. Until such time as the Foothill Road connection is constructed at Normil Terrace, the Fire Department has agreed that a 12-foot wide emergency only access road connecting Fallen Oak Drive to Cedar Links Drive would be sufficient as a secondary access in order to lift the fire sprinkler requirement (Exhibit J).

*Pedestrian Paths*

Following the approved revisions to the north side of the PUD, the relocation of the pedestrian paths on the south side are essentially the same. Through past iterations of this project, the location of pedestrian and bicycle paths behind residential lots, connecting to open space areas, has been an issue with neighbors. The original design placed these paths between the rear yards of existing homes and the rear yards of future homes within this project. Privacy and safety concerns were raised with this design. These paths are proposed to be relocated to open space easements along the front of the some lots. However, it should be noted that this shift has resulted in some existing homes south of this project to now back up directly to another lot, rather than to open space as previously approved.

The applicant has provided a cross section of the proposed path (Exhibit E) which illustrates the open space easements to be located along the front of approximately 32 lots in High Cedars Phases 1, 2, 3, and 5. The open space areas will be maintained by the Homeowner's Association and are proposed to consist of a seven foot meandering path with grass planter strips and a street tree per lot, on each side of the path.

***DECISION:*** *The Commission discussed with the applicant and with the City Engineer the distinction between a sidewalk and a multi-use path as well as the standards for each. The Public Works Report required that the proposed multi-use path be ten-feet wide. Ultimately the Commission decided to approve a seven-foot meandering sidewalk, rather than a ten-foot multi-use path throughout the project. The Public Works Report has been revised to reflect the Commission's decision (Exhibit H-1).*

<u>Additional Considerations</u>

As this is a very large, complex project there are additional issues the Commission should consider with this PUD revision and tentative plat proposal.

*Through Lots*

The applicant's findings provide for stipulations to which they agree for items such as completing the necessary property line adjustments, street vacations, and the like (Exhibits A, G). One item included in this list by the applicant is that of restricted access for particular lots with double frontage. Per MLDC §10.440 restricting the access for lots

that border a collector or arterial, in this instance proposed lots 124-128 and 147-148 in Phase 4 and lots 149-156 in Phase 5 which all back to Foothill Road, is appropriate.

Proposed lots 5 and 6 in Phase 1 have frontage to both Morning View Drive and Callaway Drive, both which are residential streets. The layout of these specific lots require approval through the PUD itself per MLDC §10.230(D)(1). Therefore, the applicant is actually requesting the Commission to also approve lot layout – two through lots fronting on to residential streets – as a sixth revision item to the PUD.

All proposed through lots would be restricted to a single vehicular access from the street to which they front within the Cedar Landing PUD. Proposed lots 5 and 6 would have access from Morning View Drive only. Proposed lots 124-128 and 147-156 would have access from High Cedars Lane only. Although lots 128 and 147 are actually bound by streets on three sides (they are also adjacent to Normil Terrace) their access would be limited to High Cedars Lane.

*Minor Modifications*

In order for the revised PUD to fully comply with all current provisions of the Land Development Code, the applicant requests that the Commission approve these minor modifications.

| Modification | Applicable Area | Rationale |
|---|---|---|
| **Side-Yard Setback*** | Lots: 75, 85, 106, 107, 110 | To accommodate adjacent commonly owned open space lots, if necessary. Open space easements are preferred and depicted on the plans. |
| **Front-Yard Setback of 33-feet** | Lots: 36-57, 89-90, 158-165 | To accommodate the meandering path. |
| **Block Length** | Two interior blocks (of 820 and 920 feet respectively) bound by Caldera Ln, Obsidian Ridge, Fallen Oak Dr, Morning View Dr, & Farmington Ave | Removal of commercial area adjacent to Cedar Links Drive results in the relocation of Fallen Oak Drive further north to account for standard residential lots. Pedestrian connections provided via pathways and sidewalks to open space. |
| **Applicant requests the option of a 4-foot setback ONLY if open space easements are not utilized.* | | |

**DECISION:** *The applicant withdrew the request for the 4-foot sidewalk setback modification.*

*Property Line Adjustments and Rights-of-Way*

Changes in the proposed land uses and overall lot layout necessitate property line adjustments in order to align property lines with the proposed phase boundaries. This should be completed before final plat of any affected phases.

Similarly, a previously recorded plat, Sky Lakes Village Phase 7A, created rights-of-way that do not accurately reflect this proposed revision. The applicant agrees to vacate and dedicate the applicable portions of right-of-way to create appropriate rights-of-way which conform to this proposed plat (Exhibit A, C).

## 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.

- PUD revision for the allowance of the proposed lot layout including through lots and access restrictions.
- Minor modifications to allow for: 33-foot front yard setbacks and extended block lengths, as applicable.

## ACTION TAKEN

Adopted the modified findings as recommended by staff and directed staff to prepare a Final Order for approval per the Planning Commission Report dated May 28, 2015, including Exhibits A through S.

## EXHIBITS

| | |
|---|---|
| A-1 | Conditions of Approval |
| B | Revised PUD Plan for Cedar Landing, received March 26, 2015 |
| C | Tentative Map for High Cedars at Cedar Landing Phases 1-5, received March 26, 2015 |
| D | Conceptual Grading and Drainage Plan, received March 26, 2015 |
| E | Proposed Path Detail, received March 26, 2015 |
| F | Street Tree Master Plan, received March 26, 2015 |
| G | Applicant's Findings of Fact, received March 26, 2015 |
| H-1 | Public Works Staff Report, received May 06, 2015 |
| I | Fire Department Report, received May 06, 2015 |
| J | Fire Department Letter and Secondary Access Agreement, received April 16, 2015 |
| K | Medford Water Commission Memo, received May 06, 2015 |
| L | ODOT Letter, received May 07, 2015 |
| M | Address Technician Memo, received May 06, 2015 |
| N | Building Department Memo, received May 06, 2015 |
| O | Medford Irrigation District Letter, received April 28, 2015 |
| P | Letter from Mr. Robert J. White, received April 14, 2015 |
| Q | Letter from Construction Engineering Consultants, received May 28, 2015 |
| R | Foothill Road Arterial Separation Feature Illustration, received May 28, 2015 |

S Typical Cross Section Foothill Road Illustration, received March 26, 2015
Vicinity map

**MEDFORD PLANNING COMMISSION**

**David McFadden, Chair**

**PLANNING COMMISSION AGENDA:**

**MAY 28, 2015**
**JUNE 11, 2015**

**EXHIBIT A-1**

Cedar Landing PUD Revision and Subdivision Plat
PUD-15-043 / LDS-15-044
Conditions of Approval
May 28, 2015

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

**DISCRETIONARY CONDITIONS**

1. Comply with all *Agreed to Stipulations* outlined in the Findings of Fact (Exhibit G);

2. Necessary property line adjustments, right-of-way vacations, and right-of-way dedications shall be completed prior to final plat of the affected phases;

**CODE CONDITIONS**

3. Comply with the Public Works Staff Report received May 29, 2015 (Exhibit H-1);

4. Comply with the Medford Water Commission Memorandum received May 06, 2015 (Exhibit K);

5. Comply with the Medford Fire Department Report received May 06, 2015 (Exhibit I);

6. Comply with the Medford Fire Department Letter and Secondary Access Agreement received April 16, 2015 (Exhibit J); and

7. Comply with the Address Technician Memorandum received May 06, 2015 (Exhibit M).

CITY OF MEDFORD
EXHIBIT # "C"
File # LDS-15-044
REVISION

CITY OF MEDFORD
EXHIBIT# A-1
FILE # PUD-15-043/LDS-15-044

HIGH CEDARS at CEDAR LANDING

PHASE 1 | PHASE 2 | PHASE 3

PHASE 4 | PHASE 5

P.U.D. PLAN
FOR
CEDAR LANDING
A PLANNED COMMUNITY
PROPOSED AMENDMENT
OF
HIGH CEDARS AT CEDAR LANDING PHASE 1
HIGH CEDARS AT CEDAR LANDING PHASE 2
HIGH CEDARS AT CEDAR LANDING PHASE 3
HIGH CEDARS AT CEDAR LANDING PHASE 4
HIGH CEDARS AT CEDAR LANDING PHASE 5

LOCATED IN
SECTION 16, TOWNSHIP 37 SOUTH, RANGE 1 WEST, WM
IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON
(37 S 16 TAX LOT 1400)
(37 S 16CA TAX LOT 3200)

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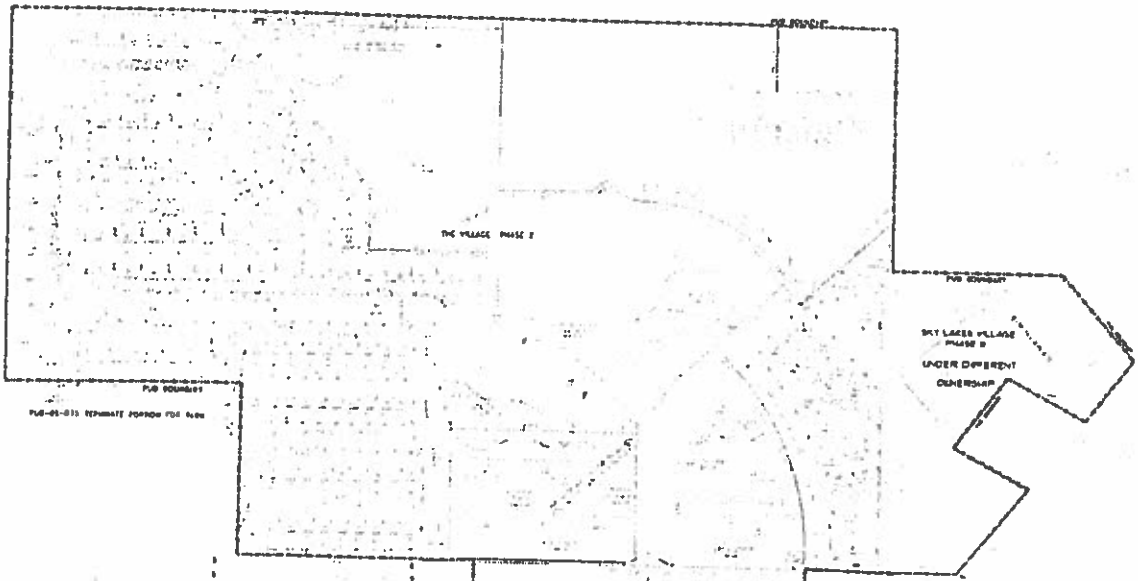
MAR 26 2015
PLANNING DEPT

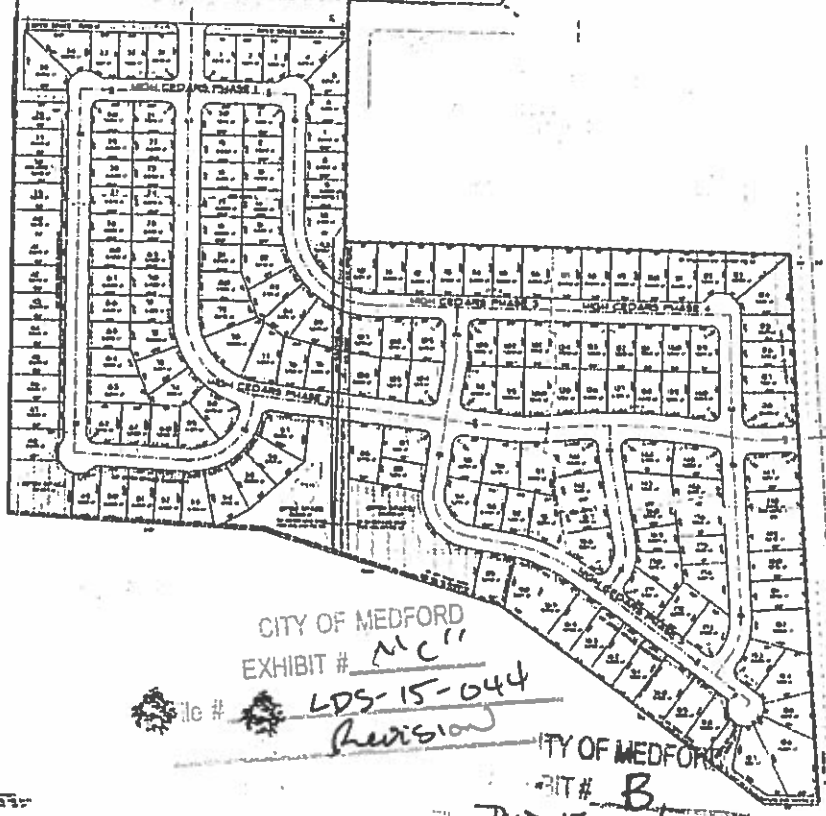
OWNER
CEDAR INVESTMENT GROUP LLC
328 WEST MAIN STREET
MEDFORD OR 97501

APPLICANT
CEDAR INVESTMENT GROUP LLC
328 WEST MAIN STREET
MEDFORD OR 97501

AGENT
HOFFMAN & ASSOCIATES INC
140 DOUGLAS VIEW DRIVE SUITE 201
MEDFORD, OR 97504
(541 779-4641)




VICINITY MAP




NOTES:

GRAPHIC SCALE

CITY OF MEDFORD
EXHIBIT # "C"
File # LDS-15-044
Revision

CITY OF MEDFORD
EXHIBIT # B
File PUD-15-043/LDS-15-044



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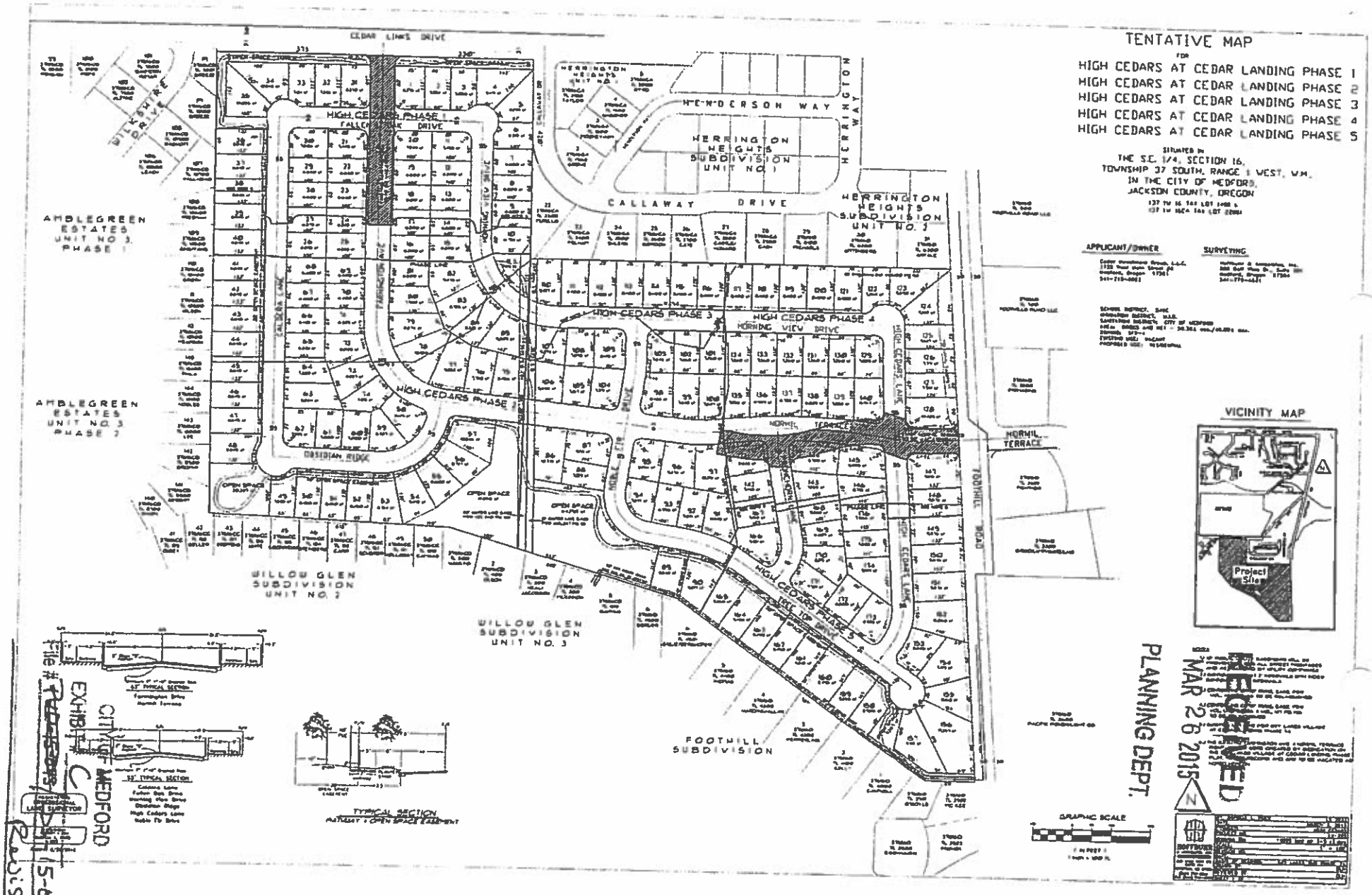
TENTATIVE MAP
FOR
HIGH CEDARS AT CEDAR LANDING PHASE 1
HIGH CEDARS AT CEDAR LANDING PHASE 2
HIGH CEDARS AT CEDAR LANDING PHASE 3
HIGH CEDARS AT CEDAR LANDING PHASE 4
HIGH CEDARS AT CEDAR LANDING PHASE 5
SITUATED IN
THE S.E. 1/4, SECTION 16,
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.
IN THE CITY OF MEDFORD,
JACKSON COUNTY, OREGON
APPLICANT/OWNER
SURVEYING
VICINITY MAP
Project Site
CEDAR LINKS DRIVE
HENDERSON WAY
HERRINGTON WAY
HERRINGTON HEIGHTS SUBDIVISION UNIT NO. 1
HERRINGTON HEIGHTS SUBDIVISION UNIT NO. 2
CALLAWAY DRIVE
HIGH CEDARS PHASE 1
HIGH CEDARS PHASE 2
HIGH CEDARS PHASE 3
HIGH CEDARS PHASE 4
HIGH CEDARS PHASE 5
HORNING VIEW DRIVE
NORMIL TERRACE
FOOTHILL ROAD
OBSIDIAN RIDGE
AMBLEGREEN ESTATES UNIT NO. 3, PHASE 1
AMBLEGREEN ESTATES UNIT NO. 3 PHASE 2
WILLOW GLEN SUBDIVISION UNIT NO. 2
WILLOW GLEN SUBDIVISION UNIT NO. 3
FOOTHILL SUBDIVISION
TYPICAL SECTION
GRAPHIC SCALE
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CITY OF MEDFORD
EXHIBIT C
File # 15-044
Revision



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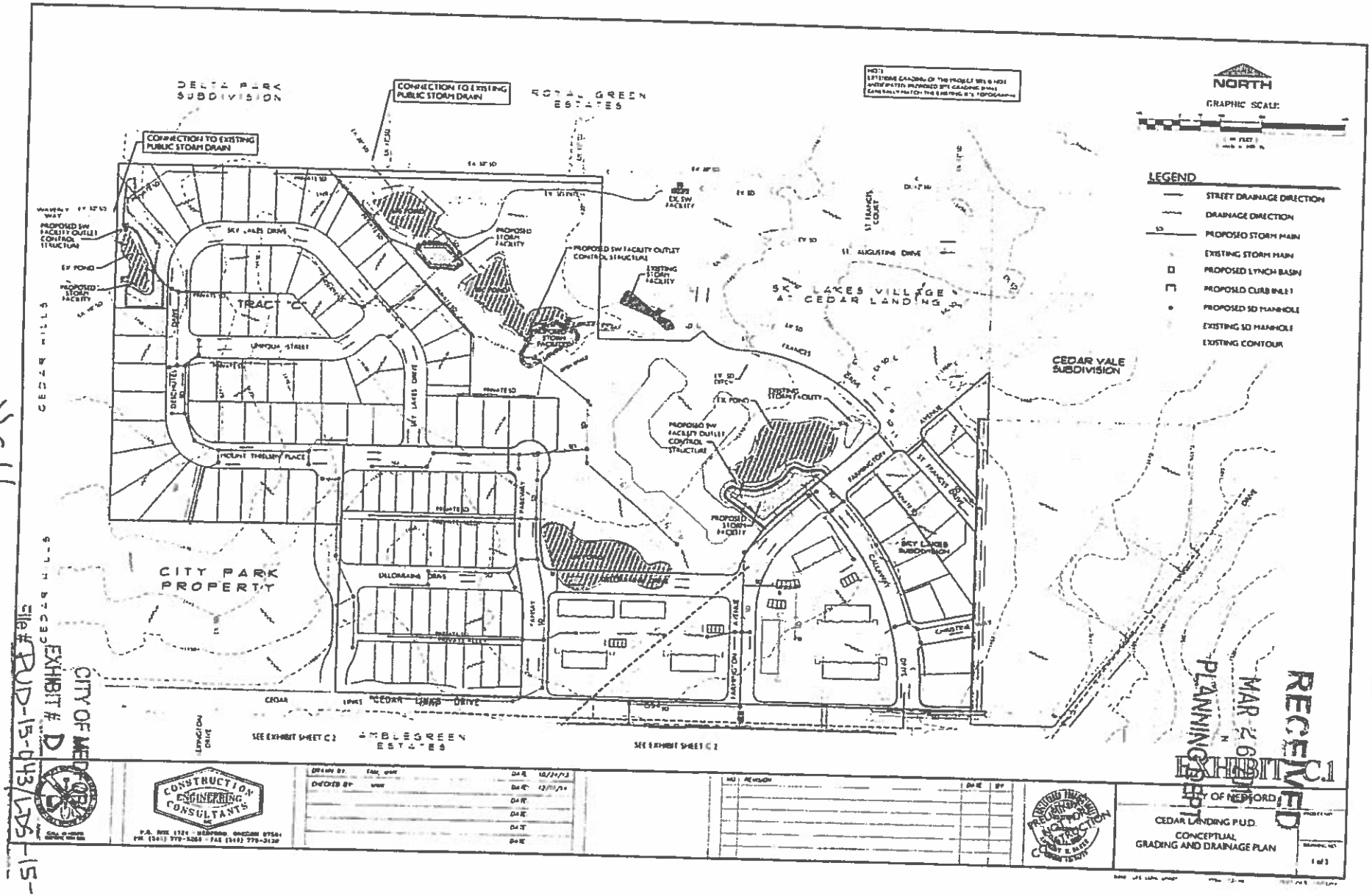
DELTA PARK SUBDIVISION
CONNECTION TO EXISTING PUBLIC STORM DRAIN
CONNECTION TO EXISTING PUBLIC STORM DRAIN
ROYAL GREEN ESTATES
NORTH
GRAPHIC SCALE
LEGEND
STREET DRAINAGE DIRECTION
DRAINAGE DIRECTION
PROPOSED STORM MAIN
EXISTING STORM MAIN
PROPOSED LYNCH BASIN
PROPOSED CURB INLET
PROPOSED SD MANHOLE
EXISTING SD MANHOLE
EXISTING CONTOUR
TRACT "C"
SKY LAKES VILLAGE AT CEDAR LANDING
CEDAR VALE SUBDIVISION
CITY PARK PROPERTY
AMBLEGREEN ESTATES
SEE EXHIBIT SHEET C2
SEE EXHIBIT SHEET C2
CONSTRUCTION ENGINEERING CONSULTANTS
CITY OF NEWFORD
CEDAR LANDING P.U.D.
CONCEPTUAL GRADING AND DRAINAGE PLAN
EXHIBIT C.1
RECEIVED
MAR 26 2014
PLANNING DEPT
CITY OF MEDFORD
EXHIBIT # D
File # PUD-15-043/LDS-15-044

SC 11

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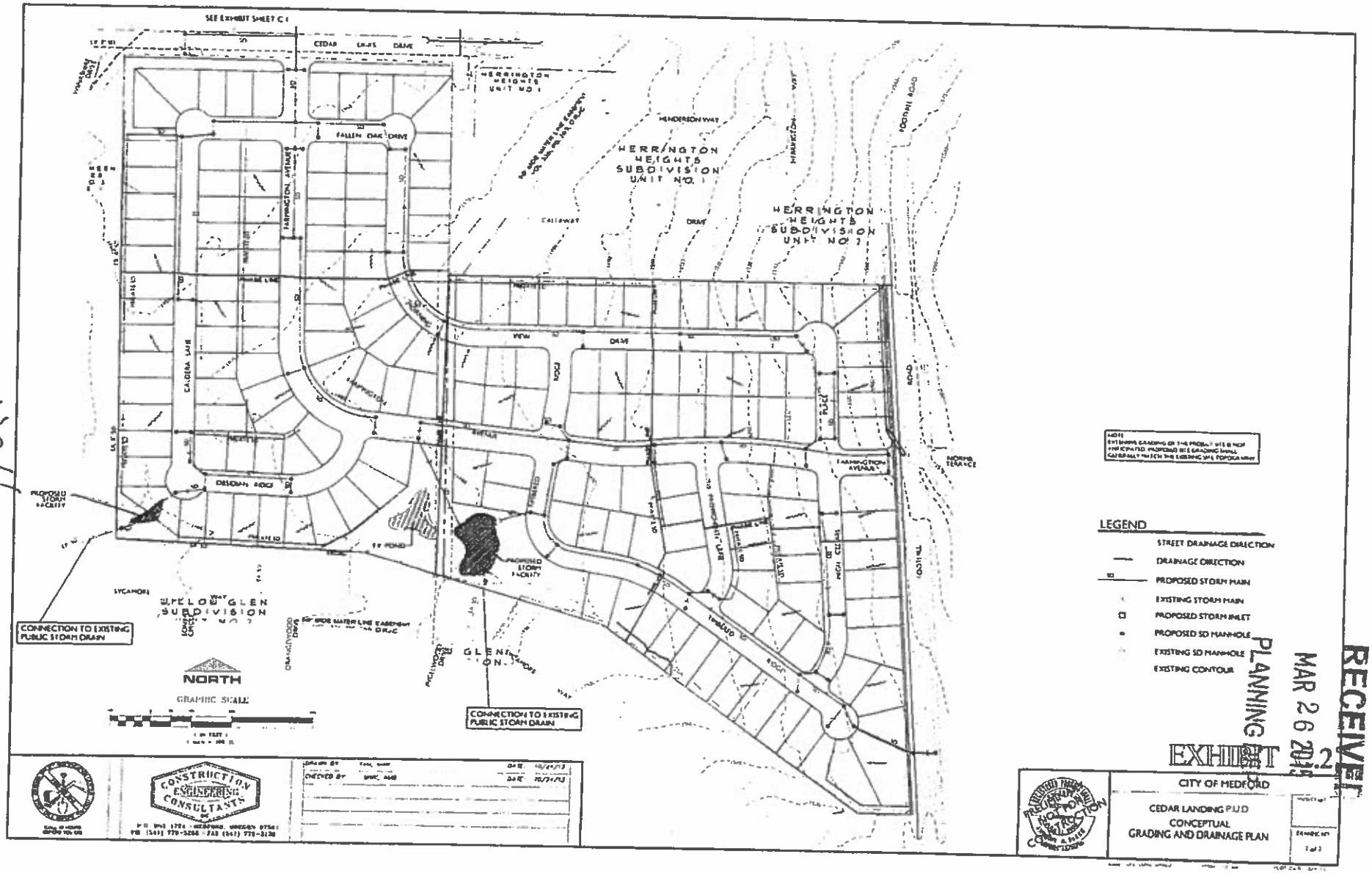


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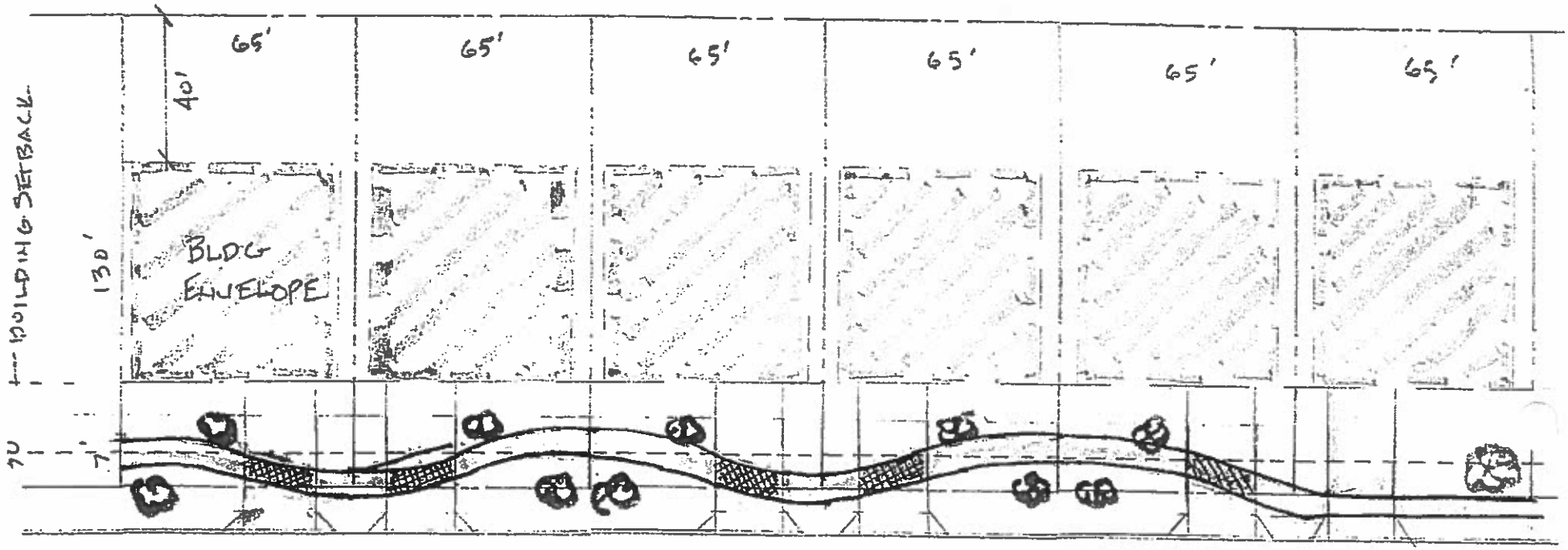
EXHIBIT 2




PROPOSED PATH DETAIL
1" = 40'

20' OPEN SPACE EASEMENT

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EXHIBIT 13

CITY OF MEDFORD
EXHIBIT # E
file # PUD-15-043/LDS-15-044

"C"

22

# STREET TREE & COMMERCIAL AREA MASTER PLAN

FOR

# CEDAR LANDING

A

PLANNED COMMUNITY

CEDAR INVESTMENT GROUP
[illegible] MAIN STREET
MEDFORD, OREGON [illegible]

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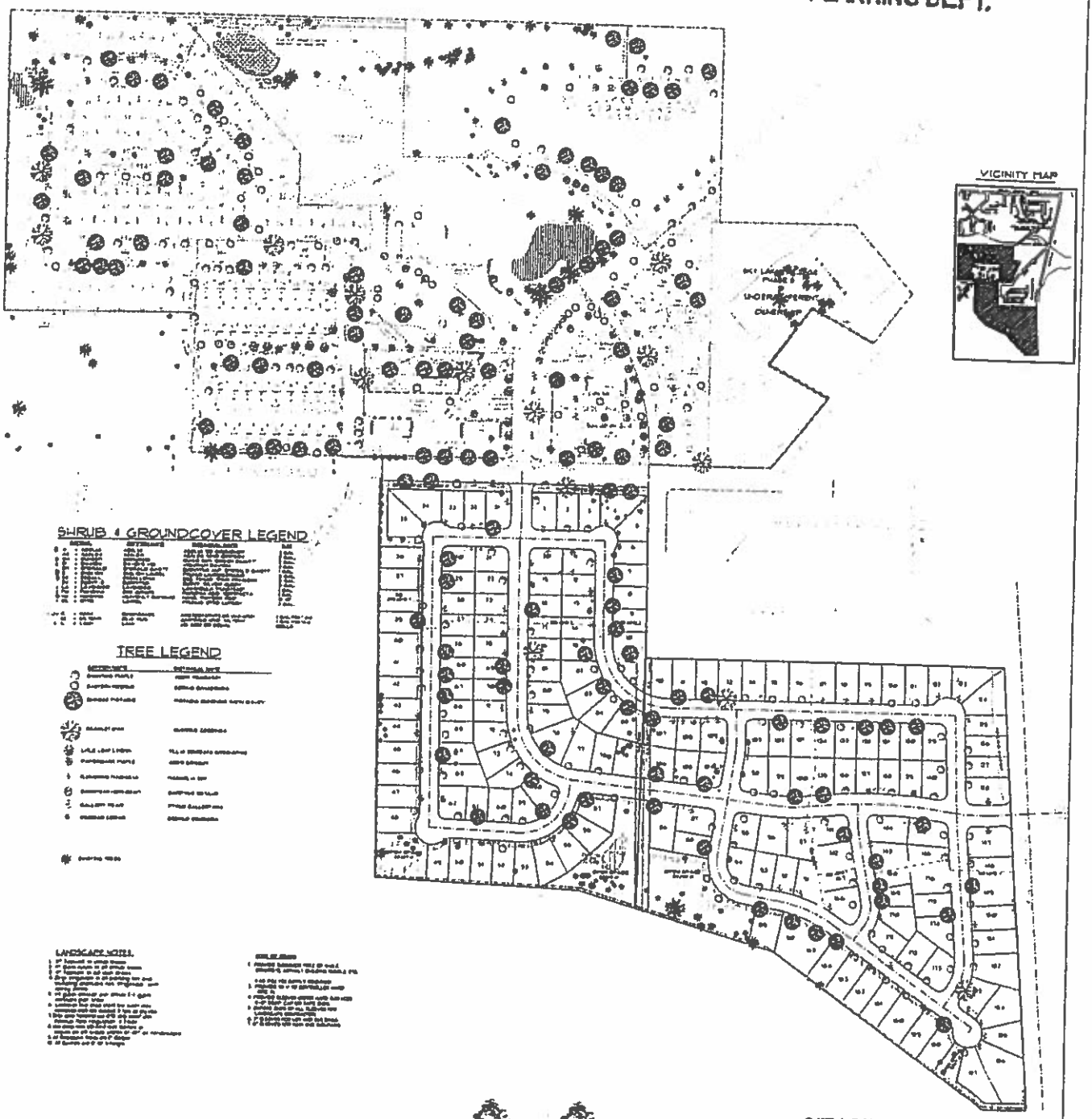
PLANNING DEPT.




CITY OF MEDFORD
EXHIBIT # F
File # PUD-15-043/LDS-15-044

"C"



28

BEFORE THE PLANNING COMMISSION

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

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MAR 26 2015
PLANNING DEPT.

IN THE MATTER OF AN APPLICATION TO AMEND THE CEDAR LANDING PLANNED UNIT DEVELOPMENT PLAN (FILE NO's. PUD-05-35; PUD-13-119; and PUD-14-136) AND TO AUTHORIZE A NEW TENTATIVE SUBDIVISION PLAT FOR THE HIGH CEDARS SUBAREA INCLUDING PHASES 1-5 (PREVIOUSLY PHASES 1 THROUGH 4 OF HIGH CEDARS & PHASE 1 OF THE VILLAGE) AND LIMITED TO THAT PORTION OF THE PUD WHICH IS SITED ENTIRELY ON THE SOUTH SIDE OF CEDAR LINKS DRIVE ON 116.58 ACRES OF LAND ZONED SFR-4 ON LAND THAT IS LOCATED APPROXIMATELY 1,000 FEET WEST OF NORTH PHOENIX ROAD IN THE CITY OF MEDFORD, OREGON

Applicant: Cedar Investment Group, LLC
Agent: CSA Planning, Ltd.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

*Applicant's Exhibit 1*

I

## NATURE AND SCOPE OF APPLICATION

This application involves revisions to the south half of the Cedar Landing Planned Unit Development (PUD) — that portion of the PUD lying south of Cedar Links Drive in incorporated Medford. There are in fact two applications which have been contemporaneously filed concerning this matter:

- Preliminary PUD Plan
- Tentative Plan for Land Division

The proposed PUD amendments seek the following changes:

1. All PUD lands south of Cedar Links Drive will become part of High Cedars Subarea reconfigured into Phases 1 through 5 as illustrated on attached Tentative Plans (Exhibits 7 & 8).

2. All commercial, multi-family and condominium lands lying south of Cedar Links Drive are to be converted to single family detached residential in accordance with the Exhibit 8 Tentative Plat.

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3. The below-grade pedestrian crossing at Cedar Links Drive would not to be constructed.

4. Creation of a single access point to Foothills Road designed to properly align with Normil Terrace. A second access point at Tree Top Drive (as earlier approved as part of PUD-13-119) will be eliminated and not recreated elsewhere.

5. Relocate pedestrian paths from the perimeter of the High Cedars Subarea to the interior.

This document, entitled *Findings of Fact and Conclusions of Law* is submitted into evidence as Applicant's Exhibit 1. Its purpose is to present facts relevant to the applications and show how these support the Planning Commission's final decision. Applicant's Exhibit 1 demonstrates how the evidence, in this instance, supports affirmative decision to approve the applications. Applicant urges that this document and the evidence therein referenced are adopted by the Planning Commission in support of any affirmative decisions the Commission may reach.

II

## EVIDENCE SUBMITTED WITH APPLICATION

Applicant herewith submits the following evidence in support of its applications seeking approval for Preliminary PUD Plan and Tentative Land Division Plat:

**Exhibit 1.** The proposed Findings of Fact and Conclusions of Law (this document) which demonstrates how these modified Preliminary PUD Plans and Land Division applications comply with the applicable substantive criteria of the MLDC

**Exhibit 2.** Jackson County Assessor plat maps T37S-R1W-Sections 16 and 16ca which depict the subject properties. Plat maps T37S-R1W Section 16da is also included to illustrate residual portions of the PUD not proposed to be modified

**Exhibit 3.** City of Medford Zoning depicted on an Aerial Map

**Exhibit 4.** City of Medford General Land Use Plan (GLUP) Map

**Exhibit 5.** Copy of Sky Lakes Village at Cedar Landing Phase 7A Plat

**Exhibit 6.** Aerial Map from 2014 showing improvements to date.

**Exhibit 7.** Preliminary PUD Plan showing the proposed amendments and which reflects modifications currently pending review under City file numbers: PUD-14-136, LDS-14-137 & LDS-14-138

**Exhibit 8.** Proposed Tentative Plat Map

**Exhibit 9.** Proposed Landscape Plan

**Exhibit 10.** Phasing and Infrastructure Plans

**Exhibit 11.** Preliminary Grading and Stormwater Detention Plan

**Exhibit 12.** Foothill Road Preliminary Grading Plan

**Exhibit 13.** Pedestrian Path Detail

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**Exhibit 14.** Neighborhood Meeting Sign-in Sheet and letters of support from neighboring property owners

**Exhibit 15.** Public Notice Area Map

**Exhibit 16.** Wetlands Plan

**Exhibit 17.** Rationale for PUD pursuant to MLDC 10.235(B)(3)

**Exhibit 18.** Proposed Property Line Adjustment Maps and Legal Descriptions

**Exhibit 19.** Completed application forms for Preliminary PUD and Tentative Subdivision Plat and powers of attorney from the record owner of the subject property which permits CSA Planning, Ltd. to act procedurally in its name

III

## RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The criteria under which the applications for Preliminary PUD Plan and Tentative Plat for land division must be approved are in Article II of the Medford Land Development Code (MLDC). The criteria are recited verbatim below and again in Section V where each is followed by the conclusions of law:

### *A. PLANNED UNIT DEVELOPMENT (Revision of an Already Approved PUD)*

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

### *B. APPROVAL OF A (NEW) PRELIMINARY PUD PLAN*

**10.235 Preliminary PUD Plan - Application Procedures.**

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:

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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 ownership, or
   e. is otherwise required by the Medford Land Development Code.

2. The proposed PUD complies with the applicable requirements of this Code, or
   a. the proposed modified applications of the Code are related specifically to the implementation of the rationale for the PUD as described in Section 10.235(B)(3)(a), and
   b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
   c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulations system or the development as a whole.

3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:
   a. Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
   b. Public Facilities Strategy pursuant to ORS 197.768 as amended.
   c. Limited Service Area adopted as part of the Medford Comprehensive Plan.

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

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

   a. Public sanitary sewerage collection and treatment facilities.
   b. Public domestic water distribution and treatment facilities
   c. Storm drainage facilities.
   d. Public streets.

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

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

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

## *C. LAND DIVISION – TENTATIVE SUBDIVISION PLAT*

**10.270 Land Division Criteria.**

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

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

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

(3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or

unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;

(4) Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary, to 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) Has streets that are proposed to be held for private use, that they are distinguished from the public street on the tentative plat, and reservations or restrictions relating to the private streets are set forth;

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

## IV

## FINDINGS OF FACT

The following facts are established and found to be true with respect to this matter:

1. **Subject Property Ownership and Details:** According to the records of the Jackson County Assessor and Medford Planning Department, the entirety of the Cedar Landing PUD includes the properties identified in the table herein below. The parcels affected by the proposed amendments are reported in below Table 1 and indicated in the column titled "Part of Amendment." The subject property includes lands within the Cedar Landing PUD which are located south of Cedar Links Drive and identified on the Sky Lakes Village at Cedar Landing Phase 7A plat as Lots 95, 96, 97, 98 and 99. The subject property is also described on the Assessor's plat map as Township 37 South, Range 1 West, Section 16, Tax Lot 1400 and Township 37 South, Range 1 West, Section 16CA, Tax Lot 2200.[1]

***Table 1***

**PUD Ownership and Value; Authority to Amend the PUD**
Sources: Jackson County Assessor; CSA Planning, Ltd.

| Map & Tax Lot | Acreage | Ownership of Record | Assessed Improvements | Assessed Land | Part of Amendment |
|---|---|---|---|---|---|
| 37-1W-16-1400 | 25.58 | Cedar Investment Group LLC | 0 | 748,230 | Yes |
| 37-1W-16-800 | 32.72 | Cedar Investment Group LLC | 453,120 | 731,670 | |
| 37-1W-16-802 | 1.25 | Jantzer Monty R/Theresa | 0 | 0 | |
| 37-1W-16-803 | 5.42 | Medford City | 0 | 0 | |
| 37-1w-16AC-1100 | 0.65 | Horton Craig Dean/Mary Jane | 402,770 | 112,050 | |
| 37-1W-16BD-200 | 14.73 | Cedar Investment Group LLC | 0 | 867,080 | |
| 37-1W-16BD-211 | 0.55 | Jantzer Monty R/Theresa | 0 | 0 | |
| 37-1W-16BD-214 | 0.4 | Jantzer Monty R/Theresa | 0 | 0 | |
| 37-1W-16BD-300 | 3.32 | Jantzer Monty R | 750 | 125,230 | |
| 37-1W-16BD-400 | 2.73 | Jantzer Monty Ray/Theresa L | 87,150 | 116,390 | |
| 37-1W-16CA-2200 | 22.45 | Cedar Investment Group LLC | 0 | 658,140 | Yes |

[1] The Sky Lakes Village at Cedar Landing Phase 7A plat was recently recorded. As the plat is processed by the Jackson County Assessor the property will be assigned new tax lot numbers, one for each of the lots created in said plat.

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| | | | | | |
|---|---|---|---|---|---|
| Cedar Links Drive R.O.W | 3.1 | | | | |
| Saint Frances, Saint Augustine, & Wheat Ridge Drive | 2.3 | | | | |
| | 115.2 | | | | |

2. **Property Location:** The Cedar Landing PUD property is located on both sides (north and south) of Cedar Links Drive, approximately 1,000 feet of west of North Phoenix Road, comprising what was formerly the Cedar Links Golf Course. The portion proposed to be amended (and subject to these applications) is located south of Cedar Links Drive. The property is within the corporate limits of Medford and its urban growth boundary (UGB). The location of the subject property in relation to the present corporate limits of the City and to other land in the surrounding area is depicted on Exhibit 4

3. **Comprehensive Plan and Zoning:** The property has a General Land Use Plan (GLUP)[2] designation of Urban Residential (UR) and is zoned SFR-4. See, Exhibits 3 and 4

4. **Background; Relevant Prior City Approvals**: The City of Medford has taken several land use actions concerning this property and others are still pending as reported below:

   - **PUD-05-35:** On April 27, 2006, the City of Medford Planning Commission approved PUD-05-35 is a planned unit development (PUD) named Cedar Landing with four sub-areas, each with their own phasing plan, covering approximately 122 acres. The four subareas were as follows:

     - The Village at Cedar Landing with 5 Phases including retirement facilities; mixed use commercial / residential; single family residential and common area / open space
     - Cascade Terrace with Phases with single family residential and open space
     - Sky Lakes Village with Phases with single family residential and open space
     - High Cedars with Phases including 55 and older lots, duplexes, townhomes, single family lots and common area/open space.

     Of the original Cedar Landing PUD, two phases — Phases 5 & 6 of Sky Lakes Village — have received final plat approval by the City and have been developed.

   - **Termination of 5.47 acres for City of Medford Park:** On April 14, 2011 the City of Medford approved the termination of 5.47 acres within Phase 1 of the Sky Lakes Village and Phases 1 and 2 of the Cascade Terrace. The same 5.47 acre was acquired by the City of Medford for a future Neighborhood Park.

   - **PUD-13-119** On February 27, 2014 the City of Medford Planning Commission approved PUD-13-119, an amendment to PUD-05-35. PUD-13-119 dissolved remaining portions of Cascade (following termination noted herein above) into The

[2] Also known as a Comprehensive Plan Map Designation.

Village subarea and renumbered the phases within The Village subarea. The portion formerly within Cascade became phase 1 of The Village.

- **Property Line Adjustments**: Property line adjustments reconfiguring lots 37-1W-16BD-400 and 300 to their current configuration.
- **LDS-13-121** Final Plat for Sky Lakes Phase 7 creating 16 lots on 4.33 acres. Creation of 9 reserve acreage lots throughout the PUD coincident with subarea and phase boundaries. The portion lying south of Cedar Links Drive was recorded as Plat Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community) creating lots 96 through 99 thereof.
- **E-14-136:** Exception to right of way width on north side of Cedar Links Drive currently pending City review.
- **PUD-14-136, LDS-14-137 and LDS-14-138:** Pending revision to the westerly half of Cedar Landing PUD lying north of Cedar Links Drive; Pending minor revisions to roads and lot configurations within Phase 1 of Sky Lakes (Formerly Phases 1-4) creating 60 lots; Pending revision to Phase 1 of The Village (formerly part of Cascade Terrace) creating 38 lots

5. **Surrounding Land Uses**: All surrounding lands are zoned SFR-4 as shown on Exhibit 3. With exception of lot 37-1W-16D-3600 lying east of Foothill Road that is comprised of more than 50 acres is owned by PacifiCorp that is partially developed with a substation. All surrounding lands are developed single family residential lots and dwellings.

6. **PUD Ownership and Structural Development Summary**: The following Table 2 reports the development status of the various parcels/portions of the PUD and Table 3 reports Vacant Acreage Ownership:

***Table 2***

**PUD Ownership by Tax Lot**

Sources: Jackson County Assessor, CSA Planning, Ltd.

| Map & Tax Lot | Acreage | Ownership | Development Status | Assessed Improvements | Assessed Land | Total Assessed Value |
|---|---|---|---|---|---|---|
| 37-1W-16-1400 | 25.58 | Cedar Investment Group LLC | Vacant | 0 | 770670 | 770670 |
| 37-1W-16-800 | 32.72 | Cedar Investment Group LLC | Club House & Related Parking | 466710 | 753620 | 1220330 |
| 37-1W-16-802 | 1.25 | Jantzer Monty R/Theresa | Vacant *(open space common area)* | 0 | 0 | 0 |
| 37-1W-16-803 | 5.42 | Medford City | Vacant *(Portion of Former Golf Course Parking Lot for Club House)* | 0 | 0 | 0 |
| 37-1w-16AC-1100 | 0.65 | Horton Craig Dean/Mary Jane | Single Family Dwelling | 358100 | 164500 | 522600 |
| 37-1W-16BD-200 | 14.73 | Cedar Investment Group LLC | Vacant *(Portion of Former Golf Course Small Parking Lot)* | 0 | 893090 | 893090 |
| 37-1W-16BD-211 | 0.55 | Jantzer Monty R/Theresa | Vacant *(Portion Former Golf Kart Path)* | 0 | 0 | 0 |
| 37-1W-16BD-214 | 0.4 | Jantzer Monty R/Theresa | Vacant *(open space common area)* | 0 | 0 | 0 |
| 37-1W-16BD-300 | 3.32 | Jantzer Monty R | Vacant *(small shed was removed)* | 770 | 128980 | 129750 |
| 37-1W-16BD-400 | 2.73 | Jantzer Monty Ray/Theresa L | Single Family Dwelling & Pool | 89750 | 119890 | 209640 |
| 37-1W-16CA-2200 | 22.45 | Cedar Investment Group LLC | Vacant | 0 | 677880 | 677880 |

*Table 3*

**Vacant PUD Ownership Totals and Percentages**
Sources: Jackson County Assessor; CSA Planning, Ltd.

| Vacant Ownership | Vacant Acreage | Percent of Vacant Acreage | Value of Vacant Acreage | Percent of Vacant Property Values |
|---|---|---|---|---|
| CIG | 62.76 | 85% | $2,341,640 | 95% |
| Jantzer | 5.52 | 7% | $129,750 | |
| City of Medford | 5.42 | 7% | 0 | |
| Totals | 73.7 | | $2,471,390 | 100% |

Cedar Investment Group LLC (CIG) owns 85 percent of the vacant land within the PUD area and 95 percent of assessed value of the vacant lands.

7. **Topography**: Most of the property is gently sloped and drains to the northwest with slopes of approximately 2 to 3 percent. The steepest portions of the property proposed for development are those lying along Foothill Road where there are slopes of approximately 12 percent. See item 11 herein below related to slopes in excess of 15%.

8. **Floodplain; Wetlands; Drainage:** There is no 100-year mapped floodplain on the property. Portions of the property contain wetlands as indicated on Exhibit 16. Drainage is generally to the northwest. Applicant's drainage plan is submitted as Exhibit 11. Wetlands within the property have been delineated and preservation/mitigation plans have been approved by the required State and Federal agencies as a part of the approval of Cedar Landing PUD. This application will not result in development that will impact any of the identified wetland areas and the proposed PUD plans are consistent with the approved wetland mitigation plan.

9. **Neighborhood Circulation Plan:** The proposed subdivision is not located within one of Medford's Adopted Neighborhood Circulation Plans, however is located within the approved Cedar Landing PUD Master Plan.

10. **Proposed PUD Revisions:**

The entirety of the Cedar Landing PUD lying south of Cedar Links Drive is the area subject to the proposed changes. With exception of Phase nomenclature, neither PUD13-119 nor PUD14-136 (currently pending review) modified or will have the effect of changing any portion of the PUD lying south of Cedar Links Drive. The following is a comparison of what was approved for the subject area under the original PUD05-35 and carried forward through PUD14-136 to what is now proposed.

*Table 4*

**Comparison of Current versus Proposed Uses within Area of Change**
Sources: Jackson County Assessor, CSA Planning, Ltd.

| Use Comparison on Lands South of Cedar Links Drive | Approved per PUD-05-035; PUD-13-119 and Pending PUD-14-136 | Proposed |
|---|---|---|
| **Commercial (square feet)** | | |
| N/C-S/P commercial | 23,016 | 0 |
| **Residential (units)** | | |
| Senior SINGLE FAMILY DWELLING | 34 | 0 |
| Condominium Units | 13 | 0 |
| SFR | 65 | 176 |
| Duplex Units | 22 | 0 |
| Townhomes | 36 | 0 |
| **Total Residential Units** | 170 | 176 |

Applicant herewith testifies that because of neighborhood concerns and market demand, the commercial and multi-family elements have been removed from the High Cedars subarea. *The congregate care and commercial components of the overall PUD that are situated north of Cedar Links Drive are unchanged by this application.* Applicant further testifies that the proposed changes will better comport with the permitted uses and intent of the underlying SFR-4 zone (because this proposal contains fewer deviations from the base standards of the MLDC) and will produce maintain better compatibility with the surrounding residential neighborhood.

The following explains the nature and extent of the Project in relation to the proposed changes herewith sought:

A. **Land Division; Lot Layout:** The proposed land division is depicted on the Exhibit 8 Tentative Plat Map. The plan for land division proposes the creation of up to 176 single family residential lots and approximately 5.0 acres of common area open space consisting of walking paths, a larger open space of roughly 2.5 acres is located centrally along the property's south boundary and two small open space nodes along the pedestrian paths at the east and west ends of the property along its south boundary. The trails/paths are interconnected with street-side sidewalks and provide enhanced pedestrian and bicycle opportunities. The large open space is intended to provide passive recreation opportunities for residents of the neighborhood.

B. Of the approximately 5.0 acres, approximately 3.9 acres is to be in common lot ownership[3] and the remaining 1.1 acres is by way of open space easements where the pedestrian paths traverse the fronts of lots. Both categories of open space are

[3] Common ownership means owned in common by the unit owners within the PUD.

to be maintained by the homeowners' association. The areas shown in green on Exhibits 7 and 9 constitute the common areas just explained.

a. **Setbacks:** All proposed lots can and will comply with the standard structural setbacks for the underlying SF-4 zone with the following exceptions, which constitute minor modifications from the strict provisions of the MLDC. See, Exhibit 7.

   i. To accommodate the proposed meandering path as further explained in in Item C below, Lots 36 – 57, 89 – 90, and 158 – 165 propose a front yard setback of 33 feet. This will allow for not less than a 20-foot deep parking area within the driveway between the path and the structural improvements. The setbacks are assured through the establishment of building envelopes. Also see Exhibit 13, a detail of the pedestrian path in relation to dwellings and driveways.

   ii. Applicant seeks flexibility under the PUD provisions herein related to the side-yard setbacks on lots 75, 85, 106, 107 & 110 where (in Exhibit 8) each of these lots is shown as accommodating an open space easement. Applicant requests the option of either utilizing an easement (as depicted on the preliminary plans in Exhibits 7 and 8 or be allowed to accommodate the open space areas as lots reserved for open space and owned in common by the Association of Unit Owners. If said area is perfected as an open space lot, Applicant requests a four-foot side-yard setback for structural improvements to the open space lot side. If the said areas are perfected as an open space easements, the standard side yard setbacks would apply.

b. **Block Lengths:** *All block lengths are consistent with the original approved PUD.* The two interior blocks bound by Caldera Lane, Obsidian Ridge, Fallen Oak Drive, Morning View Drive and Farmington Avenue (primarily within Phases 1 and 2) are 820 and 920 feet respectively. Accordingly the blocks exceed the 660-foot maximum block length prescribed in MLDC 10.426(2)(C). The 920-foot block includes a pedestrian path crossing at approximately 660 feet. Based on the north-south street orientation, pedestrians are able to easily connect with the open space lands by way of the proposed pathways and sidewalks (either of which connect all lots in the project). Additional cross streets between the blocks would serve little purpose to accommodate neighborhood interconnectivity, would create additional crossing impediments for pedestrians using the north-south path system (which connects residences to the open space areas) and impinges on the cost effective delivery of housing by devoting land to public streets without, in this instance, significant purpose. The same would also require future public maintenance of the additional streets.

c. **Double Frontage/Through-Lots:** See Item 10(E)(d) herein below.

C. **Residential Density Calculations (Overall PUD):** The following constitutes facts which relate to the entire Cedar Landing PUD:

a. Density Facts

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i. Total PUD acreage: 116.58 acres

ii. SFR-4 Allowable Density Range: 291 to 466 units

iii. 20% Allowable PUD Density Bonus: 93 units

iv. Maximum allowed units including density bonus: 559 units

v. Congregate Living Single Family Residential Equivalency: 0.70

b. Proposed Densities with Revisions

i. Single Family Lots: 335 units

ii. Condominium Units: 21 units

iii. Congregate Living (150 units @ 0.7): 105 units

iv. Total Units 461

v. Open Space Acres: 17.9

vi. Open Space Percent of Project: 15.35%

c. Density Results:

i. Percent of total units at SFR-4 Density: 98.9% (465 of 466)

D. **Path:** The previous plan contemplated a multi-use path around a significant portion of the development's exterior perimeter which produced criticism and opposition from existing neighborhood residents. In response, the paths in the proposed plan have been relocated to the Project's interior, with near unanimous support. The pathways continue to tie the residential neighborhood to common area open space lands. Following are details related to the proposed interior path.

a. See attached Path Diagram (Exhibit 13)

b. 20-foot open space easement

c. Meandering 7-foot wide path

d. Two street trees per frontage

e. House front setback of 33 feet from edge of right of way to accommodate appropriate driveway parking

E. **Streets and Transportation**

a. **General Layout / Frontage**

The proposed street layout is similar to what is presently approved and all streets are proposed to be dedicated as city residential streets (See, Exhibits 7 and 8 for layouts and cross sections). The design is such that the development has two points of access in and out of the area. Farmington Avenue connects with Cedar Links Drive, a city major collector at the north end and Normil Terrace connects with Foothill Road, a city major arterial at the southeast end. As illustrated in the attached Phasing plans (Exhibit 10) temporary emergency

vehicle turn-arounds will be provided at street stubs[4] commensurate to each phase.

b. **Connection at Foothill Road**

The Proposal in these applications serves to eliminate an approved connection to Foothill Road at High Cedars in favor of the single connection at Normil Terrace. The connection at Timbered Ridge (now Tree Top Drive) was approximately 550 feet from the Normil Terrace connection, a distance acceptable along a major arterial but less than ideal, prompting Applicant to eliminate the additional connection. The second connection at Timbered Ridge (Tree Top Drive) was not necessary to accommodate traffic volumes. Nor was it necessary to address traffic safety concerns. In fact, its elimination will benefit traffic safety along Foothill Road by minimizing the connections along this major arterial. Approval of the amended master plan for Cedar Landing PUD contained a design for a vertical separation feature along the Foothills Road frontage which will be constructed as part of this project. The separation See, Exhibit 12 for a detail of the design.

As evidenced by the attached Tentative Plan, there is adequate area to accommodate all necessary improvements along Foothill Road consistent with prior approvals.

Applicant is aware that improvements to Foothills Road will be necessary as part of its project. However, Applicant is aware that the City of Medford is now undertaking a study (the Foothills Corridor Study) to ascertain the best solutions for improving Foothills Road. The study has not yet been approved by the City Council. As such, the results of that study and improvement requirements to Foothills Road may necessitate minor design changes to the proposed Tentative Plat which would be reflected in the Final Plat for this land division.

c. **Rights-of-Way to Be Vacated**

Sky Lakes Village at Cedar Landing Phase 7A created rights-of-way for Normil Terrace and Farmington Avenue that were accepted by the City and have been recorded. The rights-of-way were necessary to provide frontage and lawful access to the five lots created under said division.[5] As a condition of approval, Applicant agrees to stipulate to partial vacation of portions of the right of way that do not comport with the proposed tentative plans. Commensurate with the vacations will be requests for portions of rights of way as shown on the attached plan to be accepted by the City – in order to assure appropriate frontage for and access to each underlying lot. The existing right-of-way dedications to be vacated and the new rights-of-way to

[4] The terminus of each street to less than its planned length is referred to as a street stub. The City may also require a "street plug" in each location.

[5] This was done so that each of the then contemplated phases would have lawful access under the MLDC.

be dedicated as part of the Final Plat for this land division are shown on Exhibit 8.

**d. Access Restrictions; Double Frontage/Through Lots**

Proposed Lots 5 and 6 of Phase 1 will have frontage on both Morning View Drive and Callaway Drive. Proposed Lots 124-128 and Lots 147 -148 will of Phase 4 and proposed Lots 149-156 of Phase 5 will have frontage on High Cedars Lane and Foothill Road.

As a condition of approval, Applicant has agreed to stipulate to restrict access for Lots 5 and 6 to Morning View Drive only. Direct access to lots 5 and 6 will not be permitted from Callaway Drive. Similarly, access for Lots 124-128 and 147-156 will not be permitted from Foothill Road. Said lots will be permitted access from High Cedars Lane only. Lots 128 and 147 (which also front upon Normil Terrace) will be permitted access from High Cedars Lane only.

Agreed to stipulations are summarized in Section VI.

**e. Cul-de-sacs**

The development includes one small cul-de-sac situated in the southeast corner of Phase 4, off of High Cedars Drive a proposed local city street. The configuration and dimensions of the cul-de-sac are illustrated on the attached plans. The cul-de-sac is needed to provide access to a corner of the property that meets at an oblique angle which makes access otherwise difficult. See, Exhibit 8. Lot frontages within the cul-de-sac range from 31 feet to 53 feet and the paved cul-de-sac curve radii is 45', consistent with MLDC 10.450(2).

Pursuant to MLDC 10.450 cul-de-sacs are only permitted under certain circumstances. These include circumstances where it is not possible to create a street pattern which meets the design requirements for streets. In this instance the cul-de-sac here proposed arguably just barely meets that terms definition but is needed because the cul-de-sac cannot reasonably be extended. It cannot be extended to the east due to severe grade changes and the creation of a "too-close" intersection at Foothills Road in relation to the nearby intersection with Sycamore Way. A new intersection would similarly need to be located on a curve in Foothills Road and produce an avoidable safety issue. The cul-de-sac similarly cannot be extended south to connect with Sycamore Way as doing so in this location would impermissibly Sycamore in a location that is too near its intersection with Foothills Road. For these reasons, Applicant has elected to place a cul-de-sac in the location specified and asserts that through the findings of fact thus offered above, that this Proposal complies with the requirements in MLDC 10.450 to enable use a cul-de-sac.

**f. Intersection of Cedar Links Drive and Foothill Road**

A condition of approval for PUD-05-035 required a new signalized intersection with Cedar Links Drive and Foothill Road. Said offsite improvement has been recently completed and is pending acceptance by the City.

g. **Transportation General**

The original Cedar Landing PUD included a Traffic Impact Analysis (TIA) that related to the entire Cedar Landing PUD project. As described herein above, this proposal results in a significant reduction in areas to be devoted to commercial uses and access to a major arterial (Foothills Road) has to be reduced from two to one. The significant reduction in commercial land (and its potential uses) in turn reduces the number and types of vehicular trips at the intersections then studied. In short, this Proposal results in reductions in potential traffic loading in comparison to the PUD plans now approved. Additionally, this Proposal reduces the number of connections to Foothill Road from two to one and the same will increase safety consistent with objectives expressed in the TSP which seek to minimize access to major arterials for better traffic throughput. Based on the foregoing, there is no need for additional analysis of transportation impacts.

**F. Landscaping**

Applicant's Exhibit 9 is a landscape plan depicting all proposed vegetative plantings. Note that the plan calls for two street trees per frontage for lots crossed by the proposed meandering pathway, including Lots 36 – 57, 89 – 90, and 158 – 165.

**G. Phasing**

a. The plan proposed five phases within the High Cedars subarea as illustrated on Exhibits 7-11. The improvements associated with each phase are identified on the Phasing Plan, Exhibit 10.

b. As explained herein above, temporary emergency access will be provided at street stubs commensurate with the development of each phase.

c. As a condition of approval, Applicant has agreed to stipulate to providing temporary emergency vehicular access turn-arounds with each phase. See, Section VI.

**H. Property Line Adjustments**

Property line adjustments associated with this project are necessary in order to align the underlying property lines with proposed phase boundaries for purposes of financing and potential sale. Applicant has agreed to stipulate to execute the appropriate property line adjustments to serve this objective. There are sections of roadway proposed to provide access to some of the proposed tracts and these are proposed simply to prevent the future tax lots from being landlocked and conforming to similar requirements in the MLDC. The street stubs will not produce issues with traffic circulation because there will not be any traffic generated by these future phases until they are first finally approved by the City. Before housing and supporting public facilities can be built on each of the future phases, the City must first approve a Final Plat for land division.

**I. Summary of Comparative PUD Modifications**

The proposed PUD request includes minimal modifications of the MLDC. See, Section IV(10)(B) herein above.

- Table 4 herein above summarizes the proposed changes to the south half of Cedar Landing PUD.
- Section IV, Items 10(B)(a) and (b) herein above describe the three minor requests for modifications of the code related to: flexibility in application of a side-yard setback for specific interior lots, increased front-yard setback for lots that are crossed by the proposed mult-use path and a slight modification to the minimum block-length standards.

Block length standards are found in MLDC 10.426. Residential setback standards are found in MLDC 10.710. Authority to flex the above standards is found under MLDC 10.230(D)(1)-(5).

11. **Hillside:** A very small amount of land in this project exceeds 15%. These steeper slopes are isolated in a narrow band adjacent to Foothills Road and the Medford Irrigation District canal that came about because of their construction, creating the sometimes steep embankment. The entire area will likely be eliminated when the anticipated Foothill Road widening/improvement project takes place and the irrigation canal is likely to be placed underground. There will be resulting fill slopes from the new construction that also will exceed 15 percent per the plans in Exhibit 12 where the slopes are to be terraced, landscaped and integrated into the vertical separation feature for Foothills Road. A detail for the separation feature is shown on the Exhibit 9 Landscape Plan submitted with this application. See also Exhibit 12.

12. **Neighborhood Meeting:** Applicant conducted a neighborhood meeting in accordance with the requirements of the MLDC. Attached to this land use application are the Neighborhood Meeting Certificate of Mailing Form and the Neighborhood Meeting Verification Form. The meeting was held February 4, 2015 and was attended by no less than 24 property owners (sign-up sheet attached). Applicant asserts that the surrounding neighborhood appeared near unanimous in its support of the plans now proposed while the earlier approved plan (proposed here to be replaced, in part) was strongly opposed.

13. **Impacts to Essential (Category "A") Public Facilities:** Due to the reduction in commercial uses, this amendment is not expected to have an appreciable effect on the demand for Category A public facilities when compared to the current and valid PUD approval. An analysis of adequacy of public facilities and services, including those denoted as Category A, are not required as part of the instant applications unless there are "proposed uses not allowed in the underlying zone pursuant to MLDC 10.230(D)(7)(c)." In this instance, no new uses of that category are proposed and in fact the same are being reduced over the amounts earlier approved by the City. The reductions come by way of exchanging commercial land/uses for single family detached housing. It is well established that single family dwellings on average produce less traffic than that which is generated by the kinds of shopping, offices and other commercial uses that this project originally contemplated.

V

## CONCLUSIONS OF LAW

The following conclusions of law are based on the evidence enumerated in Section II and the findings of fact contained in above Section IV and which relate to the approval criteria for a Preliminary PUD Plan and Tentative Subdivision Plat Approval. The approval criteria are recited verbatim below and are followed by the conclusions of law of the Planning Commission.

The Conclusions of Law are separated and addressed in four parts which seek the following approvals:

A. **Approval for Revision of an Approved PUD.** Here the Commission concludes with respect to threshold standards whether this PUD can be revised.

B. **Approval of the Preliminary PUD Plan.** In this portion of the Conclusions of Law the Commission concludes with respect to the changes sought in this application for the PUD by issuing its conclusions regarding the standards and criteria for **Preliminary** PUD Plan approval.

C. **Approval of the Tentative Plat for Land Division.** Here the Commission concludes with respect to standards and criteria in the MLDC prerequisite to approving the first step of a land division.[6]

### *A. PLANNED UNIT DEVELOPMENT (Revision of an Already Approved PUD)*

#### *PUD Revision Criterion 1*

**10.245 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 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 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 City. 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 10.235(B) 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.

**Conclusions of Law**: Based upon the facts found in Item #5 of the Findings of Fact in Section IV above, the Planning Commission concludes that Cedar Investment Group, LLC is the Applicant and is an entity that owns more than 50 percent of the vacant land covered by the approved PUD and also owns more than 50 percent of the total assessed value of the of the vacant portion of the PUD. Based upon the record, the Planning Commission further

[6] Subdivisions (land divisions) are a two-step process

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concludes that Applicant has provided all the requisite materials for the nature and scope of the PUD revision. Based upon the balance of the conclusions of law provided herein, the Planning Commission further concludes that the PUD revision has followed the same procedures used for the initial approval. As such, the Commission concludes that this application is consistent with PUD Revision Criterion 1.

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### *PUD Revision Criterion 2*

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.

**Conclusions of Law:** The Planning Commission concludes that Applicant in this instance has not requested a consolidated review for both Preliminary and Final PUD Plan.

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### *PUD Revision Criterion 3*

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

**Conclusions of Law:** The Planning Commission concludes that its review has properly been limited to the specific nature and magnitude of the proposed revision and the revision has properly relied upon the design and development aspects of the whole PUD in its consideration of this matter. The developed portion of the PUD includes single family residential development in an area not adjacent to or within close proximity to the proposed changes. The Planning Commission concludes the proposed single family units are compatible with the developed single family portions nearby and there is nothing in the proposal that is incompatible. For these reasons, the Commission concludes that this application is consistent with PUD Revision Criterion 3.

**Summary Conclusions of Law:** Based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that it is lawfully possible (and desirable) to permit the revision of the Cedar Landing PUD because the revisions are within the clearly established eligibility standards which have been cited and addressed above as PUD Revision Criterion 1 through 3. Therefore, the Planning Commission concludes that this proposed PUD revision can proceed.

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## *B. APPROVAL OF A PRELIMINARY PUD PLAN*
## *(Approval of an New Preliminary PUD Plan to Replace the Plan Already Approved)*

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**MLDC 10.235 - Preliminary PUD Plan - Application Procedures.**

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:[7]

### *PUD Criterion 1*

1. The proposed PUD
   a. preserves an important natural feature of the land, or
   b. includes a mixture of residential and commercial land uses, or
   c. includes a mixture of housing types in residential areas, or
   d. includes open space, common areas, or other elements intended for common ownership, or
   e. is otherwise required by the Medford Land Development Code.

**Conclusions of Law:** Based upon the evidence, the Planning Commission concludes that the existing PUD includes a mixture of residential housing types, commercial uses and planned open spaces and the proposed (revised) PUD will also contain mixtures of residential housing types, commercial land uses and common trails and open spaces. The PUD will also continue to preserve important natural features (such as the large pond) which were once a part of the Cedar Links Golf Course. For the reasons stated, the Commission concludes that this application to revise the PUD with this new Preliminary PUD Plan is consistent with PUD Criterion 1.

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### *PUD Criterion 2*

2. The proposed PUD complies with the applicable requirements of this Code, or
   a. the proposed modified applications of the Code are related specifically to the implementation of the rationale for the PUD as described in Section 10.235(B)(3)(a), and
   b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
   c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

**Conclusions of Law:** The Planning Commission concludes that this criterion is in three subparts, each of which is addressed as follows:

**PUD Criterion 2, Subpart 'a':** With respect to Subpart 'a' the Commission concludes that the Proposed Modified Applications of the Code ("the deviations") have been carefully set forth in the findings of fact in Section IV and consist of the following:

- Minor modification to minimum block lengths.
- Reduced side-yard setbacks for lots adjacent to interior open space, in the event said open space is established as common lot in lieu of easement
- Increased front-yard setback for lots crossed by the proposed multi-use path.

[7] The Applicant observes that the Planning Commission is under the same obligation to apply the criteria to a revision as it was the original application and that retention of previously imposed conditions that are not necessary to satisfy the relevant substantive criteria is no more proper than imposition of such conditions on the original approval.

Moreover, Applicant has explained the rationale for the PUD as required in MLDC 10.235(B)(3) and the same is included in Exhibit 17. The proposed modifications are consistent with and deemed to specifically relate to the implementation of stated rationale.

**PUD Criterion 2, Subpart 'b'**: With respect to Subpart 'b' the Commission concludes that the Proposed Modified Applications of the Code ("the deviations") enhance the development as a whole resulting in a more desirable project. The setback flexibility is related to the implementation of open space and path network serving the neighborhood. Said amenities enhance the development as a whole.

**PUD Criterion 2, Subpart 'c'**: With respect to Subpart 'c' the Commission concludes that the Proposed Modified Applications of the Code ("the deviations") will in no way impair the function, safety, or efficiency of the circulation system or the development as a whole. The entirety of lands surrounding the proposed site, are comprised of fully-built residential neighborhoods without any street connections into the subject property, thereby making it impossible to create local street connections in a manner that can accommodate the maximum required block lengths. The proposed street connections with Cedar Links Drive and Foothill Road were previously evaluated and deemed both safe and adequate in prior approvals. Nothing in the proposal will materially impair the the safety, efficiency or functionality of the circulation system or development as a whole.

Based on the Section II Attached Evidence, Section IV Findings of Fact and discussion herein above, the Planning Commission concludes that overall, there is nothing in the proposed PUD revisions that changes the rationale and basis for the code modifications under the PUD ordinance already approved. With respect to the specific request for modifications to the block length and option to reduce setbacks adjacent to interior open space common lots, the Planning Commission relies on the evidence provided in Section II and Findings of Fact Section IV and concludes the proposed modifications are consistent with all subsections a, b and c herein.

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### *PUD Criterion 3*

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

   a. Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
   b. Public Facilities Strategy pursuant to ORS 197.768 as amended.
   c. Limited Service Area adopted as part of the Medford Comprehensive Plan.

**Conclusions of Law**: The Planning Commission concludes the existing approved PUD was not found to be subject to any of the above named limitations and there is nothing in this PUD revision application that would cause it to become subject to any of the above. Prior approvals required the installation and completion of a traffic signal at the intersection of Cedar Links Drive and Foothill Road which has since been completed. However, the earlier condition which required that public facility improvement did not (and does not now) constitute a moratorium, public facilities strategy or limited service area. Therefore, Based upon the foregoing findings of fact and conclusions of law, the Planning Commission

concludes that the application is consistent with the requirements of PUD Criterion 3.

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### *PUD Criterion 4*

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

**Discussion; Conclusions of Law:** The Planning Commission concludes that the common elements in this PUD consist of the open spaces, including its trails interconnected with sidewalks, large and small open space nodes as shown on Applicant's plans in Exhibits 7, 8 and 9. The function of the open space elements is explained in the findings of fact in Section IV. Applicant asserts and the Commission agrees that Applicant's plans speak for themselves with respect to the location, size, shape and character of the planned open space common elements and the Commission further agrees that these are appropriate for the intended use and function, consistent with PUD Criterion 4.

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### *PUD Criterion 5*

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

   a. Public sanitary sewerage collection and treatment facilities.
   b. Public domestic water distribution and treatment facilities
   c. Storm drainage facilities.
   d. Public streets.

   Determination of compliance with this criterion shall be based on 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.

**Conclusions of Law:** Based upon the findings of fact in Section IV the Planning Commission concludes that with the net overall reduction of commercial uses by 23,000 square feet, the demand on Category A public facilities is likely to be less than that which was previously approved and nothing about the changes are expected to negatively affect the demand for public sanitary sewerage collection and treatment, water supply, storm drainage or traffic upon public streets. In fact, traffic resulting from the proposed PUD revisions will appreciably reduce projected traffic levels. Therefore, Based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of PUD Criterion 5.

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### *PUD Criterion 6*

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

**Conclusions of Law**: The Planning Commission concludes the PUD revision herein sought does not include uses subject to conditional use permit criteria. To the contrary, this application seeks to reduce uses that trigger the necessity to show compliance with the conditional use permit criteria pursuant to PUD Criterion 6 above. Moreover, to the extent that portions of the PUD, not subject to this request for modification, were approved for commercial uses, the Planning Commission also holds that the same uses are now permitted, not subject to this PUD revision application, and do not require additional consideration at this time and the nature of this revision is such that it does not require these uses to be approved anew. For the reasons above stated, and based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of PUD Criterion 6.

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### *PUD Criterion 7*

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

**Conclusions of Law**: The Planning Commission concludes that Applicant has requested a land division, the approval criteria for which are addressed herein below and the same are incorporated here, thus establishing the basis for the Commission to concludes, as it does, that this application is consistent with PUD Criterion 7.

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## *C. LAND DIVISION – TENTATIVE SUBDIVISION PLAT*

### *Land Division Approval Criteria*

**10.270 Land Division Criteria.**

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

### *Land Division Criterion 1*

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

**Discussion; Conclusions of Law**: The Planning Commission concludes there are no specific plans applicable to this area and there are no goals or policies that function as approval criteria for the subject application. The Planning Commission further concludes that the design complies with all applicable design standards of Article IV and V except modifications to the Code specifically approved under the PUD ordinance herein above and where block length and interior side yard setbacks are varied from the base zoning district standards by approval of the PUD herein above.

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### *Land Division Criterion 2*

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

**Conclusions of Law**: The Commission concludes that the only remainder of the property owned by Applicant are portions of the overall Cedar Land PUD located on the north/opposite side of Cedar Links Drive from the property subject to these applications. The portions of Cedar Landing PUD one opposite sides of Cedar Links Drive do not have transportation interconnections other than across Cedar Links Drive. As such this approval will not prevent or adversely affect development of the portion north of Cedar Links Drive. There is nothing in the proposed PUD revisions to suggest that it will in any way prevent development of other portions (owned by Applicant) on the north side of Cedar Links Drive.

There is also no evidence to suggest that the proposed land divisions will prevent the development of other adjoining land or access thereto because, in fact, all land surrounding the subject property is fully developed with the exception of some land on the opposite side of Foothills Road from the subject property, with which it is concluded to be infeasible and undesirable to interconnect with access. For the reasons thus described, the Planning Commission concludes that this application is consistent with Land Division Criterion 2 because this land division will not prevent development of the remainder of the property under the same ownership or of adjoining land or of access thereto.

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### *Land Division Criterion 3*

(3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; 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;

**Conclusions of Law**: The proposed subdivision is to include the name High Cedars at Cedar Landing, Phases 1 through 5. This name was approved by the Planning Commission in 2006 as part of the original approval under PUD05-035 and there is no evidence to suggest that the proposed names are not presently available.

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### *Land Division Criterion 4*

(4) Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary, to the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;

**Discussion; Conclusions of Law**: The Planning Commission concludes the proposed land division will include new public streets and as evidenced by Exhibits 7 through 10, the connections with surrounding lands are in a manner that conforms to all existing and proposed street layouts, none of which contemplated interconnections with the development

of the subject property. As such, based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of Land Division Criterion 4.

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### *Land Division Criterion 5*

(5) Has streets that are proposed to be held for private use, that they are distinguished from the public street on the tentative plat, and reservations or restrictions relating to the private streets are set forth;

**Conclusions of Law:** The proposal does not include private streets and Land Division Criterion 5 is concluded to be inapplicable.

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### *Land Division Criterion 6*

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

**Discussion; Conclusions of Law:** Based upon the evidence, the Planning Commission concludes the project is a considerable distance from the nearest EFU zoning district and will not, therefore, create an unmitigated land use conflict with adjoining agricultural lands.

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## VI

## AGREED TO STIPULATIONS

Applicant herewith agrees to stipulate to the following matters if the same are made conditions attached to the approval of this application:

1. **Property Line Adjustment.** Applicant will execute property line adjustments that modify the existing underlying lot configurations to coincide with phase boundaries approved as part of this application and as shown on Exhibit 18.

2. **Street Vacations.** Prior to recording the Final Plat for any of the five phases in High Cedars at Cedar Landing, those portions of Normil Terrace and Farmington Avenue which lie within the subject property but outside the rights-of-way on the plans herein proposed are to be vacated whether by Applicant or, at Applicant's request, by the City of Medford on the City Council's own motion as provided by Oregon law.

3. **Street Dedications.** Applicant will cause the following street dedications:

   a. Prior to or concurrent with recording of the property line adjustments described in #1 above, portions of Normil Terrace within the rights-of-way on the plans proposed herein and lying between Foothill Road and the easterly boundary of

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adjusted lot 97 (coincident with the easterly boundary of Phase 3) shall be dedicated as unimproved right-of-way in order to assure access and frontage to said Lot 97.

b. Prior to or concurrent with recording of the property line adjustments described in #1 above, portions of Farmington Avenue within the rights-of-way on the plans proposed herein, lying between Foothill Road and the northerly boundary of adjusted lot 96 (coincident with the northerly boundary of Phase 2) shall be dedicated as unimproved right-of-way in order to assure access and frontage to said Lot 96.

4. **Restricted Access.** Certain lots in the project shall have the following access restrictions:

   a. **Lots 5 and 6** shall have restricted access only to Morning View Drive; no direct access shall be permitted to Callaway Drive.

   b. **Lots 124-128 and 147-156** shall have restricted access only to High Cedars Lane; no direct access shall be permitted to Foothill Road.

   c. **Lots 128 and 147** shall have restricted access only to High Cedars Lane; no direct access shall be permitted to Normil Terrace.

5. **Vehicular Access Turn-Arounds.** At the terminus of each phase, Applicant will provide temporary emergency vehicular access turn-arounds which will be constructed to temporary standards to be approved by the Medford Fire Department. As streets are extended, the temporary turn-arounds will be replaced with permanent street improvements and, if needed, new temporary turn-arounds will be installed.

## VII

## ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, it is ultimately concluded that the case for revision to the Preliminary PUD Plan approval and a new Tentative Subdivision Plat approval is consistent with all of the relevant criteria in the Medford Land Development Code (MLDC) as hereinabove enumerated and addressed.

**Dated: March 25, 2015**

Respectfully submitted on behalf of Applicant Cedar Investment Group, LLC:

CSA PLANNING, LTD.

Craig A. Stone
President

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Continuous Improvement Customer Service

CITY OF MEDFORD

RECEIVED
MAY 29 2015
PLANNING DEPT

Revised Date: May 29, 2015
File Number: PUD 15-043/LDS-15-044
(Reference: PUD-14-136, LDS-14-137, and LDS-14-138)

# PUBLIC WORKS DEPARTMENT STAFF REPORT
## CEDAR LANDING PUD (South-side of Cedar Links Dr.) - REVISION & HIGH CEDARS SUBDIVISION PHASE 1-5

**Project:** **Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for HIGH CEDARS SUBDIVISION, Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, Phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths.**

**Location:** **North and south side of Cedar Links Drive, west of Foothill Road on approximately 114 acres, within an SFR-4/PD zoning district.**

**Applicant:** **Cedar Investment Group, LLC**

**Applicability:** The Medford Public Works Department's conditions of Preliminary Plan Approval for Cedar Landing PUD were adopted by Order of the Medford Planning Commission on April 27, 2006 (PUD-05-035). The approval for Cedar Landing PUD received a minor amendment on July 14, 2008 through a De minimis revision by the Planning Director. A portion of the PUD was terminated by the Planning Commission on April 14, 2011. A revision to the PUD was approved on February 27, 2014 (PUD-13-119) and included name changes, phase re-numbering, and lot reconfiguration. An exception for reduced right-of-way along the northerly section of Cedar Links Drive was approved on January 22, 2015 (E-14-059). Cedar Landing PUD on the north side of Cedar Links Drive was amended and approved by the Planning Commission on April 23, 2015 (PUD-14-136, LDS-14-137, and LDS-14-138). The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.



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CITY OF MEDFORD
EXHIBIT# H-1
FILE # PUD-15-043/LDS-15-044

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

**REVISION REQUESTS**

The Public Works Department has no objections to the five (5) revision requests stated above for the portion of the Cedar Landing PUD south of Cedar Links Drive. They are described in more detail below as needed. Public Works does have a comment on the width of the proposed pathways adjacent to the public right-of-way, which is discussed under "Access and Circulation" below.

## A. STREETS

### 1. Dedications

**Foothill Road** is an existing County road, which lies along the easterly boundary of the portion of Cedar Landing PUD, which is south of Cedar Links Drive. It is classified as a major arterial street, which has a required total right-of-way width of 100 feet, or 50 feet on each side of the centerline along the frontage of the proposed Development. The necessary right-of-way was previously dedicated as part of the final plat for "Sky Lakes Village at Cedar Landing, Phase 7A". **No other right-of-way is needed with this Development.**

**Cedar Links Drive** is an existing City street, which lies along the northerly boundary of this portion of Cedar Landing PUD, which is south of Cedar Links Drive. It is classified as a major collector street, which has a required total right-of-way width of 74 feet, or 37 feet on each side of the centerline along the frontage of the proposed Development. The necessary right-of-way was previously dedicated as part of the final plat for "Sky Lakes Village at Cedar Landing, Phase 7A". **No other right-of-way is needed with this Development.**

**Farmington Avenue and Normil Terrace** are proposed as Standard Residential Streets with a right-of-way width of 63 feet in accordance with Medford Land Development Code (MLDC) Section 10.430. The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat. Normil Terrace shall intersect with Foothill Road in the same alignment with Normil Terrace on the east side of Foothill Road.

On the plat of "Sky Lakes Village at Cedar Landing, Phase 7A", right-of-way for Farmington Ave. and Normil Terrace was dedicated to provide access to Lots 96 and 97. The proposed revised PUD and tentative plat for High Cedars Subdivision will necessitate vacating portions of the existing right-of-way and dedicating new areas. This can be done in several ways, but the timing of any vacations must be coincident with dedicating new right-of-way so that Lots 96 and 97 will always have 63 feet of right-of-way width available to their boundaries.

**Caldera Lane, Obsidian Ridge, Morning View Drive, Fallen Oak Drive, Noble Fir Drive, Tree Top Drive, Pronghorn Lane, and High Cedars Lane** are each proposed as Minor Residential Streets with a right-of-way width of 55 feet in accordance with MLDC Section 10.430. The 'Knuckles and Cul-de-sac' shown shall also be dedicated with a minimum of a 45



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foot radius to the right-of-way line. **The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat.**

Streets as shown on the Tentative Plat in which any portion terminates at the boundary line of a phase of this subdivision shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee, as a **non-access reserve strip** to the City of Medford per MLDC 10.439.

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

A minimum of a 15 foot radius shall be provided at the Lot corners at each intersection, in accordance with the MLDC, Section 10.445.

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

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

### 2. Public Improvements

#### a. Public Streets

**Foothill Road**, adjacent to this development, shall be improved to Major Arterial Street Standards with a 70-foot paved section (designed to City of Medford Standards), complete with curbs, gutters, 10-foot wide park strips, 5-foot wide sidewalks and street lights in accordance with the MLDC, Section 10.428. The developer shall improve the west half plus 12-feet, or to the existing edge of pavement, whichever is greater, east of the centerline along the frontage of this development.

In accordance with the Commission Report for PUD-05-035, Cedar Landing PUD, the Developer is required to:

1. Prepare a final Street Tree and Commercial Area Master Plan for Cedar Landing PUD, which includes a detailed plan component for the Foothill Road Arterial Street Frontage Landscape feature that will be installed within Phase 3 of High Cedars Subdivision.
2. Include a minimum 8-foot high vertical separation feature along the Foothill Road frontage prior to the final plat of High Cedars, Phase 3.

**Cedar Links Drive**, adjacent to the northerly boundary of this Development shall be improved



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to major collector street standards with a 44-foot paved section (designed to City of Medford Standards), complete with curbs, gutters, 10-foot wide park strips, 5-foot wide sidewalks and street lights in accordance with the MLDC, Sections 10.428 and 10.430B, Table IV-1. The developer shall improve the south half (22-feet) plus 12-feet north of the centerline along the frontage of this development.

**Farmington Avenue and Normil Terrace** shall be improved to full width Standard Residential Street standards with 36-foot wide paved sections, complete with curbs, gutters, 8-foot wide park strips, 5-foot wide sidewalks and street lights, in accordance with MLDC 10.430(1).

In the areas where the Developer has proposed the Pathway and Open Space Easement to be adjacent to the public right-of-way and in accordance with the Planning Commission's decision the Developer shall provide a 7 foot wide sidewalk.

**Caldera Lane, Obsidian Ridge, Morning View Drive, Fallen Oak Drive, Noble Fir Drive, Tree Top Drive, Pronghorn Lane, and High Cedars Lane** shall be improved to Minor Residential Street standards with paved section, complete with curb, gutter, park strip, sidewalk and street lights, in accordance with MLDC 10.430 (2).

In the areas where the Developer has proposed the Pathway and Open Space Easement to be adjacent to the public right-of-way and in accordance with the Planning Commission's decision the Developer shall provide a 7 foot wide sidewalk.

**b. Street Lights and Signing**

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

The following street lighting and signing installations will be required:

**High Cedars at Cedar Landing, Phase 1-5**

Street Lighting - Developer Provided & Installed

8 – 310W HPS street lights w/ BMC, (Foothill)

40 – 100W HPS street lights with/out Pedestrian Lighting

Or

13 – 100W HPS street lights with Pedestrian Lighting
(May require multiple BMC's)

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

15 – Street Name Signs
2 – Stop Signs
Varies Depending on Phase - Barricades



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

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

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

**c. Pavement Moratoriums**

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

**3. Section 10.668 Analysis**

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

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

**4. Access and Circulation**

The Public Works Department has no objection to the request to eliminate the Tree Top Drive connection to Foothill Road. This will also eliminate the need for the raised median in Foothill Road. Normil Terrace shall be the only street to intersect with Foothill Road within this P.U.D.

No Lot or Parcel shall be allowed to take direct access to Cedar Links Drive or to Foothill Road.

The Public Works Department also has no objection to the request within this PUD to remove the below grade pedestrian crossing on Cedar Links Drive.

## B. SANITARY SEWERS

This site lies within the Medford sewer service area. A private sanitary sewer lateral shall be constructed to each Lot prior to approval of the Final Plat. All public sanitary sewers shall be



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located in public streets, or within public sanitary sewer easements. All sanitary sewer manholes not located within public streets or alleys shall be accessible via paved surfaces having a width of at least 12-feet.

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

## C. STORM DRAINAGE

### 1. Hydrology

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

### 2. Stormwater Detention and Water Quality Treatment

This development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual. Since this development is larger than five acres, Section 10.486 requires that the development set aside a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

Upon completion of the project, the Engineer of Record shall provide written certification to the Engineering Division that the construction of the controlled storm water release drainage system was constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to approval of the Final Plat.

### 3. Grading

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

### 4. Mains and Laterals

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



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storm drain system.

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

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

**5. Wetlands**

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

**6. Erosion Control**

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

## D. SURVEY MONUMENTATION

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

## E. General Conditions

**1. Design Requirements and Construction Drawings**

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

**2. Construction Plans**

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, sanitary sewers, storm drains, and street lights as required by the Planning Commission's Final Order, together with all pertinent details and calculations. The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any



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additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

### 3. Phasing

The Tentative Plat shows that the subdivisions will be developed in phases. The public improvements corresponding to a particular phase shall be constructed at the time such phase is being developed, and the public improvements that are not included within the geometric boundaries of any phase being developed, but are needed to serve each respective phase, shall be constructed with each phase as needed.

### 4. Draft of Final Plat

The developer shall submit 2 copies of the preliminary draft of the final plat at the same time the public improvement plans (3 copies) are submitted. Neither lot number nor lot line changes shall be allowed on the plat after that time, unless approved by the City and all utility companies.

### 5. Permits

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

Concrete or block walls built within a P.U.E., or within sanitary sewer or storm drain easements require review and approval from the Engineering Division of Public Works. Walls shall require a separate permit from the Building Department and may also require certification by a professional engineer.

Excavation and private plumbing shall require a separate permit from the Building Department.

### 6. System Development Charges

Buildings in this development are subject to sewer treatment, collection and street systems development charges. These SDC fees shall be paid at the time individual building permits are taken out.

This development is also subject to storm drain system development charges, the Developer is eligible for storm drain system development charge credits for the installation of storm drain pipe which is 24 inches in diameter or larger and is not used for storm drain detention in accordance with Medford Municipal Code (MMC), Section 3.891. The storm drain system development



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charge shall be collected at the time of the approval of the final plat

Developments in which Collector and/or Arterial streets are being dedicated are eligible for Street SDC credits in accordance with MMC 3.815.

### 7. Pavement Moratoriums

The developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any public street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

### 8. Construction and Inspection

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

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

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

Prepared by: Larry Beskow, 5-4-15
Revised by: Doug Burroughs
Revised Per PC Hearing by: Doug Burroughs 5-29-15



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# SUMMARY CONDITIONS OF APPROVAL

**Cedar Landing PUD – REVISION/High Cedars Subdivision**

PUD 15-043/LDS-15-044

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

## A. Streets

### 1. Street Dedications to the Public:

- Dedicate Farmington Ave. and Normil Terrace rights-of-way sixty three (63) feet wide.
- Dedicate Caldera Lane, Obsidian Ridge, Morning View Drive, Fallen Oak Drive, Noble Fir Drive, Tree Top Drive, Pronghorn Lane, and High Cedars Lane rights-of-way fifty five (55) feet wide. "Knuckles" and Cul-de-sac dedicate 45 foot radius minimum.
- Dedicate 10 foot public utility easements (PUE).

### 2. Improvements:

a. Public Streets

- Construct Foothill Road to major arterial street standards. Construct the west half plus a minimum of 12 foot east of centerline
- Prepare final Street Tree Mater Plan for Foothill Road frontage
- Construct 8-foot high vertical separation along Foothill Road frontage
- Construct Cedar Links Drive to major collector street standards. Construct the south half plus a minimum of 12 foot north of centerline
- Construct Farmington Avenue and Normil Terrace to Standard Residential Street standards.
- Construct Caldera Lane, Obsidian Ridge, Morning View Drive, Fallen Oak Drive, Noble Fir Drive, Tree Top Drive, Pronghorn Lane, and High Cedars Lane to Minor Residential Street standards.

b. Lighting and Signing



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

**B. Sanitary Sewer:**

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

**C. Storm Drainage:**

Developer provides an investigative drainage report.

Development includes above ground water quality and detention facilities.

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

Provide a storm drain lateral to each building lot. In the event lots drain to the back, a private system will be required.

The developer shall contact Division of State Lands for approval and/or clearance of the development with regards to wetlands.

Erosion Control Permit from DEQ required for this project prior to public improvement plan approval.

**D. Survey Monumentation**

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

**The above summary is for convenience only and does not supersede or negate the full report in any way. If there is any discrepancy between the above list and the full report, the full report shall govern. Refer to the full report for details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection.**



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# LAND DEVELOPMENT REPORT - APPLICANT

**To:** Jennifer Jones

**LD Meeting Date:** 05/06/2015

**From:** Greg Kleinberg

**Report Prepared:** 05/05/2015

**Applicant:** Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

**File #:** PUD - 15 - 43

**Associated File #'s:** LDS - 15 - 44

**Site Name/Description:** Cedar Landing PUD, and High Cedars Subdivision

Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road, within an SFR-4/PD (Single-Family Residential - 4 dwelling units per gross acre/ Planned Development) zoning district; Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Jennifer Jones, Planner.

| DESCRIPTION OF CORRECTIONS | REFERENCE | |
|---|---|---|
| **Requirement FIRE HYDRANTS** | OFC | 508.5 |

Fire hydrants with reflectors will be required for this project.

Hydrant locations shall be as follows: Twenty one (21) total fire hydrants are required located at the following locations: One on the corner of Farmington/High Fallen Oak near lot #21; One on the corner of Fallen Oak/Morning View near lot #11; One on Caldera in front of lot #36; One on Caldera in front of lot #39; One on Caldera in front of lot #43; One on Caldera in front of lot #47; One on Obsidian in front of lot #61; One on the corner of Farmington/Obsidian in front of lot #58; One on Farmington in front of lot #69; One on Morning View in front of lot #15; One on Morning View in front of lot #107; One on the corner of Morning View/Noble Fir in front of lot #103; One on Morning View in front of lot #133; One on the corner of Morning View/High Cedars in front of lot #129; One on the corner of Normil Terrace/Noble Fire in front of lot #87; One on the corner of Normil Terrace/Pronghorn Lane in front of lot #141; One on the corner of Normil Terrace/High Cedars in front of lot #145; One on High Cedars in front of lot #175; One on Tree Top in front of lot #92; One on the corner of Tree Top/Pronghorn in front of lot #171; and one on the corner of High Cedars/Tree Top in front of lot #173.

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

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

**Requirement ADDL. FD ACCESS REQUIRED-1 & 2 FAMILY DWELLINGS** OFC D107.1

Lots/Units Affected: All Phases-Two access roads are required as stipultated below unless all the homes are protected with home fire sprinkler systems.

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EXHIBIT# E
FILE # ~~PUD-15-043~~/LDS-15-044

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# LAND DEVELOPMENT REPORT - APPLICANT

**To:** Jennifer Jones

**LD Meeting Date:** 05/06/2015

**From:** Greg Kleinberg

**Report Prepared:** 05/05/2015

**Applicant:** Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

**File #:** PUD - 15 - 43

**Associated File #'s:** LDS - 15 - 44

**Site Name/Description:** Cedar Landing PUD, and High Cedars Subdivision

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Exceptions:
1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses (D104.3).

A minimum size 3/4" x 3/4" water meter is normally required to supply the required water flow for a residential fire sprinkler system. Consult the Medford Water Commission for additional information.

**Requirement MEDFORD CODE STREET DESIGN OPTIONS** **MEDFORD** **10.430**

Section 10.430 of the Medford Code states the following:

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

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

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

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

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

# Medford Fire Department

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## LAND DEVELOPMENT REPORT - APPLICANT

**To:** Jennifer Jones

**LD Meeting Date:** 05/06/2015

**From:** Greg Kleinberg

**Report Prepared:** 05/05/2015

**Applicant:** Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

**File #:** PUD - 15 - 43

**Associated File #'s:** LDS - 15 - 44

**Site Name/Description:** Cedar Landing PUD, and High Cedars Subdivision

**Requirement FIRE DEPARTMENT TURN-AROUND** — OFC 503.2.5

Phasing will require temporary fire department turn-arounds at the ends of Caldera, Farmington, Morning View, and Noble Fir.

Dead-end Fire Apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

The Fire department turn-around area must be posted with "NO PARKING-FIRE LANE" signs. These signs shall be spaced at 50' intervals along the fire lane and at fire department designated turn-around's.

**Requirement FD APPARATUS ACCESS ROAD DESIGN** — OFC 503.2.1

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under section 503.2.1, shall be maintained at all times. The fire apparatus access road shall be constructed as asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 60,000 pounds.
(See also OFC 503.4; D102.1)

The turning radius on fire department access roads shall meet Medford Fire Department requirements (OFC 503.2.4).

**Requirement ADDITIONAL REQUIREMENTS/COMMENTS** — MEDFORD OTHER

If all the homes are protected with home fire sprinklers, the following requirements are changed:

1. The design of clustered/offset driveways is not required
2. Max. fire hydrant spacing throughout the project is 500' o.c. (will reduce total number of fire hydrants required for overall project)
3. Temporary fire department turn-arounds are not required

"C"

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

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

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

**Jennifer M. Jones**

RECEIVED
APR 16 2015
PLANNING DEPT.

| | |
|---|---|
| **From:** | Greg G. Kleinberg |
| **Sent:** | Thursday, April 16, 2015 8:32 AM |
| **To:** | Jennifer M. Jones |
| **Subject:** | Cedar Landing PUD-15-043: LDS-15-044 |
| **Attachments:** | Secondary Access Agreement.pdf |
| **Follow Up Flag:** | Follow up |
| **Flag Status:** | Flagged |

Jennifer,

See the attached agreement. The fire sprinkler requirement will be lifted with the addition of this is secondary access.

Thank You,

Greg Kleinberg
Deputy Chief - Fire Marshal
Medford Fire-Rescue
541-774-2317



CITY OF MEDFORD
EXHIBIT# 11
FILE # 5/LDS-15-044
Revision

CSA Planning, Ltd
4497 Brownridge, Suite 101
Medford, OR 97504
Telephone 541.779.0569
Fax 541.779.0114
Mike@CSAplanning.net

April 15, 2015

Jennifer Jones, Planner
City of Medford Planning
200 South Ivy Street,
Lausmann Annex, Room 240
Medford, OR 97501

RE: ***Secondary Emergency Access; Cedar Landing; Files: PUD-15-043 & LDS-15-44***

Dear Ms. Jones:

Please accept this letter and the attached illustration into the record for the above files. The applicant herewith agrees to stipulate to providing a secondary emergency-only access consistent with the attached as a condition of approval should the applications be approved. We met with City of Medford Fire & Rescue to discuss this request and they have found the proposal sufficient.

If you have any questions, please do not hesitate to contact myself or Mark Kamrath with CEC Engineering.

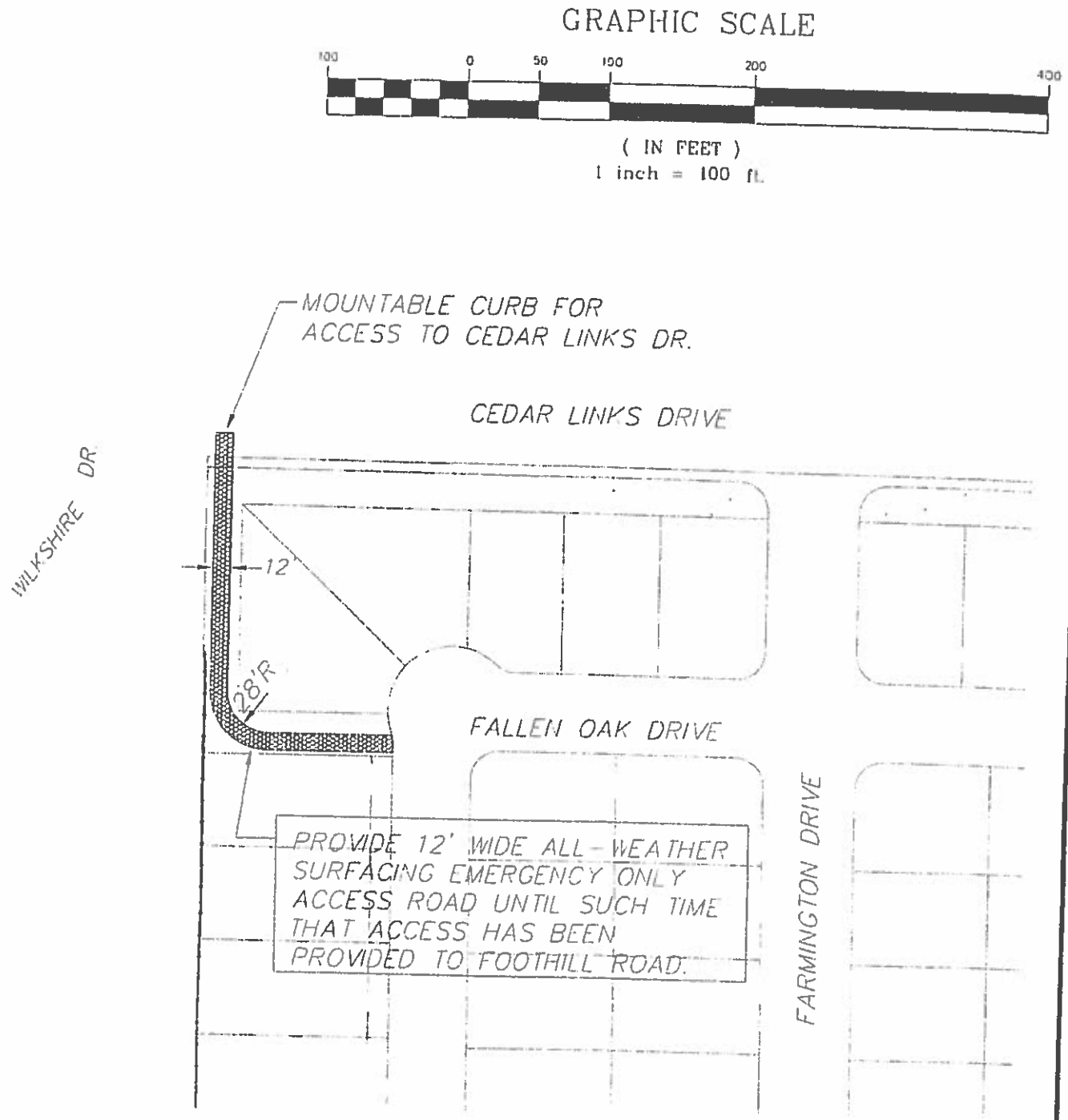
Very truly yours,

CSA Planning, Ltd.

Michael Savage
Associate

cc. File; Client; CEC Engineering; City of Medford Fire & Rescue

"C"




NORTH

CONSTRUCTION ENGINEERING CONSULTANTS INC

P.O. BOX 1724 - MEDFORD, OREGON 97501
PH (541) 779-3266 FAX (541) 779-3139

CITY OF MEDFORD

CEDAR LANDING PUD

CEDAR LINKS DRIVE

SECONDARY EMERGENCY FIRE ACCESS

DATE: 4-14-15

SHEET 1 OF 1

RECEIVED
MAY 06 2015
PLANNING DEPT.

MEDFORD WATER COMMISSION

BOARD OF WATER COMMISSIONERS

# Staff Memo

**TO:** Planning Department, City of Medford

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

**SUBJECT:** PUD-15-043 & LDS-15-044

**PARCEL ID:** 371W16 TL 1400 & 371W16CA TL 2200

**PROJECT:** Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road, within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre/ Planned Development) zoning district; Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Jennifer Jones, Planner.

**DATE:** May 5, 2015

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 8-inch water lines is required to be installed in all proposed streets of all proposed phases of this development with connections to existing water lines in both Cedar Links Drive and N Foothill Road.

4. The existing water meter located near the northwest property corner of TL 1400 is required to be abandoned.

5. Applicants Civil Engineer shall coordinate with Medford Fire Department for proposed fire hydrant locations.

K:\Land Development\Medford Planning\pud15043 - lds15044.docx

CITY OF MEDFORD
EXHIBIT# C
FILE # /LDS-15-044

6. Applicants Civil Engineer shall coordinate with Medford Water Commission for water line and water meter layout for all five (5) proposed phases of this development.

**COMMENTS**

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

2. On-site water facility construction is required. (See Condition 3 above)

3. This development is located within two (2) of MWC's pressure zones. Static water pressure for the Lots located within the "Gravity" pressure zone will be between 40 psi and 55 psi; and the static water pressure for the Lots the "Zone 1A" pressure zone will be between 44 psi and 100 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".

4. MWC-metered water service does exist to this property. A ¾-inch water meter serves the old Cedar Links Golf Course Maintenance Building located near the northwest property corner of TL 1400. (See Condition 4 above)

5. Access to MWC water lines is available. There is an existing 8-inch water line in Cedar Links Drive, and a 12-inch water line in N Foothill Road. The is also an existing 24-inch welded steel water transmission line (Big Butte Springs Line #2) located near the existing property line between TL 2200 and TL 1400; extreme care shall be taken when working around the 24-inch Big Butte Springs Line #2. There will be no connections allowed off the BBS #2 24" water transmission main.

**Jennifer M. Jones**

| | |
|---|---|
| **From:** | MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us> |
| **Sent:** | Thursday, May 07, 2015 2:47 PM |
| **To:** | Jennifer M. Jones |
| **Subject:** | PUD-15-043/ LDS-15-044 |
| **Follow Up Flag:** | Follow up |
| **Flag Status:** | Flagged |

RECEIVED
MAY 07 2015
PLANNING DEPT.

Jennifer,

Thank you for sending agency notice of a consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road, within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre/ Planned Development) zoning district. We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

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

CITY OF MEDFORD
EXHIBIT# "C"
FILE # 3/LDS-15-044

RECEIVED
MAY 06 2015
PLANNING DEPT.

# STAFF MEMO

**To:** Jennifer Jones

**From:** Jennifer Ingram, Address Technician

**Date:** 5/6/2015

**Subject:** PUD-15-043/LDS-15-044

---

**Obsidian Ridge** still needs an acceptable street suffix (e.g., Drive, Lane, Street or Way).

The proposed street names **Noble Fir Drive** & **Tree Top Drive** are acceptable replacements for **Timbered Ridge**.



CITY OF MEDFORD
EXHIBIT# 1
FILE # /LDS-15-044

# Memo

RECEIVED
MAY 06 2015
PLANNING DEPT.

**To:** Jennifer Jones, Planning Department

**From:** Mary E. Montague, Building Department

**CC:** Cedar Investment Group LLC.,

**Date:** May 6, 2015

**Re:** File No. PUD-15-043 & LDS-15-044

---

**Building Department Requirements:**

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

***Please contact the front counter for fees.***

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.

2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.

3. A site/excavation permit is required for all private work being done. i.e. storm drains, sewer lines, water lines, or private streets. Also, permit required for Proposed Storm Facilities.



CITY OF MEDFORD
EXHIBIT# C
FILE # 3/LDS-15-044

RECEIVED
APR 28 2015
PLANNING DEPT.

# MEDFORD IRRIGATION DISTRICT

P.O.BOX 70
5045 Jacksonville Hwy
Jacksonville, Oregon 97502
Office (541)899-9913

City of Medford
Planning Department
Lausmann Annex, Room 240
200 South Ivy St.
Medford, OR 97501

April 24, 2015

Subject: Cedar Investment Group, LLC

The Medford Irrigation District currently has this acreage with two tax lots: TL 1400 with 23.90 acres and TL 2200 with 20.50 acres of irrigation rights.

The owner/Developer will need to supply water to all the lands or transfer off any portions that will not be able to receive irrigation water any longer. Also, the District's East Main canal runs on the west side of Foothills Rd. parallel with the road. The canal is in the cross hatched portion of the map. What are the plans for this area?

The District requests to be kept informed as this development goes forward.

Thank You,

Carol Bradford

Carol Bradford, District Manager

CITY OF MEDFORD
EXHIBIT# 10
FILE # I /LDS-15-044

RECEIVED
APR 14 2015
PLANNING DEPT.

Robert J. White
3113 Sycamore Way
Medford OR 97504
4-14-15

Jennifer Jones
Medford Planning Dept.
200 S. Ivy St. 2nd Floor
Medford OR 97501

Re: Cedar Landing Planned Development
Restoration of Lone Pine Creek

Dear Ms. Jones,

My neighbors and I, who live adjacent to the Southern boundry of the Cedar Landing Proposed Development, are concerned about the unusually high level of the water table here during the winter and that the development will worsen that problem. Currently the water table is a couple of inches below the existing sewer grate in the S.W corner of the development. The sewer grate allows water to drain into Lone Pine Creek which is buried along the southern property line. Because of the high water table, all of the homes on Sycamore have standing water in the crawl space below the ground floor. During heavy rains water actually overflows my water meter box in front of my house.

We believe the developer has not adequately addressed the drainage from the S.W corner of the development. He doesn't even mention Lone Pine Creek. It is as if he doesn't even recognize that it exists.

Background

About 30 years ago the City approved the expansion of Cedar Links Golf Course to the southside of Cedar Links Drive. They allowed the owners to put Lone Pine Creek into a concrete pipe and bury it between Foothill and Kerrisdale. This creek used to drain the property After it was put into the pipe, the water table rose up to 10 feet because the ground water could no longer get into the creek. Now is the time to fix this problem.

CITY OF MEDFORD
EXHIBIT# 11
FILE # LDS-15-044

This could be done by either restoring the creek back to its original configuration or at least doing something to the pipe to allow ground water to flow into the creek.

I have seen several versions of what the developer proposes for this location. They include leaving the area above the creek alone as open space, filling in that area and allowing the wetlands there to drain into a newly created pond in the S.W. corner, and selling that land with the newly developed houses. Nothing has been said of reducing the water table in this area by allowing the ground water to flow into the creek.

This issue must be addressed before any development is allowed to proceed. I hold the City liable for any damage to the surrounding home caused by an increased water table. Please keep me informed of what changes are being made to eliminate this problem.

Sincerely

Robert J. White

"C"

CONSTRUCTION ENGINEERING CONSULTANTS INC.

P.O. BOX 1724 • MEDFORD, OR 97501 • PH (541) 779-5268 • FAX (541) 779-3139

RECEIVED
MAY 28 2015
PLANNING DEPT.

May 28, 2015

CSA Planning, Ltd
4497 Brownridge, Suite 101
Medford, Oregon 97504

RE: **Cedar Landing – Storm Drainage**

Dear Mr. Stone:

This letter is written to help answer questions from the neighbors along Sycamore Way, adjacent to the southernmost boundary of the Cedar Landing development.

Currently a portion of the property surface drains to a ditch along the southern boundary of the project. Existing City stormdrain pipes are collecting this surface runoff along the southern boundary ditch line in multiple locations. With build out of the project, the majority of this surface runoff will be cutoff by the construction of roads and houses. The stormwater that is generated from these impervious surfaces and other site runoff will be directed into the stormdrain system and conveyed to detention ponds. The stormwater held in the detention ponds will be released to an existing City underground stormdrain pipe at a calculated rate, which more closely mimics a natural situation. After a storm, the detention ponds will completely drain into the stormdrain system within the 8 to 12 hours. All stormdrain systems will be designed and built to City standards.

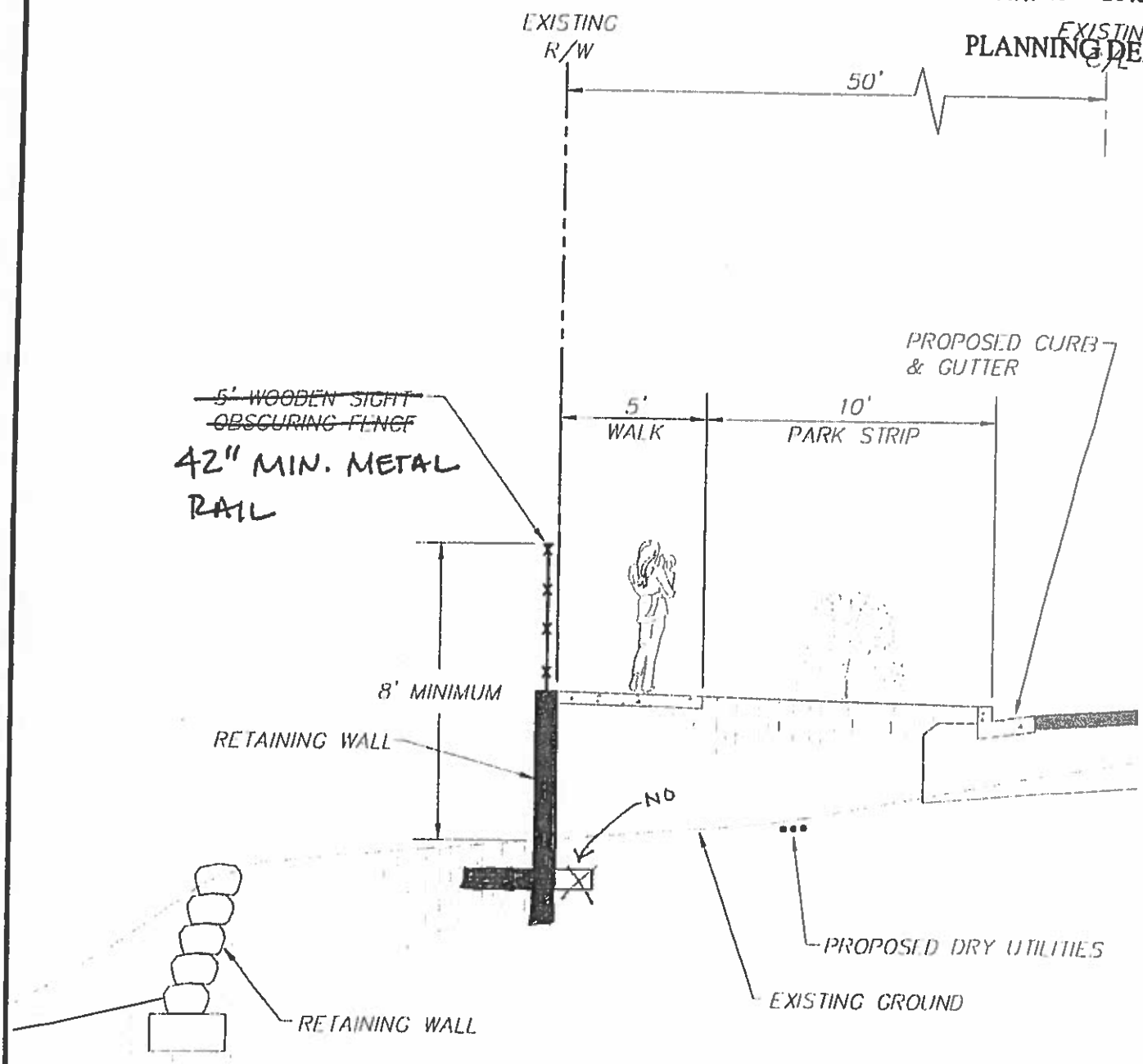
Sincerely,

Tony Bakke, P.E.
Project Engineer

"C"

CITY OF MEDFORD
EXHIBIT# C
FILE # 13/LDS-15-044

RECEIVED
MAY 28 2015
PLANNING DEPT.




# FOOTHILL ROAD ARTERIAL SEPARATION FEATURE

CONSTRUCTION ENGINEERING CONSULTANTS INC

P.O. BOX 1721 • MEDFORD, OREGON 97501
PH (541) 779 5200 FAX (541) 770-3130

CONSTRUCTION ENGINEERING CONSULTANTS, INC.

CEDAR LANDING PUD

PROPOSED FOOTHILL ROAD ARTERIAL SEPARATION FEATURE

SHEET 1 OF

CITY OF MEDFORD
EXHIBIT# 2
FILE # 3/LDS-15-044

RECE
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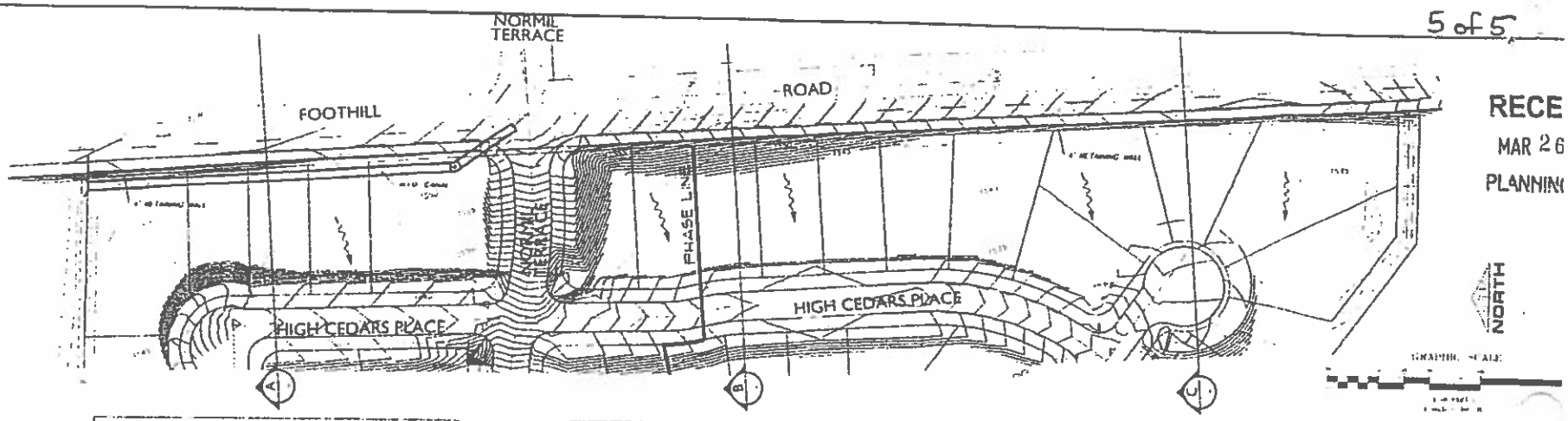
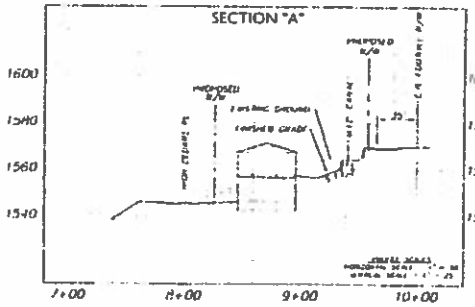
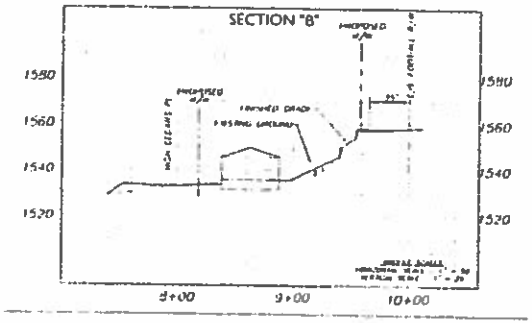
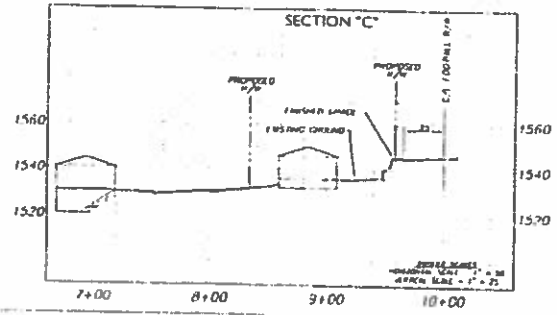
PLANNIN



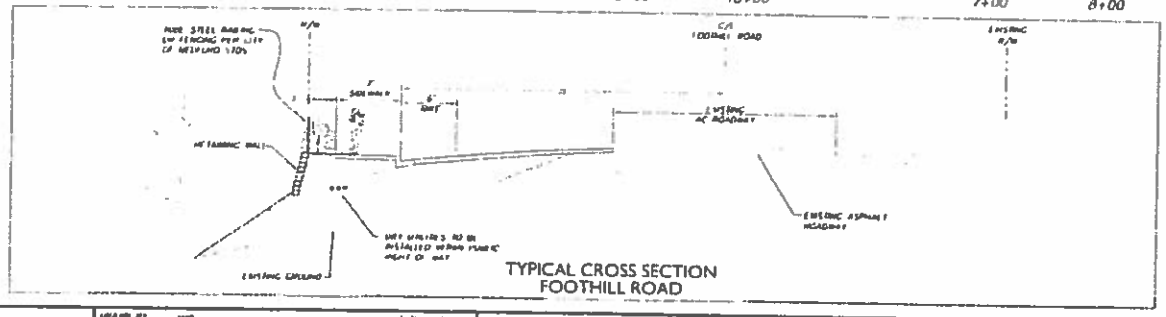




EXHIBIT C.5

CONSTRUCTION ENGINEERING CONSULTANTS

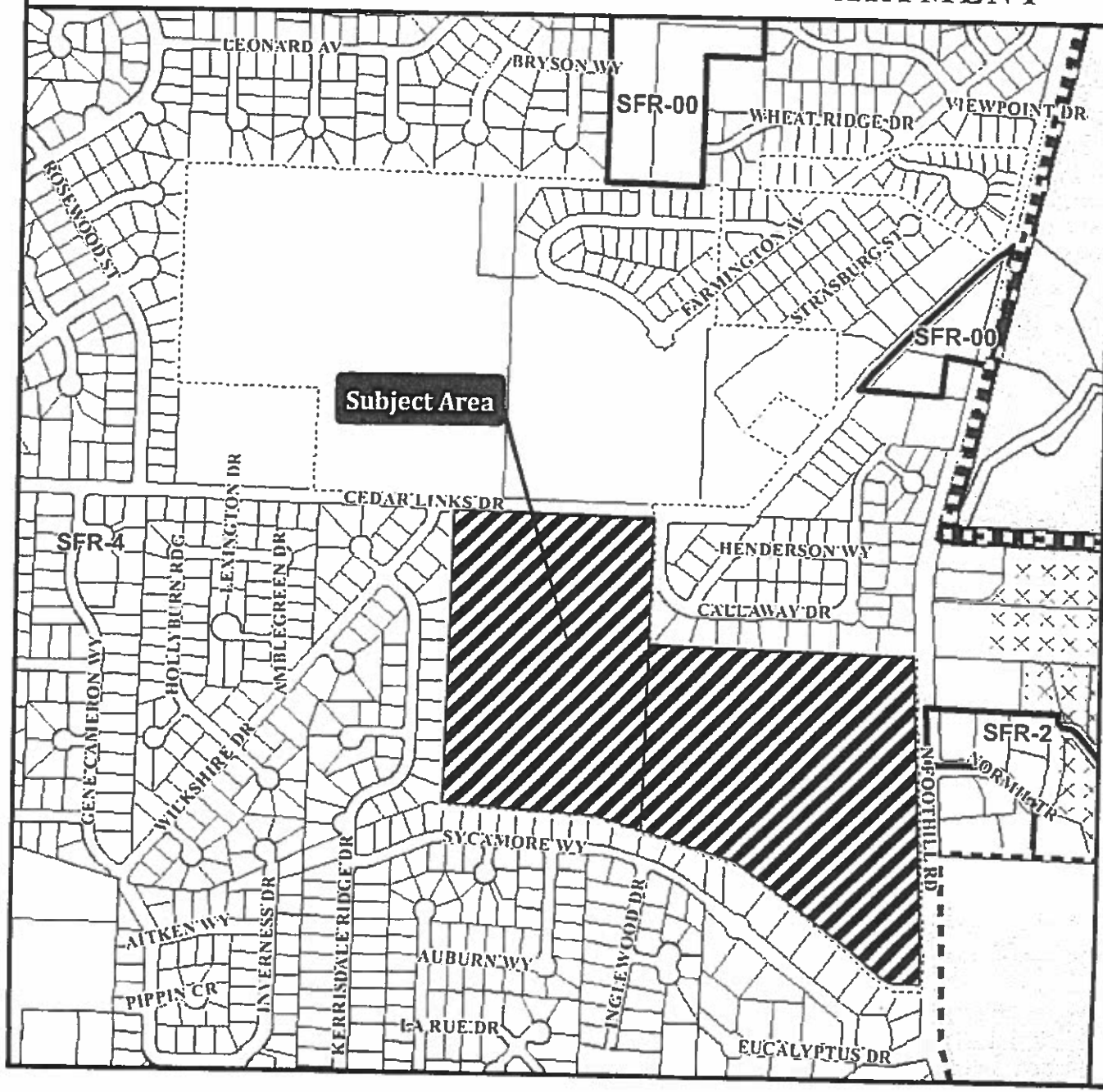
CITY OF MEDFORD

CEDAR LANDING P.U.D
FOOTHILL ROAD
CONCEPTUAL GRADING
CROSS SECTIONS

CITY OF MEDFORD
EXHIBIT# C
FILE # /LDS-15-044
Revision

CITY OF MEDFORD ✱ PLANNING DEPARTMENT

# Vicinity Map




Application Name/Description:
**Cedar Landing PUD**

Proposal:
**Revisions to PUD and 176 lot subdivision**

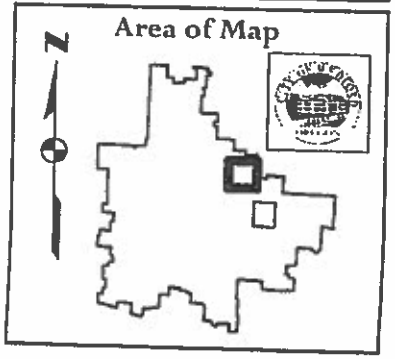
File Numbers:
**PUD-15-043 & LDS-15-044**

Applicant:
**Cedar Investment Group LLC**

Map/Taxlot:
371W16 TL1400
371W16CA TL 2200

- Subject Area
- Medford Zoning
- UGB
- Tax Lots
- City Limits
- PUD

Area of Map




03/27/2015



11-C

TENTATIVE PLAT
FOR
HIGH CEDARS AT CEDAR LANDING PHASE 1
HIGH CEDARS AT CEDAR LANDING PHASE 2
HIGH CEDARS AT CEDAR LANDING PHASE 3A
HIGH CEDARS AT CEDAR LANDING PHASE 3B
HIGH CEDARS AT CEDAR LANDING PHASE 4A
HIGH CEDARS AT CEDAR LANDING PHASE 4B
HIGH CEDARS AT CEDAR LANDING PHASE 5A
HIGH CEDARS AT CEDAR LANDING PHASE 5B
HIGH CEDARS AT CEDAR LANDING PHASE 6A
HIGH CEDARS AT CEDAR LANDING PHASE 6B
HIGH CEDARS AT CEDAR LANDING PHASE 7A
HIGH CEDARS AT CEDAR LANDING PHASE 7B
(A PLANNED COMMUNITY)

SITUATED IN
THE SW 1/4 OF SECTION 16,
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.,
IN THE CITY OF MEDFORD,
JACKSON COUNTY, OREGON

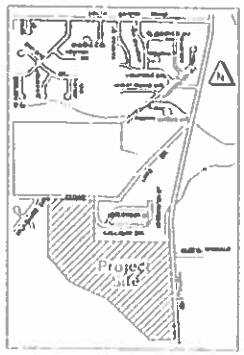
APPLICANT/OWNER

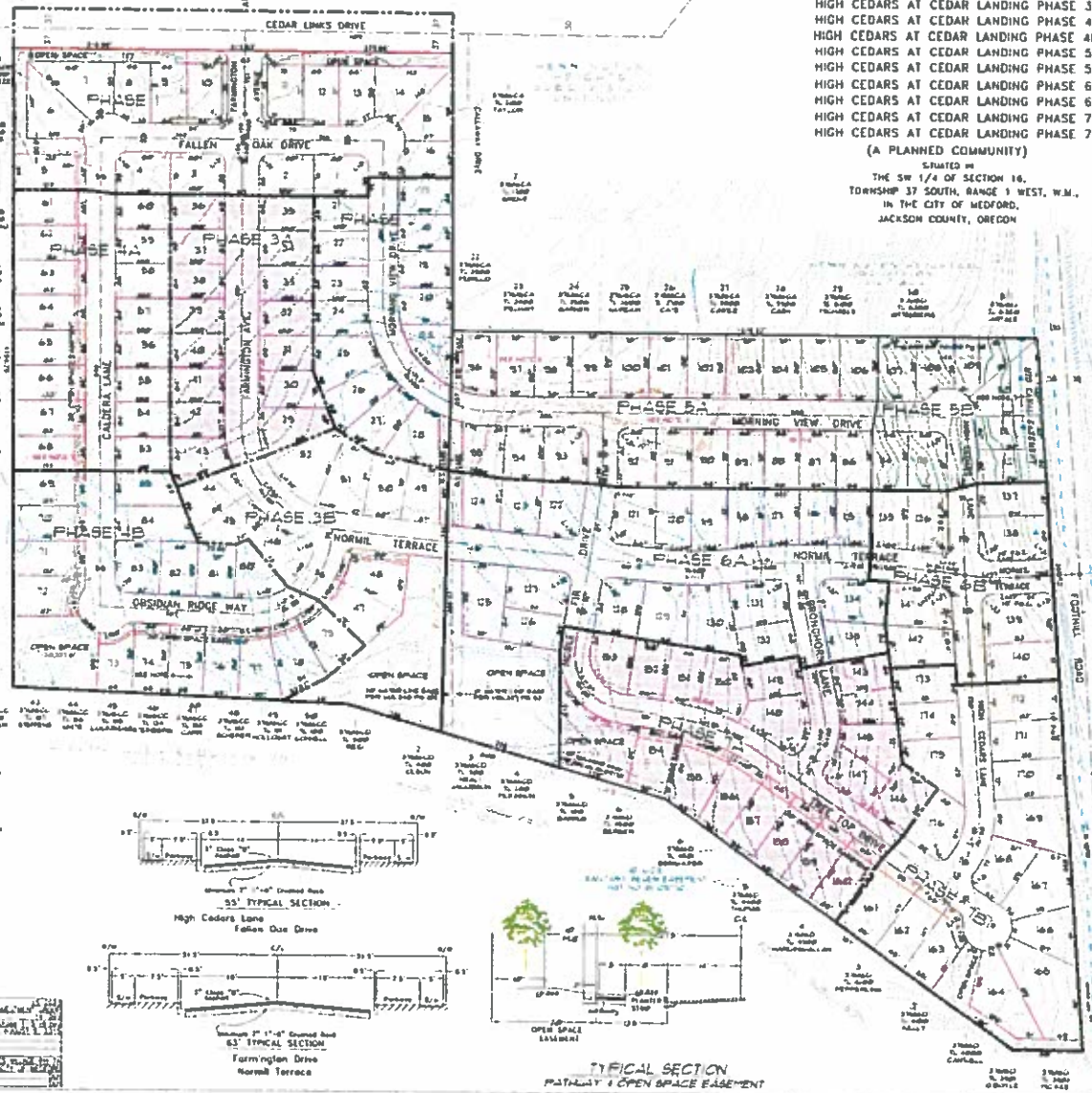
Cedar Investment Group, L.L.C.
2738 West Main Street #B
Medford, Oregon 97501
541-210-6063

SURVEYING

Hoffbuhr & Associates, Inc
880 East View Dr., Suite 201
Medford, Oregon 97504
541-779-4641

VICINITY MAP




HIGH CEDARS AT CEDAR LANDING PHASE 1

HIGH CEDARS AT CEDAR LANDING PHASE 2

HIGH CEDARS AT CEDAR LANDING PHASE 3A

HIGH CEDARS AT CEDAR LANDING PHASE 3B

HIGH CEDARS AT CEDAR LANDING PHASE 4A

HIGH CEDARS AT CEDAR LANDING PHASE 4B

HIGH CEDARS AT CEDAR LANDING PHASE 5A

HIGH CEDARS AT CEDAR LANDING PHASE 5B

HIGH CEDARS AT CEDAR LANDING PHASE 6A

HIGH CEDARS AT CEDAR LANDING PHASE 6B

HIGH CEDARS AT CEDAR LANDING PHASE 7A

HIGH CEDARS AT CEDAR LANDING PHASE 7B

REGISTERED PROFESSIONAL LAND SURVEYOR

ELECTRONIC COPY

CITY OF MEDFORD
EXHIBIT # Applicants exhibit 8
File # LDS-15-044

C 11

TENTATIVE PLAT
REPLAT OF LOTS 95, 96, 97, 98 AND 99 OF
SKY LAKES VILLAGE AT CEDAR LANDING PHASE 7A
(A PLANNED COMMUNITY)
SITUATED IN
THE SW 1/4 OF SECTION 16,
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.,
IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON

95
225+/- ACRES
RESERVE AREA

95
190 +/- ACRES
RESERVE AREA

96
1735+/- ACRES
RESERVE AREA

97
685 +/- ACRES
RESERVE AREA

98
831+/- ACRES
RESERVE AREA

99
998+/- ACRES
RESERVE AREA

TANSAY DRIVE
FARMINGTON AVENUE
CEDAR LINKS DRIVE
WILTSHIRE DRIVE
FALLEN OAK DRIVE
HERMINGTON HEIGHTS SUBDIVISION UNIT NO.
HERMINGTON HEIGHTS
WILLOW GLEN SUBDIVISION UNIT NO.
NORMA TERRACE

VICINITY MAP

CITY OF MEDFORD
EXHIBIT # Applicant's Exhibit 9
File # LDS-15-044
Revision

APPLICANT/OWNER
Cedar Investment Group, LLC
2738 West Main Street #8
Medford, Oregon 97501
541 210 5085

SURVEYING
Neilbahr & Associates, Inc.
890 Golf View Dr. Suite 21
Medford, Oregon 97504
541 779-4644

REGISTERED PROFESSIONAL LAND SURVEYOR
ELECTRONIC COPY
OREGON
DARRELL L. NEIL
Expires 6/30/2017

65' TYPICAL SECTION
Farmington Drive
Normal Terrace

55' TYPICAL SECTION
High Cedars Lane
Fallen Oak Drive

GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft.

N

Page 163

Continuous Improvement Customer Service

**CITY OF MEDFORD**

LD Date: 02/24/2016
File Number: LDS-15-044 (revision)
(Reference: PUD 15-043/LDS-15-044, PUD-14-136, LDS-14-137, LDS-14-138 and LDS-13-121)

# PUBLIC WORKS DEPARTMENT STAFF REPORT

## HIGH CEDARS SUBDIVISION PHASE 1-7B – Tentative Plat Revision

**Project:** **Request approval for a 176-lot residential subdivision tentative plat revision, approved under application number LDS-15-044, for the purpose of modifying phase boundaries and amending underlying reserve lots.**

**Location:** **The subject 116.58 acre property is located entirely on the south side of Cedar Links Drive, approximately 1,000 feet west of North Phoenix Road, within an SFR-4 zone district.**

**Applicant:** **Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner. Cedar Investment Group, LLC.**

**Applicability:**

The Medford Public Works Department's conditions of Preliminary Plan Approval for Cedar Landing PUD were adopted by Order of the Medford Planning Commission on April 27, 2006 (PUD-05-035). The approval for Cedar Landing PUD received a minor amendment on July 14, 2008 through a De minimis revision by the Planning Director. A portion of the PUD was terminated by the Planning Commission on April 14, 2011. A revision to the PUD was approved on February 27, 2014 (PUD-13-119) and included name changes, phase re-numbering, and lot reconfiguration. Planning Commission granted approval of a request for tentative plat approval of Sky Lakes Village Subdivision Phases 7A and 7B on February 27, 2014 (LDS-13-121). An exception for reduced right-of-way along the northerly section of Cedar Links Drive was approved on January 22, 2015 (E-14-059). Cedar Landing PUD on the north side of Cedar Links Drive was amended and approved by the Planning Commission on April 23, 2015 (PUD-14-136, LDS-14-137, and LDS-14-138). Request for a revision to the Cedar Landing PUD and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5 was approved by the Planning Commission on June 11, 2015 (PUD-15-043/LDS-15-044). **The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.**



PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISIC

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

## A. STREETS

### 1. Dedications

On the plat of "Sky Lakes Village at Cedar Landing, Phase 7A", right-of-way for Farmington Avenue and Normil Terrace was dedicated to provide access to Lots 96 and 97 (as shown on previous tentative plat approved under PUD-15-043/LDS-15-044). The proposed tentative replat for High Cedars Subdivision (LDS-15-120) will necessitate vacating portions of the existing right-of-way and dedicating new areas and will also reconfigure the reserve lots in order to comport with the proposed phase boundaries as part of this concurrent action (LDS-15-044 revision). The timing of any vacations must be coincident with dedicating new right-of-way so that Lots 96, 97 and 99 will always have right-of-way available to their respective boundaries. Lots 97 and 99 shall not have direct access to Foothill Road, but shall take access from Lot 98.

### 2. Public Improvements

#### a. Street Lights and Signing

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

The following street lighting and signing installations will be required:

**High Cedars at Cedar Landing, Phase 1 – 7B**

Street Lighting - Developer Provided & Installed

a. 8 – 310W HPS street lights w/ BMC, (Foothill Road)
b. 41 – 100W HPS street lights with/out Pedestrian Lighting
c. 1 – BMC

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

a. 14 – Street Name Signs
b. 2 – Stop Signs

The above provided numbers are all-inclusive. As each phase is developed, additional requirements will be necessary (i.e., dead-end signs and barricades).

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

In addition, pedestrian street lights, including base mounted cabinets, shall be designed and constructed in accordance with the MLDC, Section 10.380. Pedestrian lights shall be designed by an engineer per City of Medford Specifications and shall be submitted to the Engineering



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MEDFORD, OREGON 97501
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Division as part of the public improvement drawings described under General Conditions, Section 'E' of this report.

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

## B. STORM DRAINAGE

### 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. Since this development is larger than five acres, Section 10.486 requires that the development set aside a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

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 Engineer of Record shall provide written certification to the Engineering Division that the construction of the controlled storm water release drainage system was constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to approval of the Final Plat.

### 2. Drainage Channel

The Developer shall dedicate a drainage easement along the existing drainage channel through the southern portion of this project, 20-feet on each side of the centerline for a total width of 40-feet, within the limits of this development.

## C. GENERAL CONDITIONS

### 3. Phasing

The Tentative Plat shows that the subdivisions will be developed in phases. The public improvements corresponding to a particular phase shall be constructed at the time such phase is being developed, and the public improvements that are not included within the geometric boundaries of any phase being developed, but are needed to serve each respective phase, shall be constructed with each phase as needed.

Prepared by: Doug Burroughs



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# SUMMARY CONDITIONS OF APPROVAL

**HIGH CEDARS SUBDIVISION PHASE 1-7B – Tentative Plat Revision**

LDS-15-044 (revision)

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

**A. <u>Streets</u>**

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

- All dedications as required under previously approved PUD-15-043/LDS-15-044.
- Dedicate 10 foot public utility easements (PUE).

**2. Improvements:**

a. Lighting and Signing

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

**B. <u>Storm Drainage</u>**

Development includes above ground water quality and detention facilities.

**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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FAX (541) 774-2552

BOARD OF WATER COMMISSIONERS

# Staff Memo

**TO:** Planning Department, City of Medford

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

**SUBJECT:** LDS-15-044

**PARCEL ID:** 371W16CA TL's 2200-2202 & 371W16D TL's 7000& 7001

**PROJECT:** Request approval for a 176-lot residential subdivision tentative plat revision, approved under application number LDS-15-044, for the purpose of modifying phase boundaries and amending underlying reserve lots. The subject 116.58 acre property is located entirely on the south side of Cedar Links Drive, approximately 1,000 feet west of North Phoenix Road, within an SFR-4 zone district; Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

**DATE:** February 23, 2016

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

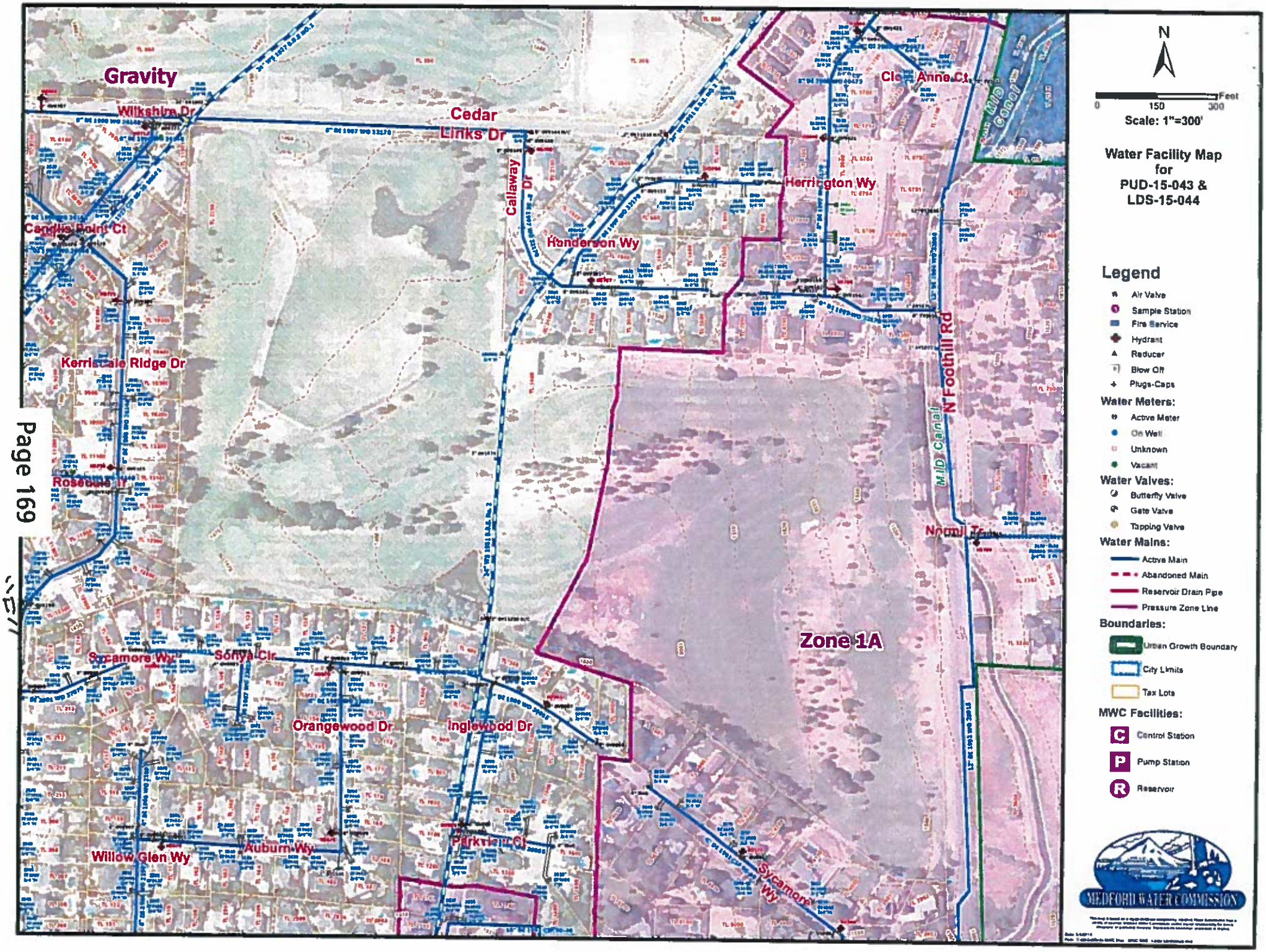
**CONDITIONS**

1. Applicant shall refer to previous MWC Conditions per previous City of Medford Planning Application PUD-15-043 & LDS-15-044 dated May 5, 2015..

2. Applicants' Civil Engineer shall coordinate with MWC engineering staff for water line and water meter layout for the twelve (12) phases of this development.

**COMMENTS**

1. Applicant shall refer to previous MWC Comments per previous City of Medford Planning Application PUD-15-043 & LDS-15-044.


Gravity
Wilkshire Dr
Cedar Links Dr
Callaway Dr
Henderson Wy
Herrington Wy
Clear Anne Ct
MID Canal
N Foothill Rd
Candlis Point Ct
Kerriscale Ridge Dr
Rosedale Tr
Norrell Tr
Zone 1A
Sycamore Wy
Sonya Cir
Orangewood Dr
Inglewood Dr
Parkview Ct
Auburn Wy
Willow Glen Wy
Sycamore Wy
N
Feet
0
150
300
Scale: 1"=300'
Water Facility Map for PUD-15-043 & LDS-15-044
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
MEDFORD WATER COMMISSION

# Medford Fire Department

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


## LAND DEVELOPMENT REPORT - PLANNING

**To:** Desmond McGeough **LD Meeting Date:** 02/24/2016

**From:** Greg Kleinberg **Report Prepared:** 02/19/2016

**Applicant:** Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

**File #:** LDS - 15 - 44

**Site Name/Description:**

Request approval for a 176-lot residential subdivision tentative plat revision, approved under application number LDS-15-044, for the purpose of modifying phase boundaries and amending underlying reserve lots. The subject 116.58 acre property is located entirely on the south side of Cedar Links Drive, approximately 1,000 feet west of North Phoenix Road, within an SFR-4 zone district; Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

| DESCRIPTION OF CORRECTIONS | REFERENCE | |
|---|---|---|
| **Requirement FIRE HYDRANTS** | **OFC** | **508.5** |

Fire hydrants with reflectors will be required for this project.

Hydrant locations shall be as follows: Twenty one (21) total fire hydrants are required located at the following locations: One on the corner of Farmington/High Fallen Oak near lot #3; One on the corner of Fallen Oak/Morning View near lot #1; One on Caldera in front of lot #5; One on Caldera in front of lot #63/64; One on Caldera in front of lot #67/68; One on Caldera in front of lot #71/72; One on Obsidian in front of lot #81/82; One on the corner of Farmington/Obsidian in front of lot #46; One on Farmington in front of lot #40/41; One on Morning View in front of lot #24; One on Morning View in front of lot #95; One on the corner of Morning View/Noble Fir in front of lot #92; One on Morning View in front of lot #88; One on the corner of Morning View/High Cedars in front of lot #113; One on the corner of Normil Terrace/Noble Fire in front of lot #127; One on the corner of Normil Terrace/Pronghorn Lane in front of lot #131; One on the corner of Normil Terrace/High Cedars in front of lot #141; One on High Cedars in front of lot #174; One on Tree Top in front of lot #151; One on the corner of Tree Top/Pronghorn in front of lot #147; and one on the corner of High Cedars/Tree Top in front of lot #176.

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

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

**Requirement ADDL. FD ACCESS REQUIRED-1 & 2 FAMILY DWELLINGS** **OFC** **D107.1**

Lots/Units Affected: All Phases-Two access roads are required as stipulated below unless all the homes are protected with home fire sprinkler systems.

CITY OF MEDFORD
EXHIBIT "F"
DS-15-044 Revision

# Medford Fire Department

200 S. Ivy Street, Room #180
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www.medfordfirerescue.org


## LAND DEVELOPMENT REPORT - PLANNING

**To: Desmond McGeough** **LD Meeting Date: 02/24/2016**

**From: Greg Kleinberg** **Report Prepared: 02/19/2016**

**Applicant: Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)**

**File #: LDS - 15 - 44**

**Site Name/Description:**

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Exceptions:
1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses (D104.3).

A minimum size 3/4" x 3/4" water meter is normally required to supply the required water flow for a residential fire sprinkler system. Consult the Medford Water Commission for additional information.

**Requirement MEDFORD CODE STREET DESIGN OPTIONS** **MEDFORD** **10.430**

Section 10.430 of the Medford Code states the following:

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

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

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

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

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

# Medford Fire Department

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www.medfordfirerescue.org


## LAND DEVELOPMENT REPORT - PLANNING

**To:** Desmond McGeough **LD Meeting Date:** 02/24/2016

**From:** Greg Kleinberg **Report Prepared:** 02/19/2016

**Applicant:** Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

**File #:** LDS - 15 - 44

**Site Name/Description:**

final plat.

**Requirement FIRE DEPARTMENT TURN-AROUND** **OFC** **503.2.5**

Phasing will require temporary fire department turn-arounds at the ends of Caldera, Farmington, Morning View, and Noble Fir.

Dead-end Fire Apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

The Fire department turn-around area must be posted with "NO PARKING-FIRE LANE" signs. These signs shall be spaced at 50' intervals along the fire lane and at fire department designated turn-around's.

**Requirement FD APPARATUS ACCESS ROAD DESIGN** **OFC** **503.2.1**

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under section 503.2.1, shall be maintained at all times. The fire apparatus access road shall be constructed as asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 60,000 pounds.
(See also OFC 503.4; D102.1)

The turning radius on fire department access roads shall meet Medford Fire Department requirements (OFC 503.2.4).

**Requirement ADDITIONAL REQUIREMENTS/COMMENTS** **MEDFORD** **OTHER**

Additional Requirements/Comments
If all the homes are protected with home fire sprinklers, the following requirements are changed:
1. The design of clustered/offset driveways is not required
2. Max. fire hydrant spacing throughout the project is 500' o.c. (will reduce total number of fire hydrants required for overall project)
3. Temporary fire department turn-arounds are not required

"F"

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

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

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

# Memo

**To:** Desmond McGeough, Planning Department

**From:** Mary Montague, Building Department

**CC:** Cedar Investment Group, LLC

**Date:** 02/24/2016

**Re:** File No. LDS-15-044;
Ref: PUD-15-043/LDS-15-044/PUD-14-136/LDS-14-137/LDS-14-138

---

## 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 2014 ORSC with additional Oregon amendments to the 2011 ORSC; 2014 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. A site/excavation permit is required for all private work being done. i.e. storm drains, sewer lines, water lines, or private streets. Also, permit required for Proposed Storm Facilities.

4. If retaining walls are required for the purposes of retaining a surcharge for lot development next to the homes or driveways, then a permit is required. Wall will be required to be engineered.

5. Demo Permit is required for any buildings being demolished.

**CITY OF MEDFORD**
**EXHIBIT "G"**
**FILE # LDS-15-044 Revision**

# STAFF MEMO

**To:** Desmond McGeough

**From:** Jennifer Ingram, Address Technician

**Date:** 2/24/2016

**Subject:** LDS-15-044

The proposed street *Morning View Drive* should be given a new name where it makes a near 90 degree turn. (This was missed on the previous review.)

CITY OF MEDFORD
EXHIBIT "4"
FILE # LDS-15-044 Revision

## Desmond M. McGeough

**From:** MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us>
**Sent:** Friday, February 26, 2016 3:29 PM
**To:** Desmond M. McGeough
**Subject:** LDS-15-044

Desmond,

Thank you for sending agency notice of a request approval for a 176-lot residential subdivision tentative plat revision, approved under application number LDS-15-044, for the purpose of modifying phase boundaries and amending underlying reserve lots. The subject 116.58 acre property is located entirely on the south side of Cedar Links Drive, approximately 1,000 feet west of North Phoenix Road, within an SFR-4 zone district. We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

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

CITY OF MEDFORD
EXHIBIT "I"
FILE # LDS-15-044 Revision

# JACKSON COUNTY
Roads

Roads
Engineering

Kevin Christiansen
*Construction Manager*

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

www.jacksoncounty.org

February 12, 2016

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

RE: Subdivision off Cedar Links Drive – a city maintained road.
Planning File: LDS-15-044

Dear Desmond:

Thank you for the opportunity to comment on the request for a 176-lot residential subdivision tentative plat revision for the purpose of modifying phase boundaries and amending underlying reserve lots. The subject property is locates south of Cedar Links Drive and west of North Foothill Road. Jackson County has the following comments:

1. All proposed access roads or frontage improvements shall be permitted and inspected by the City of Medford.

2. At Arterial and Collectors approaches, the radii shall be thirty-foot.

3. Future construction plans shall be submitted to Jackson County Roads, so we may determine if county permits will be required.

4. North Foothill Road is a County Minor Arterial and is county-maintained. The Average Daily Traffic Count 225 ft. north of Coker Butte Road was 6,228 in August 2014.

5. If frontage improvements are required, they shall be permitted and inspected by the City of Medford.

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). Jackson County Roads recommends that the city request jurisdiction of North Foothill Road.

7. Storm water should meet City of Medford requirements that also include water quality.

**CITY OF MEDFORD**
**EXHIBIT "J"**
**FILE # LDS-15-044 Revision**

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

9. Jackson County concurs with any right-of-way dedication required by the City of Medford.

10. Jackson County Roads requests a limited TIS that looks at the North Foothill Road and Normal Terrace intersection. If mitigations are recommended they shall be required.

11. No new approaches will be permitted on North Foothill Road.

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

Sincerely,

Kevin Christiansen
Construction Manager

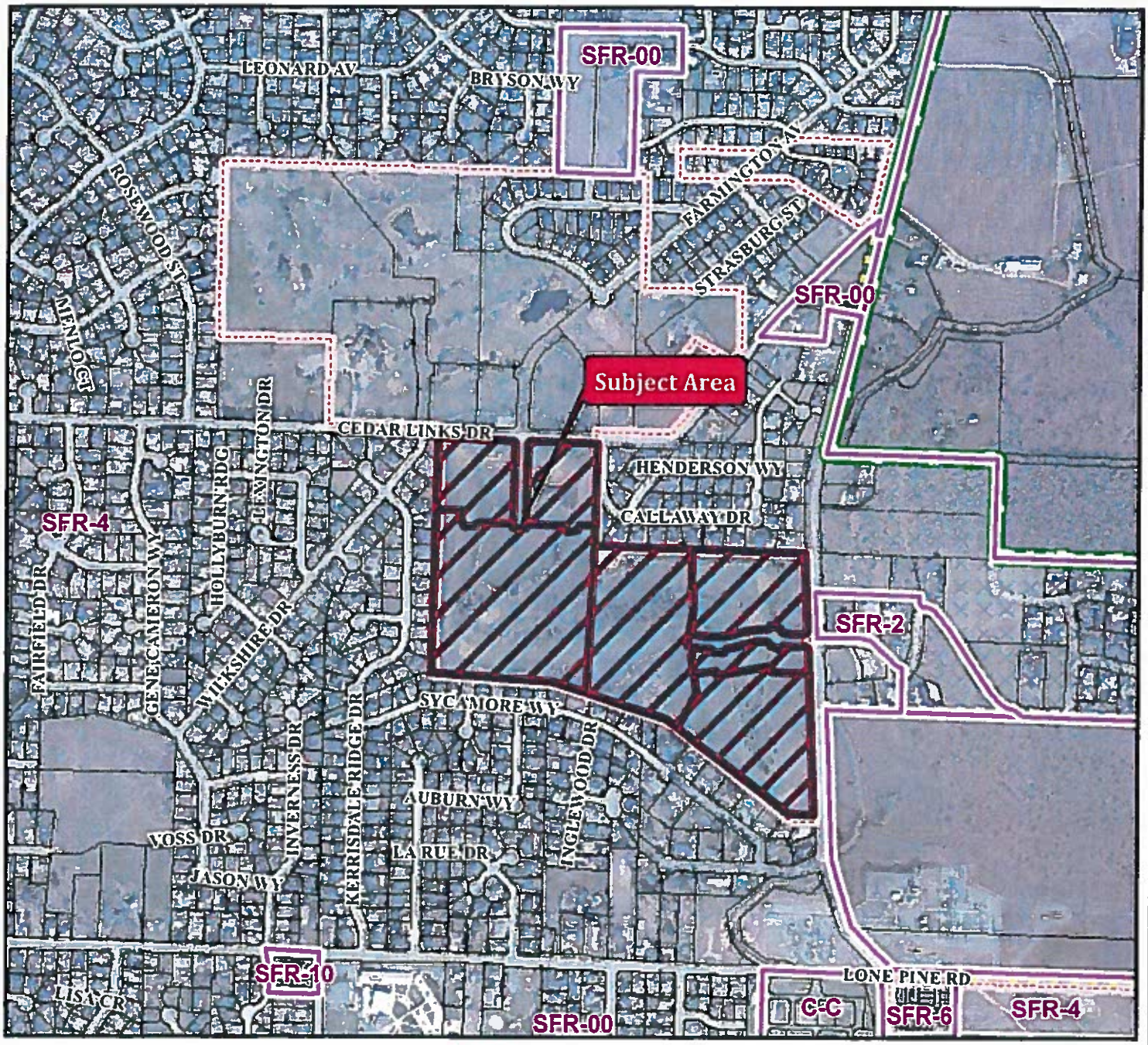
City of Medford

# Planning Department

Vicinity Map

File Number:

**LDS-15-044**




Project Name:

**Tentative Plat Revision - High Cedars**

Map/Taxlot:

**371W16CA TL's 2200 - 2202**
**371W16D TL's 7000 & 7001**

0 250 500 Feet

09/02/2015

Subject Area

Medford Zoning

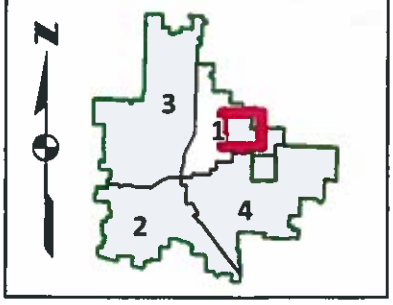
UGB

Tax Lots

PUD

City Limits

Medford UGB with Wards



# STAFF REPORT

for a Type-C quasi-judicial decision: Tentative Plat

| | |
|---|---|
| PROJECT | Replat of Skylakes Village at Cedar Landing, Phase 7A<br>Applicant: Cedar Investment Group LLC; Agent: CSA Planning Ltd. |
| FILE NO. | LDS-15-120 |
| TO | Planning Commission *for 03/24/2016 hearing* |
| FROM | Desmond McGeough, Planner III |
| REVIEWER | Kelly Akin, Principal Planner |
| DATE | March 17, 2016 |

## BACKGROUND

### Proposal

Consideration of a request for approval of a subdivision replat of Sky Lakes Village at Cedar Landing Phase 7A, in order to comport with requested modifications in the phase boundaries of the subdivision. The subject 116.58 acre property is located entirely on the south side of Cedar Links Drive, approximately 1,000 feet west of North Foothill Drive within an SFR-4 zoning district.

### Subject Site Characteristics

| | |
|---|---|
| Zoning | SFR-4 |
| GLUP | UR (Urban Residential) |
| Use | Vacant Golf Course |

### Surrounding Site Characteristics

| | | |
|---|---|---|
| North | SFR-4 | Single Family Dwellings |
| South | SFR-4 | Single Family Dwellings |
| East | SFR-4 | Single Family Dwellings |
| West | SFR-4 | Single Family Dwellings |

### Related Projects

| | |
|---|---|
| PUD-05-035 | Cedar Landing PUD |
| LDS-05-036 | Cascade Terrace Subdivision |
| LDS-05-037 | Sky Lakes Subdivision |

| | |
|---|---|
| PUD-05-035 | Termination of 5.47 acre portion of PUD for park property in 2011 |
| LDS-13-121 | Sky Lakes Village Subdivision Phases 7A & 7B |
| PUD-13-119 | PUD Revision |
| E-14-059 | Exception to required right-of-way dedication |
| PUD-14-136 | PUD Revision |
| LDS-14-137 | Sky Lakes Village Phase 1 Tentative Plat |
| LDS-14-138 | The Village at Cedar Landing Phase 1 Tentative Plat |
| PUD-15-043 | PUD Revision to change commercial, multi-family and condominium use south of Cedar Links to single-family residential use. |
| LDS-15-044 | 176 Lot Tentative Plat for High Cedars Subdivision |
| SV-15-101 | Street Vacation of a portion of Normil Terrace and Farmington Avenue. |

Applicable Criteria

Medford Municipal Code

**Land Division, §10.270**

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

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

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

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

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

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

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

Corporate Names

The application lists Cedar Investment Group, LLC as the owner of the subject property. As per the State of Oregon Business Registry, Eric Artner is listed as the registered agent.

**ISSUES AND ANALYSIS**

Project History

On April 27, 2006, the Planning Commission approved Cedar Landing Planned Unit Development (PUD-05-035), a master plan for the redevelopment of the 122.12-acre site to provide a mixture of residential uses, commercial development and a preservation of existing open space. The overall project is organized into four sub areas with multiple phases that are described as follows:

1. High Cedars (43.0 ± acres), at time of plan approval, consisted of five (5) phases, which included single-family lots, 55 and older, pad lots and common area/open space.

2. The Village at Cedar Landing (21.42 ± acres) is made up of five (5) phases of single-family lots, condominiums, retirement facilities and common area/open space.

3. Cascade Terrace (15.4 ± acres) is comprised of two (2) phases of small single-family lots targeted for detached dwellings and residents aged 55 or older.

4. Sky Lakes Village (41.6 ± acres) consists of single-family residential lots and common area/open space.

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

In 2013, a revision to the PUD was approved which included modifications for naming, numbering, and design. In January 2015, an exception was approved for the reduction of required right-of-way dedication for Cedar Links Drive. The Planning Commission

approved modifications to the street design as part of the original approval in order to preserve existing Cedar trees on the north side of Cedar Links Drive. An Exception was necessary in order to reduce the amount of right-of-way dedication.

In April 2015 the Planning Commission approved a revision to the PUD regarding changes to the north side of Cedar Links Drive and tentative plats for Sky Lakes Phase 1 and The Village Phase 1.

In June of 2015, the Planning Commission approved a PUD revision (PUD 15-143) and 176 lot subdivision tentative plat (LDS-15-044) for the portion of the PUD south of Cedar Links Drive. Specifically, significant revisions of the PUD included the following revisions:

- Reconfiguration of the entire south area into 5 phases.
- Changing all commercial, multi-family, and condominium uses to single-family detached residential use.
- Removal of the below grade pedestrian crossing at Cedar Links Drive.
- Providing a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive.
- Relocating pedestrian paths.

Project Update

The sole purpose of the subject application (LDS-15-120) and correlating application for the tentative plat revision for Cedar Landing High Cedars Subarea (LDS-15-044) is simply to revise the phasing boundaries associated with the tentative plat approved in June 2015 (LDS-15-044).

The applicant initially proposed in 2015 that the tentative plat for High Cedars would be built–out in five phases. The applicant now proposes to develop the south half of the Cedar Landing development in twelve phases, rather than five.

The correlating tentative plat revision for High Cedars plat is virtually identical to the plat approved in June 2015, with the exception of the proposed phasing modifications and minute adjustments in the alignment of Farmington Avenue and Normil Terrace. The request for replat of Sky Lakes Village at Cedar Landing Phase 7A, is required in order to comport with requested modifications to the subdivision phase boundaries.

**FINDINGS AND CONCLUSIONS**

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

- The findings identify the request modifies the number of phases from five phases to ten phases. The proposed request modifies the number of phases from five phases to twelve phases.

**RECOMMENDED ACTION**

Adopt the findings presented by the applicant as modified by staff and direct staff to prepare a Final Order for approval per the staff report dated March 17, 2015, including Exhibits A through I.

**EXHIBITS**

A Conditions of Approval
B Proposed Replat of Sky Lakes Village at Cedar Landing Phase 7A, received December 16, 2015
C Applicant's Findings of Fact, received August 27, 2015; including,
- Assessor Map
- Aerial Map with City of Medford Zoning Classifications depicted
- General Land Use Plan (GLUP) Map
- Copy of Sky Lakes Village at Cedar Landing Phase 7A Plat.
- Final Order approving PUD-15-043 and LDS-15-044
- Proposed Tentative Plat Map for High Cedars
- Proposed Replat of Sky Lakes Village at Cedar Landing Phase 7A

D Public Works Staff Report, dated February 24, 2016
E Medford Water Commission Memo, dated February 23, 2016
F Fire Department Report, prepared February 19, ,2016
G Building Department Memo, dated February 24, 2016
H ODOT e-mail correspondence, received February 26,2016
I Jackson County Roads Department Letter, dated February 12, 2016
Vicinity map

**PLANNING COMMISSION AGENDA: MARCH 24, 2015**

**EXHIBIT A**

Sky Lakes Village at Cedar Landing Phase 7A Replat
LDS-15-120
Conditions of Approval
March 17, 2016

**CODE CONDITIONS**

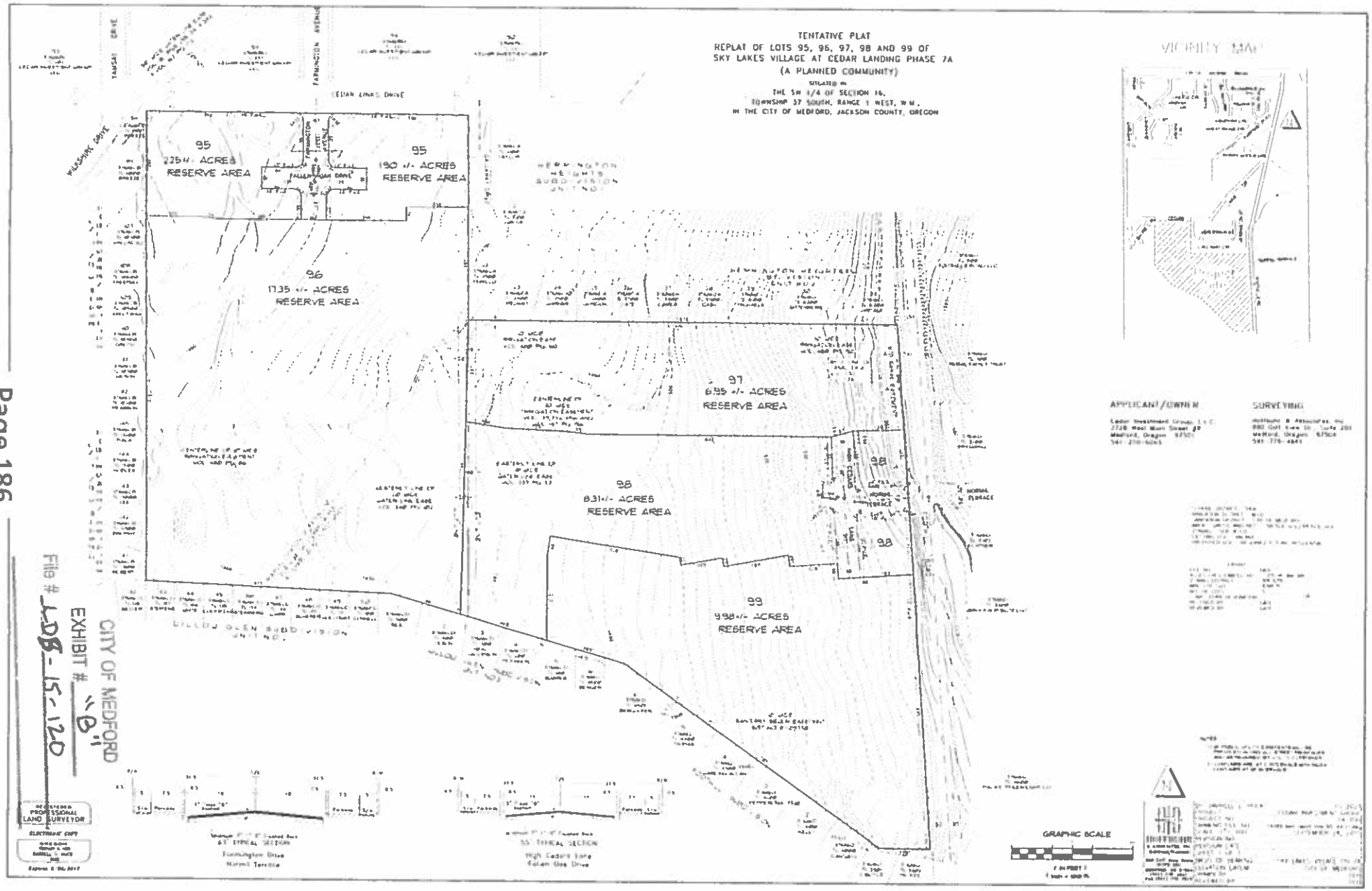
1. Prior to Final Plat approval, the applicant shall:

    a. Comply with the Public Works Department Report dated February 24, 2016 (Exhibit D).

    b. Comply with the Water Commission Staff Memo dated February 23, 2016 (Exhibit E).

    c. Comply with the Jackson County Roads Department Correspondence, dated February 12, 2016 (Exhibit I).

CITY OF MEDFORD
EXHIBIT # "A"
File # LDS-15-120




CITY OF MEDFORD
EXHIBIT # "B"
File # LDB-15-120

RECEIVED
AUG 27 2015
PLANNING DEPT.

**BEFORE THE PLANNING COMMISSION**

**FOR THE CITY OF MEDFORD**

**JACKSON COUNTY, OREGON**

| | |
|---|---|
| **IN THE MATTER OF AN APPLICATION TO AUTHORIZE A REVISION TO A TENTATIVE SUBDIVISION PLAT THAT WAS PREVIOUSLY APPROVED UNDER LDS-15-044, FOR THE SOLE PURPOSE OF MODIFYING PHASE BOUNDARIES WITHIN THE HIGH CEDARS SUBAREA OF CEDAR LANDING, A PLANNED UNIT DEVELOPMENT. THE REQUEST ALSO SEEKS TO AMEND THE UNDERLYING RESERVE LOTS AND RESPECTIVE ACCESS BY MANNER OF REPLATTING SKY LAKES VILLAGE AT CEDAR LANDING, IN ORDER TO REMAIN CONSISTENT WITH THE PROPOSED PHASING BOUNDARIES REQUESTED HEREIN. THE SUBJECT PROPERTY IS SITED ENTIRELY ON THE SOUTH SIDE OF CEDAR LINKS DRIVE ON 116.58 ACRES OF LAND ZONED SFR-4 ON LAND LOCATED APPROXIMATELY 1,000 FEET WEST OF NORTH PHOENIX ROAD IN THE CITY OF MEDFORD, OREGON**<br><br>**Applicant: Cedar Investment Group, LLC**<br>**Agent: CSA Planning, Ltd.** | **FINDINGS OF FACT AND CONCLUSIONS OF LAW**<br><br>***Applicant's Exhibit 1*** |

I

## NATURE AND SCOPE OF APPLICATION

This application regards the Cedar Landing Planned Unit Development ("PUD") and involves a request for two revisions as follows:

- Replat of *"Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)"* in order to comport with the requested phase boundaries.
- Amendment of the Cedar Landing High Cedars Subarea Tentative Plat approved under LDS-15-044 for the sole purpose of modifying the phase boundaries.

There will be no changes to lot configurations, densities, allowed uses, open space, paths, road layout, location of infrastructure or modification to any design element of the PUD as a result of the request. The proposed phase boundary changes better enable the individual

CITY OF MEDFORD
Page 1 of 11 Exhibit # "C"
File # LDS-15-120

phases to be constructed in a manner commensurate with the timing and delivery needs of infrastructure.

The proposed Tentative Plat amendment seeks the following Phase changes:

- Creation of ten (10) phases instead of five (5). The original five phases were relatively large in both physical dimension and number of dwelling units provided in each phase. The original phase boundaries were also oriented in a manner that made it more difficult to accommodate the phases independent of one another. The proposed phasing plan allows for all of the phases to be constructed independent of one another, once phases 1A and 2B are completed. This will allow for a better response to market demand and accommodation of needed infrastructure.

The Replat of *Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)* seeks the following changes:

- Reconfiguration of reserve lots 95 through 99 in order to comport with the proposed phase boundaries proposed herein above.

- Dedication of right of way in a manner that is consistent with the currently approved Preliminary PUD Plan, the proposed amended Tentative Plat and the proposed Replat, herewith submitted. The portions of rights of way to be dedicated through the replat are necessary in order to provide practical frontage and legal access for all reserve lots included in the replat. The configurations of proposed rights of way are consistent in all ways with the layout approved under LDS-15-044.

This document, entitled *Findings of Fact and Conclusions of Law* is submitted into evidence as Applicant's Exhibit 1. Its purpose is to present facts relevant to the applications and show how these support the Planning Commission's final decision. Applicant's Exhibit 1 demonstrates how the evidence, in this instance, supports an affirmative decision to approve the applications. Applicant urges that this document and the evidence therein referenced are adopted by the Planning Commission in support of any affirmative decisions the Commission may reach.

## II

## EVIDENCE SUBMITTED WITH APPLICATION

Applicant herewith submits the following evidence in support of its applications seeking approval for revision to the Cedar Landing High Cedars Subarea Tentative Plat and Replat of the *"Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)"*:

**Exhibit 1.** The proposed Findings of Fact and Conclusions of Law (this document) which demonstrates how these modified Land Division applications comply with the applicable substantive criteria of the MLDC

**Exhibit 2.** Jackson County Assessor plat map T37S-R1W-Section 16ca which depicts the

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subject properties.

**Exhibit 3.** City of Medford Zoning depicted on an Aerial Map

**Exhibit 4.** City of Medford General Land Use Plan (GLUP) Map

**Exhibit 5.** Copy of Sky Lakes Village at Cedar Landing Phase 7A Plat

**Exhibit 6.** Aerial Map from 2014 showing improvements to date.

**Exhibit 7.** Final Order approving PUD-15-043and LDS-15-044.

**Exhibit 8.** Proposed Tentative Plat Map, *"Tentative Plat For High Cedars At Cedar Landing Phase 1A...1B...2A...2B...3A...3B...4A...4B...5A...5B (A Planned Community"*

**Exhibit 9.** Proposed Replat *"Tentative Plat Replat of Lots 95, 96, 97, 98 and 99 of Sky Lakes Village At Cedar Landing Phase 7A (A Planned Community)"*

**Exhibit 10.** Completed application forms for Tentative Subdivision Plat Revision and Replat and powers of attorney from the record owner of the subject property which permits CSA Planning, Ltd. to act procedurally in its name

## III

## RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The criteria under which the applications for Replat and Tentative Plat revisions for land division must be approved are in Article II of the Medford Land Development Code (MLDC). The criteria are recited verbatim below and again in Section V where each is followed by the conclusions of law:

### *C. LAND DIVISION – TENTATIVE SUBDIVISION PLAT*

**10.270 Land Division Criteria.**

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

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

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

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

(4) Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary, to 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) Has streets that are proposed to be held for private use, that they are distinguished from the public street on the tentative plat, and reservations or restrictions relating to the private streets are set forth;

(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.

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## IV

## FINDINGS OF FACT

The following facts are established and found to be true with respect to this matter:

1. **Background; Relevant Prior City Approvals**: The City of Medford has taken several land use actions concerning this property and others are still pending as reported below:

   - **PUD-05-35:** On April 27, 2006, the City of Medford Planning Commission approved PUD-05-35 is a planned unit development (PUD) named Cedar Landing with four sub-areas, each with their own phasing plan, covering approximately 122 acres. The four subareas were as follows:

     - The Village at Cedar Landing with 5 Phases including retirement facilities; mixed use commercial / residential; single family residential and common area / open space
     - Cascade Terrace with Phases with single family residential and open space
     - Sky Lakes Village with Phases with single family residential and open space
     - High Cedars with Phases including 55 and older lots, duplexes, townhomes, single family lots and common area/open space.

     Of the original Cedar Landing PUD, two phases — Phases 5 & 6 of Sky Lakes Village — have received final plat approval by the City and have been developed.

   - **Termination of 5.47 acres for City of Medford Park:** On April 14, 2011 the City of Medford approved the termination of 5.47 acres within Phase 1 of the Sky Lakes Village and Phases 1 and 2 of the Cascade Terrace. The same 5.47 acre was acquired by the City of Medford for a future Neighborhood Park.

   - **PUD-13-119** On February 27, 2014 the City of Medford Planning Commission approved PUD-13-119, an amendment to PUD-05-35. PUD-13-119 dissolved remaining portions of Cascade (following termination noted herein above) into The Village subarea and renumbered the phases within The Village subarea. The portion formerly within Cascade became phase 1 of The Village.

   - **Property Line Adjustments**: Property line adjustments reconfiguring lots 37-1W-16BD-400 and 300 to their current configuration.

   - **LDS-13-121** Final Plat for Sky Lakes Phase 7 creating 16 lots on 4.33 acres. Creation of 9 reserve acreage lots throughout the PUD coincident with subarea and phase boundaries. The portion lying south of Cedar Links Drive was recorded as Plat Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community) creating lots 96 through 99 thereof.

   - **E-14-136:** Approved exception to right of way width on north side of Cedar Links Drive.

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- **PUD-14-136, LDS-14-137 and LDS-14-138:** Approved revision to the westerly half of Cedar Landing PUD lying north of Cedar Links Drive; Pending minor revisions to roads and lot configurations within Phase 1 of Sky Lakes (Formerly Phases 1-4) creating 60 lots; Pending revision to Phase 1 of The Village (formerly part of Cascade Terrace) creating 38 lots.

- **PUD-15-043 and LDS-15-044:** Approved Preliminary PUD Plan and Tentative Plat approving the High Cedars Subdivision Phases 1 through 5, comprising the entire portion of the Cedar Landing PUD lying south of Cedar Links Drive.

  Conditions of approval for PUD-15-043 and LDS-15-044 required:

  - The underlying reserve lots that were created through the *Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)* to be adjusted to match the approved phasing boundaries. While the condition specifically referred to the reconfiguration by manner of property line adjustment, a replat accomplishes the same objective in a more straightforward fashion. In response to this condition, a series of Property Line Adjustments were filed with the City of Medford. Because a replat can accomplish the same objective in a cleaner fashion, the property line adjustments have been requested to be withdrawn, in favor of the replat.

  - The Farmington Avenue and Normil Terrace rights of way created through *Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)* for purposes of providing access to underlying reserve lots are to be adjusted or otherwise modified to match the reserve lot configurations approved under PUD-15-043 and LDS-15-044. An adjustment of right of way requires both a street vacation and a new dedication. In response to this condition, requests for vacating the relevant portions of Farmington Avenue and Normil Terrace were filed with the City of Medford. Because a replat can dedicate right of way in a more straightforward fashion, the separate request for dedication has been withdrawn, in favor of accomplishing the same through replat. However, pursuant to ORS 92 a replat cannot be used to vacate public rights of way. Thus, the current application for vacation of Farmington Avenue and Normil Terrace has been tendered.

2. **Subject Property Ownership and Details**: According to the records of the Jackson County Assessor and Medford Planning Department, the entirety of the Cedar Landing PUD includes the properties identified in the table herein below. The parcels affected by the proposed amendments are reported in below Table 1 and indicated in the column titled "Part of Amendment." The subject property includes lands within the Cedar Landing PUD which are located south of Cedar Links Drive and identified on the Sky Lakes Village at Cedar Landing Phase 7A plat as Lots 95, 96, 97, 98 and 99. The subject property is also described on the Assessor's plat map as Township 37 South, Range 1 West, Section 16,

Tax Lot 1400 and Township 37 South, Range 1 West, Section 16CA, Tax Lot 2200.[1]

***Table 1***

**PUD Ownership and Value; Authority to Amend the PUD**
Sources: Jackson County Assessor; CSA Planning, Ltd.

| Map & Tax Lot | Acreage | Ownership of Record | Assessed Improvements | Assessed Land | Part of Amendment |
|---|---|---|---|---|---|
| 37-1W-16-1400 | 25.58 | Cedar Investment Group LLC | 0 | 748,230 | Yes |
| 37-1W-16-800 | 32.72 | Cedar Investment Group LLC | 453,120 | 731,670 | |
| 37-1W-16-802 | 1.25 | Jantzer Monty R/Theresa | 0 | 0 | |
| 37-1W-16-803 | 5.42 | Medford City | 0 | 0 | |
| 37-1w-16AC-1100 | 0.65 | Horton Craig Dean/Mary Jane | 402,770 | 112,050 | |
| 37-1W-16BD-200 | 14.73 | Cedar Investment Group LLC | 0 | 867,080 | |
| 37-1W-16BD-211 | 0.55 | Jantzer Monty R/Theresa | 0 | 0 | |
| 37-1W-16BD-214 | 0.4 | Jantzer Monty R/Theresa | 0 | 0 | |
| 37-1W-16BD-300 | 3.32 | Jantzer Monty R | 750 | 125,230 | |
| 37-1W-16BD-400 | 2.73 | Jantzer Monty Ray/Theresa L | 87,150 | 116,390 | |
| 37-1W-16CA-2200 | 22.45 | Cedar Investment Group LLC | 0 | 658,140 | Yes |
| Cedar Links Drive R.O.W | 3.1 | | | | |
| Saint Frances, Saint Augustine, & Wheat Ridge Drive | 2.3 | | | | |
| | 115.2 | | | | |

3. **Property Location:** The Cedar Landing PUD property is located on both sides (north and south) of Cedar Links Drive, approximately 1,000 feet of west of North Phoenix Road, comprising what was formerly the Cedar Links Golf Course. The portion proposed to be amended (and subject to these applications) is located south of Cedar Links Drive. The property is within the corporate limits of Medford and its urban growth boundary (UGB). The location of the subject property in relation to the present corporate limits of the City and to other land in the surrounding area is depicted on Exhibit 4

4. **Comprehensive Plan and Zoning:** The property has a General Land Use Plan (GLUP)[2] designation of Urban Residential (UR) and is zoned SFR-4. See, Exhibits 3 and 4

5. **Surrounding Land Uses**: All surrounding lands are zoned SFR-4 as shown on Exhibit 3. With exception of lot 37-1W-16D-3600 lying east of Foothill Road that is comprised of more than 50 acres is owned by PacifiCorp that is partially developed with a substation.

[1] The Sky Lakes Village at Cedar Landing Phase 7A plat was recently recorded. As the plat is processed by the Jackson County Assessor the property will be assigned new tax lot numbers, one for each of the lots created in said plat.

[2] Also known as a Comprehensive Plan Map Designation.

All surrounding lands are developed single family residential lots and dwellings.

6. **Topography**: Most of the property is gently sloped and drains to the northwest with slopes of approximately 2 to 3 percent. The steepest portions of the property proposed for development are those lying along Foothill Road where there are slopes of approximately 12 percent with a few minor inclusions in excess of 15%.

7. **Floodplain; Wetlands; Drainage:** There is no 100-year mapped floodplain on the property. Portions of the property contain wetlands as indicated in the exhibits relied upon for PUD-15-043. Drainage is generally to the northwest, with portions that drain to the southwest.

8. **Neighborhood Circulation Plan:** The proposed subdivision is not located within one of Medford's Adopted Neighborhood Circulation Plans, however is located within the approved Cedar Landing PUD Master Plan.

9. **Proposed Changes to Tentative Plat For High Cedars at Cedar Landing**

   - Creation of ten (10) phases identified as Phases 1a, 1b, 2a, 2b, 3a, 3b, 4a, 4b, 5a and 5b. The original five phases were large in both physical dimension and number of dwelling units provided. The original phase boundaries were also oriented in a manner that made it more difficult for all phases to be constructed independent of one another. The proposed phasing plan is configured such that once phases 1A and 2B are completed, all other phases may be constructed independent of one another. This design will allow better response to market demand and accommodation of infrastructure.

   - Open Space will be provided in the identical design and configuration as approved through PUD-15-043 and LDS-15-044. As illustrated on Exhibit 8, the timing of open space delivery is reasonable and proportionate to each phase.

     - The open space easement across lots 28 and 29 is split by the boundaries of Phases 1B and 2A. Applicant herewith agrees to stipulate to completion of full open space improvements on said lots 28 and 29 at the development of either Phase 1B or 2A, whichever occurs first.

10. **Proposed changes sought through a Replat of Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community):**

    - Reconfiguration of reserve lots 95 through 99 in order to comport with the proposed phase boundaries proposed herein above.

    - Dedication of the Farmington Avenue and Normil Terrace rights of way in a manner that is consistent with the currently approved Tentative Plan and the proposed amended Tentative Plan. The portions of rights of way to be dedicated through the replat are necessary in order to provide practical street frontage and legal access for all reserve lots included in the replat. The configurations of proposed rights of way are consistent in all ways with the layout approved most recently by the Planning Commission under LDS-15-044.

- Because a replat cannot be used to vacate the portions of Farmington Avenue and Normil Terrace previously established under *Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)*, a separate application for the partial vacation of Farmington Avenue and Normil Terrace is pending and will be processed approximately concurrent with this request[3]. The replat depicted at Exhibit 9, does not reflect the current rights of way to be vacated because their vacation is anticipated to be completed prior to recordation of the replat.

## V

## CONCLUSIONS OF LAW

The following conclusions of law are based on the evidence enumerated in Section II and the findings of fact contained in above Section IV and which relate to the approval criteria for a Replat and Tentative Subdivision Plat Revision Approval. The approval criteria are recited verbatim below and are followed by the conclusions of law of the Planning Commission.

The Conclusions of Law are addressed herein below, which seek the following approvals:

**A.** Revision to the Cedar Landing High Cedars Subarea Tentative Plat; and

**B.** Replat of the *"Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)"*

Here the Commission concludes with respect to standards and criteria in the MLDC prerequisite to approving the first step of a land division.[4]

### *C. LAND DIVISION – TENTATIVE SUBDIVISION PLAT*

#### *Land Division Approval Criteria*

**10.270 Land Division Criteria**

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

#### *Land Division Criterion 1*

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

[3] Final authority for street vacations rests with the City Council

[4] Subdivisions (land divisions) are a two-step process

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**Discussion; Conclusions of Law**: The Planning Commission concludes there are no specific plans applicable to this area and there are no goals or policies that function as approval criteria for the subject application. The Planning Commission further concludes that no elements of design are proposed to change and the existing design complies with all applicable design standards of Article IV and V as documented and approved through LDS-15-044.

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### *Land Division Criterion 2*

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

**Conclusions of Law**: The Commission concludes that the only remainder of the property owned by Applicant is limited to portions of the overall Cedar Land PUD located on the north/opposite side of Cedar Links Drive well removed from the subject property. The proposed changes are limited to changing the phasing boundaries and no elements of transportation interconnectivity or access are being revised. The LDS-15-044 decision for approval and conclusions relied thereupon remain unchanged by this request.

There is nothing in the proposed phasing revisions to suggest that it will in any way prevent development of other portions of the Cedar Landing PUD situated on the north side of Cedar Links Drive.

There is also no evidence that the proposed land divisions will prevent the development of other adjoining land or access thereto because, in fact, all land surrounding the subject property is fully developed with the exception of some land on the opposite side of Foothills Road from the subject property, with which it is concluded to be infeasible and undesirable to interconnect with access. For the reasons thus described, the Planning Commission concludes that this application is consistent with Land Division Criterion 2 because this land division will not prevent development of the remainder of the property under the same ownership or of adjoining land or of access thereto.

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### *Land Division Criterion 3*

(3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford, except for the words "town", "city", "place", "court", "addition", or similar words, unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name, 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;

**Conclusions of Law**: The proposed subdivision is to include the name *"Tentative Plat For High Cedars At Cedar Landing Phase 1A...1B...2A...2B...3A...3B...4A...4B...5A...5B (A Planned Community."* High Cedars was approved by the Planning Commission in 2006 as part of the original approval under PUD05-035 and again earlier this year under PUD15-043

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and LDS15-044. The matters now before the Planning Commission do not affect the project name.

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### *Land Division Criterion 4*

(4) Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary, to the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;

**Discussion; Conclusions of Law**: The Planning Commission concludes that the proposed land divisions will include new public streets configured in the identical manner recently approved under PUD-15-043 and PUD-15-044 (as evidenced by Exhibits 8 and 9). The connections with surrounding lands are in a manner that conforms to all existing and proposed street layouts, none of which contemplated interconnections with the subject property. As such, based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of Land Division Criterion 4.

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### *Land Division Criterion 5*

(5) Has streets that are proposed to be held for private use, that they are distinguished from the public street on the tentative plat, and reservations or restrictions relating to the private streets are set forth;

**Conclusions of Law:** The proposal does not include private streets and Land Division Criterion 5 is concluded to be inapplicable.

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### *Land Division Criterion 6*

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

**Discussion; Conclusions of Law**: Based upon the evidence, the Planning Commission concludes the project is a considerable distance from the nearest EFU zoning district and will not, therefore, create an unmitigated land use conflict with adjoining agricultural lands.

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## VI

## AGREED TO STIPULATIONS

Applicant herewith agrees to stipulate to the following matters if the same are made conditions attached to the approval of this application:

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1. **Street Vacations.** Applicant will prosecute the partial vacations of Farmington Avenue and Normil Terrace prior to the recordation of the Replat approved herein.

2. **Street Dedications.** Applicant will submit and record the Final Plat for the Replat approved herein which will modify the underlying reserve lots and create rights of way for Farmington Avenue and Normil Terrace in a manner consistent with the phasing boundaries also approved herein.

3. **Open Space Improvements on Lots 28 and 29:** The open space easement across lots 28 and 29 is split by the boundaries of Phases 1B and 2A. The completion of all open space improvements required to be provided on both lots 28 and 29 must occur with the development of either Phase 1B or 2A, whichever occurs first.

4. **All conditions of PUD-15-043 and LDS-15-044** not otherwise specifically altered herein above will remain in full force.

## VII

## ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, it is ultimately concluded that the case for revision to the High Cedars Tentative Plat and a Replat of *"Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)"* is consistent with all of the relevant criteria in the Medford Land Development Code (MLDC) as hereinabove enumerated and addressed.

**Dated: August 27, 2015**

Respectfully submitted on behalf of Applicant Cedar Investment Group, LLC:

CSA PLANNING, LTD.

Craig A. Stone
President

"C"

NE 1/4, SW 1/4, SEC.16 T.37S. R.1W. W.M.
JACKSON COUNTY

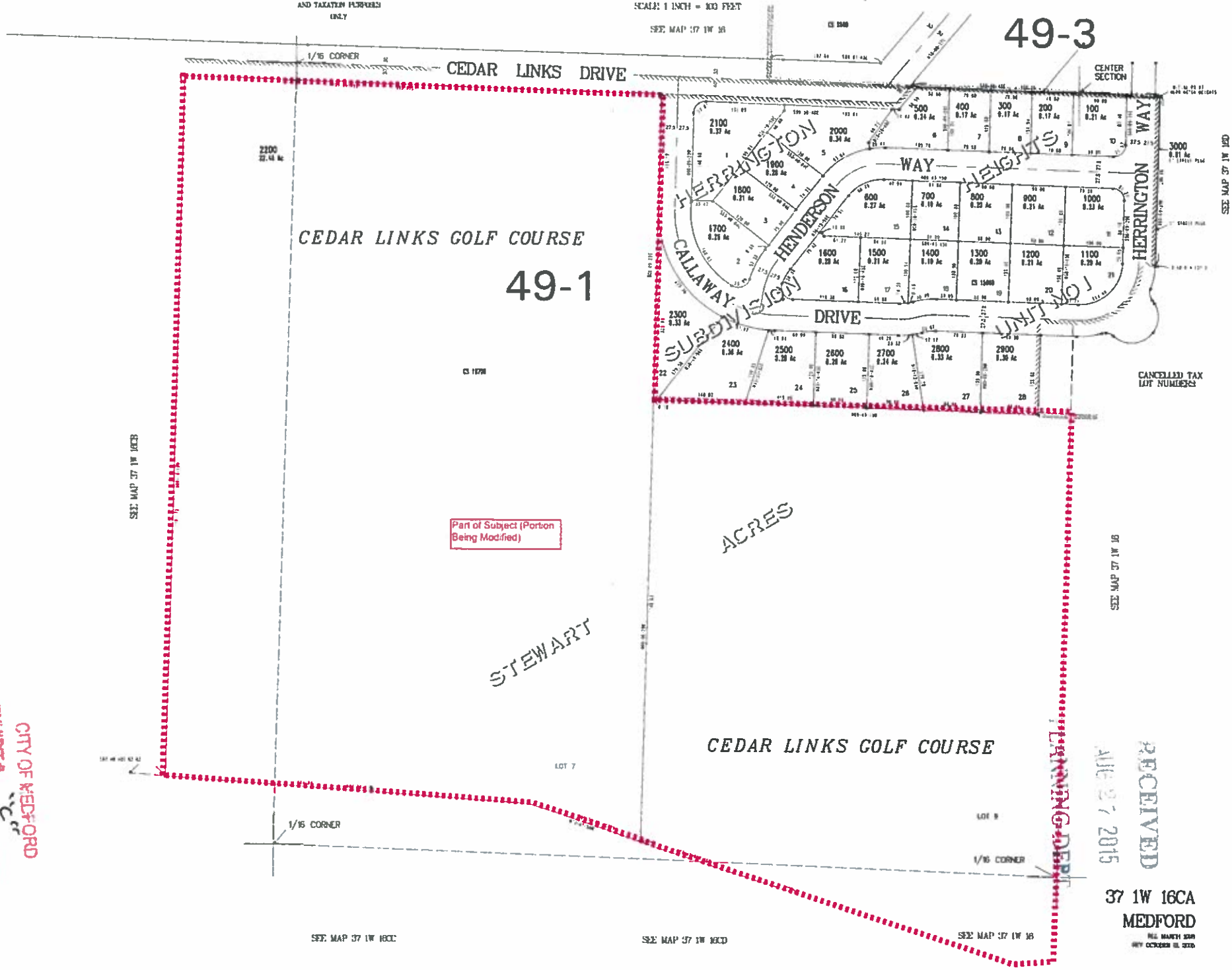
**EXHIBIT 2**

37 1W 16CA
MEDFORD

IMPORTANT
THIS MAP FOR ASSESSMENT AND TAXATION PURPOSES ONLY

SCALE: 1 INCH = 100 FEET

SEE MAP 37 1W 16

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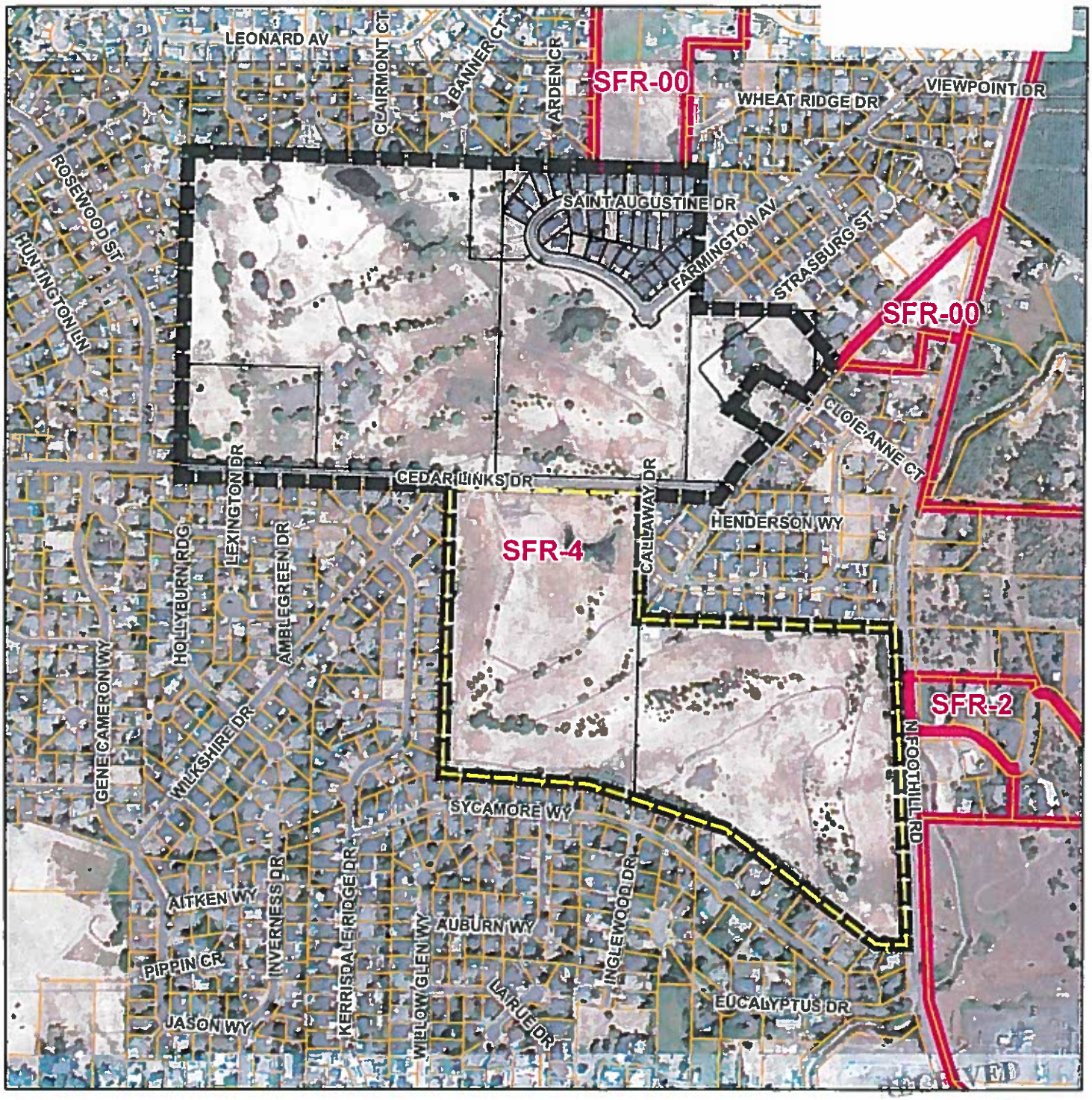
37 1W 16CA
MEDFORD

METAFILE C:/WORKSPACE/371W16CA PLATGRA
CREATED TUESDAY NOVEMBER 07, 2006 3:10 PM By HENSOLSH

CITY OF MEDFORD
EXHIBIT #
File# LDS-15-120

EXHIBIT 3




## Legend

- Area of Proposed Amendment
- PUD Original Boundary
- Lots within PUD Boundary
- Tax Lots
- Medford Zoning

# Zoning Map on Aerial

Cedar Investment Group LLC

2014 Aerial

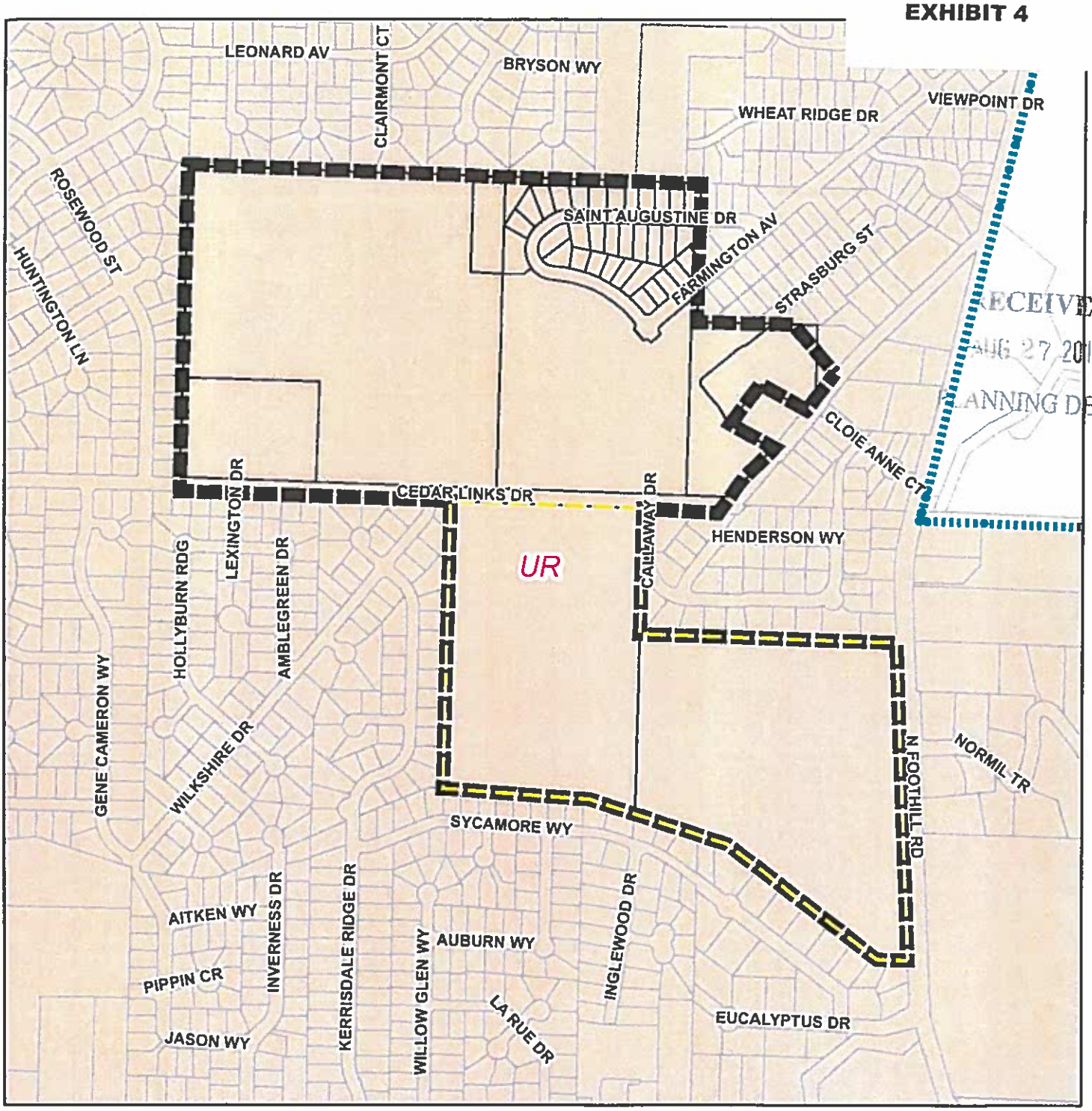
600 300 0 600 Feet

N W E S

AUG 27 2015
PLANNING DEPT.
CITY OF MEDFORD
EXHIBIT # 3
File # LDS-15-120

CSA Planning, Ltd.

EXHIBIT 4

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Area of Proposed Amendment
PUD Original Boundary
Urban Growth Boundary
Lots within PUD Boundary
Tax Lots
**Medford GLUP**
UR

# GLUP Map

Cedar Investment Group LLC
Cedar Landing PUD Revision
37-1W-16-1400 &
37-1W-16CA-2200

CITY OF MEDFORD
EXHIBIT # "C"
File # LDS-15-128

N E S W

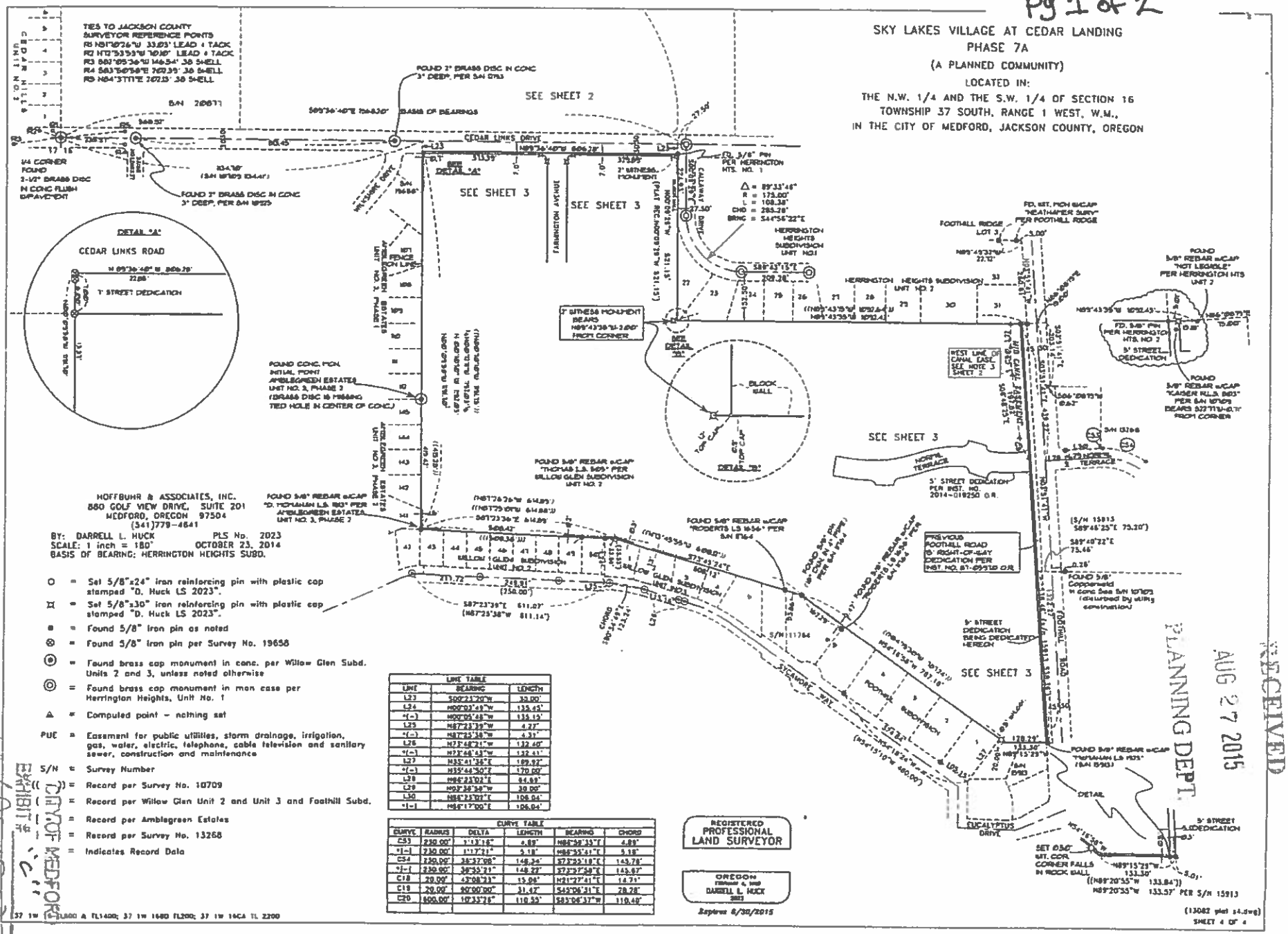
600 300 0 600 Feet

CSA Planning, Ltd.

EXHIBIT 5

Pg 1 of 2

SKY LAKES VILLAGE AT CEDAR LANDING
PHASE 7A
(A PLANNED COMMUNITY)
LOCATED IN:
THE N.W. 1/4 AND THE S.W. 1/4 OF SECTION 16
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.,
IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON




- O = Set 5/8"x24" iron reinforcing pin with plastic cap stamped "D. Huck LS 2023".
- ⌑ = Set 5/8"x30" iron reinforcing pin with plastic cap stamped "D. Huck LS 2023".
- ■ = Found 5/8" iron pin as noted
- ⊗ = Found 5/8" iron pin per Survey No. 19658
- ⊛ = Found brass cap monument in conc. per Willow Glen Subd. Units 2 and 3, unless noted otherwise
- ◎ = Found brass cap monument in mon case per Herrington Heights, Unit No. 1
- △ = Computed point – nothing set
- PUE = Easement for public utilities, storm drainage, irrigation, gas, water, electric, telephone, cable television and sanitary sewer, construction and maintenance
- S/N = Survey Number
- (( )) = Record per Survey No. 10709
- ( ) = Record per Willow Glen Unit 2 and Unit 3 and Foothill Subd.
- = Record per Amblegreen Estates
- = Record per Survey No. 13268
- = Indicates Record Data

LINE TABLE

| LINE | BEARING | LENGTH |
|---|---|---|
| L23 | S00°21'20"W | 30.00' |
| L24 | N00°03'48"W | 135.45' |
| *(-) | N00°05'48"W | 135.15' |
| L25 | N87°23'39"W | 4.27' |
| *(-) | N87°25'38"W | 4.31' |
| L26 | N73°48'21"W | 132.40' |
| *(-) | N72°46'43"W | 132.41' |
| L27 | N35°41'36"E | 189.92' |
| *(-) | N35°44'50"E | 170.00' |
| L28 | N86°23'02"E | 94.69' |
| L29 | N03°38'58"W | 30.00' |
| L30 | N86°23'02"E | 106.04' |
| *(-) | N86°17'00"E | 106.04' |

CURVE TABLE

| CURVE | RADIUS | DELTA | LENGTH | BEARING | CHORD |
|---|---|---|---|---|---|
| C53 | 230.00' | 1°13'16" | 6.89' | N86°58'35"E | 6.89' |
| *(-) | 230.00' | 1°17'21" | 5.18' | N86°55'41"E | 5.18' |
| C54 | 230.00' | 36°37'00" | 146.94' | S73°55'18"E | 145.78' |
| *(-) | 230.00' | 36°35'21" | 146.27' | S73°57'58"E | 145.07' |
| C18 | 20.00' | 43°08'33" | 15.06' | N21°27'41"E | 14.71' |
| C19 | 20.00' | 90°00'00" | 31.42' | S45°06'31"E | 28.28' |
| C20 | 600.00' | 10°33'16" | 110.53' | S83°06'37"W | 110.40' |

37 1W 6 TL1800 & TL1400; 37 1W 16BD TL200; 37 1W 16CA TL 2200

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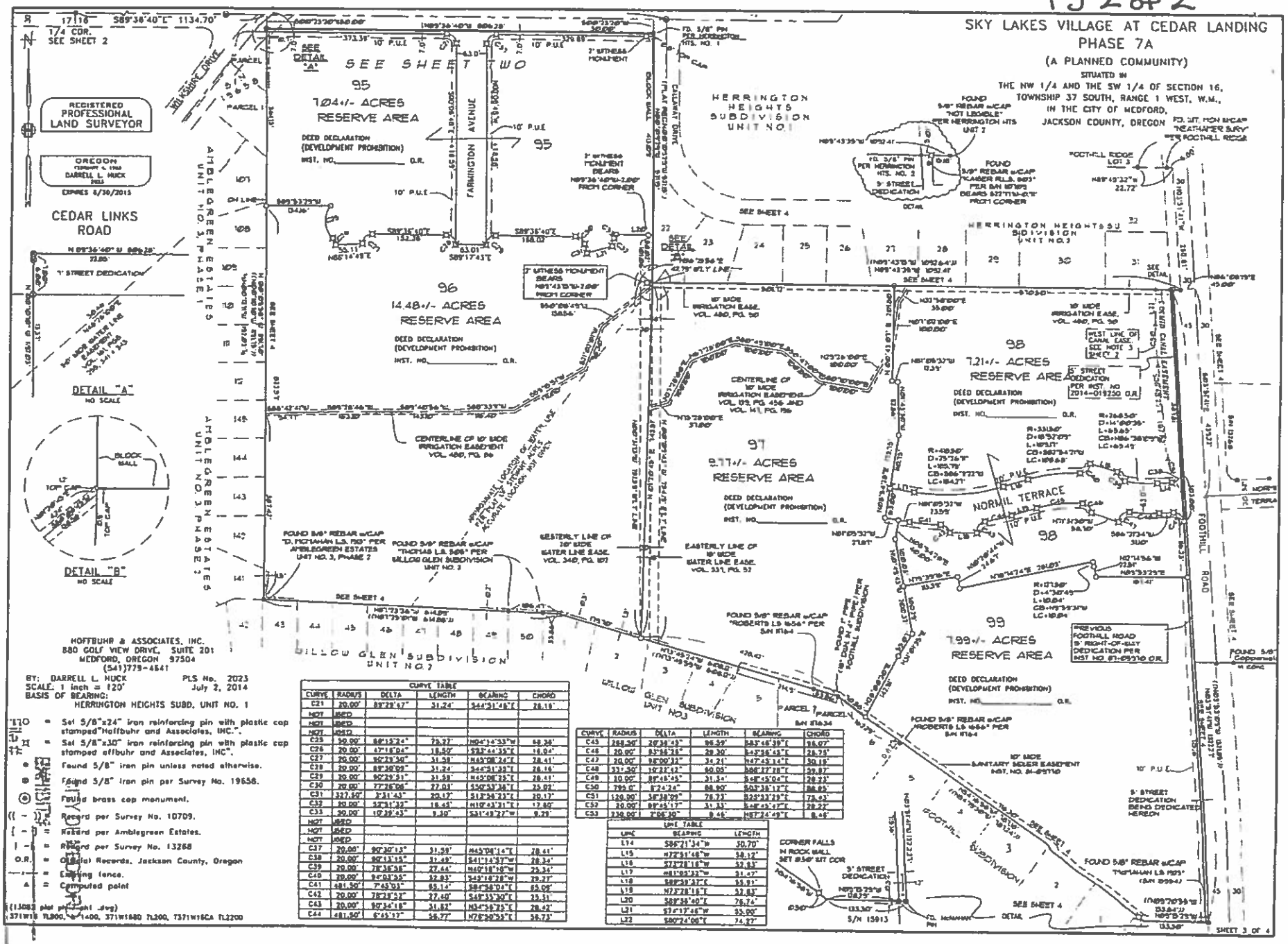
CITY OF MEDFORD
EXHIBIT # "C"
File # LDS-15-220

# SKY LAKES VILLAGE AT CEDAR LANDING PHASE 7A

(A PLANNED COMMUNITY)

SITUATED IN THE NW 1/4 AND THE SW 1/4 OF SECTION 16, TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M., IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON




HOFFBUHR & ASSOCIATES, INC.
880 GOLF VIEW DRIVE, SUITE 201
MEDFORD, OREGON 97504
(541)779-4641

BY: DARRELL L. HUCK PLS No. 2023
SCALE: 1 inch = 120' July 2, 2014
BASIS OF BEARING:
HERRINGTON HEIGHTS SUBD. UNIT NO. 1

- = Set 5/8"x24" iron reinforcing pin with plastic cap stamped"Hoffbuhr and Associates, INC.".
- = Set 5/8"x30" iron reinforcing pin with plastic cap stamped offbuhr and Associates, INC".
- = Found 5/8" iron pin unless noted otherwise.
- = Found 5/8" iron pin per Survey No. 19658.
- = Found brass cap monument.
- = Record per Survey No. 10709.
- = Record per Amblegreen Estates.
- = Record per Survey No. 13268
- O.R. = Official Records, Jackson County, Oregon
- = Existing fence.
- = Computed point

(13083 plat plat plat .dwg)
371W16 TL900, 1400, 371W16BD TL200, T371W16CA TL2200

| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | RADIUS | DELTA | LENGTH | BEARING | CHORD |
| C21 | 20.00' | 89°29'47" | 31.24' | S44°31'46"E | 28.19' |
| NOT USED | | | | | |
| NOT USED | | | | | |
| NOT USED | | | | | |
| C25 | 30.00' | 88°13'24" | 79.27' | N04°14'33"W | 68.36' |
| C26 | 20.00' | 47°18'04" | 16.50' | S33°44'35"E | 16.04' |
| C27 | 20.00' | 90°29'58" | 31.58' | N45°08'24"E | 28.41' |
| C28 | 20.00' | 88°30'02" | 31.24' | S44°51'35"E | 28.19' |
| C29 | 20.00' | 90°29'51" | 31.58' | N45°08'25"E | 28.41' |
| C30 | 20.00' | 77°26'06" | 27.03' | S50°53'38"E | 25.02' |
| C31 | 327.50' | 3°31'43" | 20.17' | S13°56'23"E | 20.17' |
| C32 | 20.00' | 52°31'32" | 18.45' | N10°45'31"E | 17.80' |
| C33 | 20.00' | 10°39'43" | 3.30' | S31°49'27"W | 3.29' |
| NOT USED | | | | | |
| NOT USED | | | | | |
| NOT USED | | | | | |
| C37 | 20.00' | 90°30'13" | 31.58' | N45°08'14"E | 28.41' |
| C38 | 20.00' | 80°13'15" | 31.49' | S41°14'37"W | 28.34' |
| C39 | 20.00' | 78°36'58" | 27.44' | N40°18'16"W | 25.34' |
| C40 | 20.00' | 94°03'35" | 32.83' | S45°18'28"W | 29.27' |
| C41 | 481.50' | 7°45'03" | 65.14' | S84°58'04"E | 65.09' |
| C42 | 20.00' | 78°28'32" | 27.40' | S49°33'30"E | 25.31' |
| C43 | 20.00' | 50°34'18" | 31.82' | N04°38'35"E | 28.42' |
| C44 | 481.50' | 6°45'17" | 56.77' | N78°28'53"E | 56.73' |

| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | RADIUS | DELTA | LENGTH | BEARING | CHORD |
| C45 | 288.50' | 20°38'45" | 96.59' | S83°46'39"E | 96.07' |
| C46 | 20.00' | 83°58'38" | 29.30' | S42°56'43"E | 26.75' |
| C47 | 20.00' | 98°00'33" | 34.21' | N47°45'14"E | 30.18' |
| C48 | 331.50' | 10°22'42" | 60.00' | N06°37'38"E | 59.92' |
| C49 | 20.00' | 89°48'45" | 31.34' | S48°45'04"E | 28.23' |
| C50 | 799.0' | 8°24'24" | 68.90' | S03°36'12"E | 68.85' |
| C51 | 120.00' | 36°38'09" | 76.73' | S25°33'29"E | 75.43' |
| C52 | 20.00' | 88°45'17" | 31.33' | S48°45'47"E | 28.27' |
| C53 | 230.00' | 2°06'30" | 8.46' | N87°24'49"E | 8.46' |

| LINE TABLE | | |
|---|---|---|
| LINE | BEARING | LENGTH |
| L14 | S86°21'34"W | 30.70' |
| L15 | N72°51'48"W | 58.12' |
| L16 | S73°28'18"W | 52.83' |
| L17 | N81°05'32"W | 31.47' |
| L18 | S88°39'37"E | 55.91' |
| L19 | N73°28'18"E | 52.83' |
| L20 | S88°38'40"E | 76.74' |
| L21 | S7°17'46"W | 55.00' |
| L22 | S80°24'00"E | 74.27' |

EXHIBIT 6

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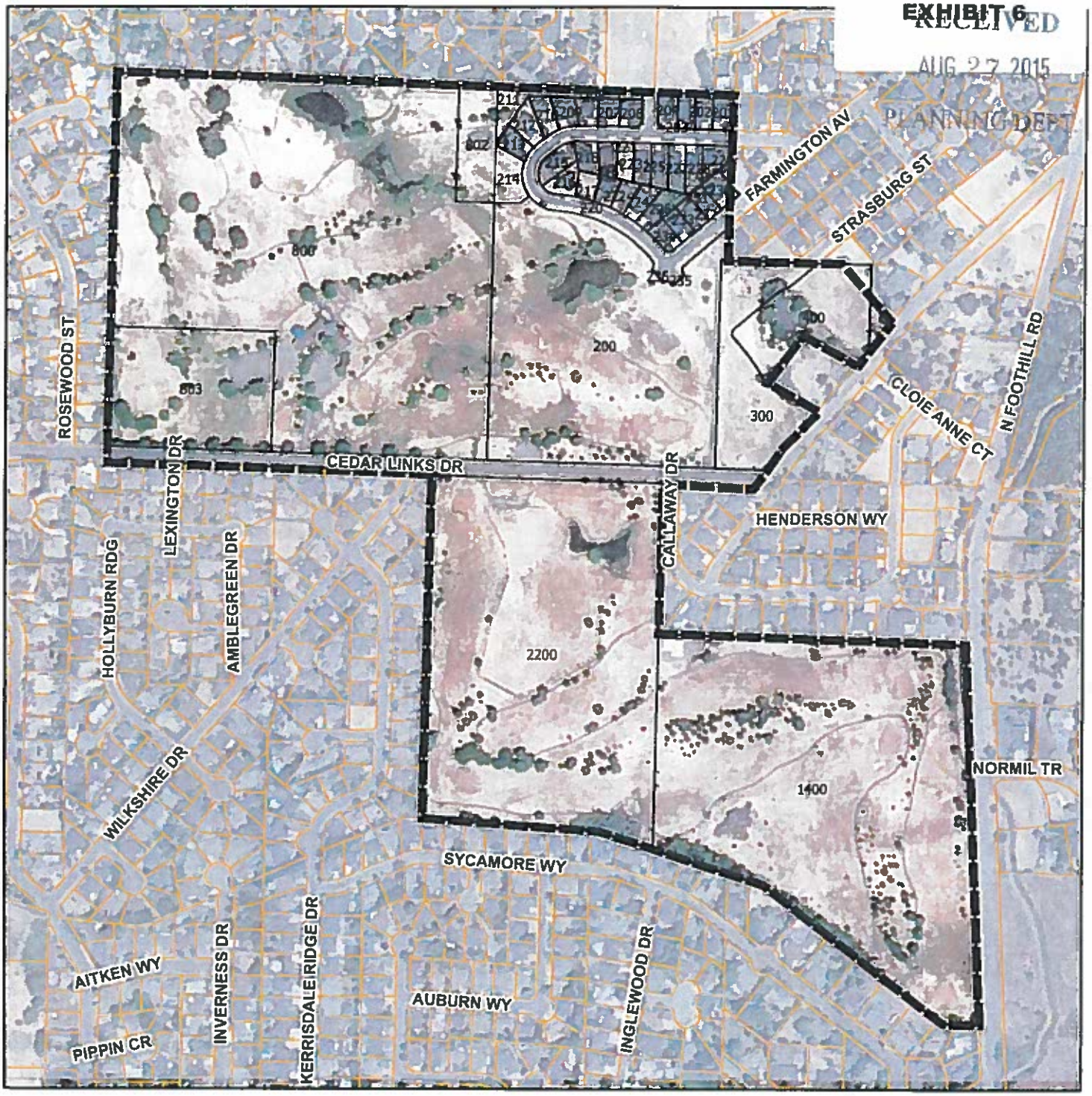


## Legend

- PUD Original Boundary
- Lots within PUD Boundary
- Tax Lots

CSA Planning, Ltd.

# PUD-05-35 Boundary on 2014 Aerial

Cedar Investment Group LLC

N W E S

500 250 0 500 Feet

CITY OF MEDFORD
EXHIBIT # "C"
File # LDS-15-120

**EXHIBIT 7**
80 pgs.

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PLANNING DEPT.

June 15, 2015

Cedar Investment Group LLC
2728 W. Main Street #8
Medford, OR 97504

**Decision date:** June 11, 2015
**Final appeal date:** June 29, 2015
**File no.:** PUD-15-043 / LDS-15-044

Re: **Notice of Planning Commission Action**

Dear Mr. Artner:

The Medford Planning Commission adopted the final orders containing Findings of Fact relating to the approval of the following requests:

Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district.

The final date for filing an appeal is 14 days from the date the notice is mailed. The written appeal and filing fee must be received by the City Recorder no later than 5:00 p.m. on the Final Appeal Date stated above. Appeals must be filed in the form prescribed, and will be decided based upon Medford Land Development Code Sections 10.051-10.056 (copies available).

The approval is based on the Findings of Fact and subject to the conditions and time periods set forth in the Planning Commission Report dated May 28, 2015.

The applicant may now submit for final plat approval pursuant to Medford Land Development Code Sections 10.276 – 10.280, Submittal of Final Plats. In accordance with Section 10.269 (enclosed), unless the final plat is approved by the Planning Director



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or a letter requesting an extension of time is submitted to the Planning Department prior to the expiration date, the tentative plat approval will expire in two years (June 11, 2017).

In accordance with Medford Land Development Code Sections 10.240(B) and (C) (enclosed), the applicant must now file for final plan approval within three years, or the Preliminary PUD Plan approval will expire on May 28, 2018.

Sincerely,

James E. Huber

James E. Huber, AICP
Planning Director

JH/tlr

Enclosures: Final Order / Planning Commission Report
Medford Land Development Code Sections 10.269 and 10.240(B), (C) and (D)

cc: Craig Stone, CSA Planning Ltd., 4497 Brownridge Terrace, #101, Medford, OR 97504
Affected Agencies
Interested Parties

"C"

## Medford Land Development Code

10.269 Expiration of Tentative Plat Approval

(1) Approval of a tentative plat application shall take effect on the date the final order for approval is signed, unless appealed, and shall expire two (2) years from the effective date unless the final plat has been approved by the Planning Director pursuant to Sections 10.276 - 10.280. If a request for an extension of a tentative plat application approval is filed with the Planning Department within two (2) years from the date of the final order, the Planning Commission shall grant an extension not to exceed one (1) additional year. Extensions shall be based on findings that the facts upon which the tentative plat application was first approved have not changed to an extent sufficient to warrant refiling of the application. All approvals made prior to the adoption of this ordinance shall expire one (1) year from the date of adoption of this ordinance, notwithstanding permitted extensions and previous phasing authorizations.

(2) When it is the developer's intent to record and develop a tentatively platted land division in phases, the approving authority may authorize a time schedule for platting the various phases in periods exceeding one (1) year, but in no case shall the total time period for platting all phases be greater than five (5) years without having to resubmit the tentative plan. Phases platted after the passage of one (1) year from approval of the tentative plat will be required to modify the tentative plat as necessary to avoid conflicts with changes in the Comprehensive Plan or this chapter.

10.240 Final PUD Plan – Application Procedures

B. Time Limit for Preliminary PUD Plan Approval: Preliminary PUD Plan approval shall be valid for three (3) years and may not be extended. The three-year period shall be the date the Final Order approving the Preliminary PUD Plan was signed by the Planning Commission Chairperson. If a Preliminary PUD Plan is appealed, the three-year period shall begin on the date on which all appeals were resolved, including the resolution of all issues on remand. Within the three-year time period, an application for a Final PUD Plan must be filed for the entire site or for the first phase if the PUD has been approved for phased development.

C. PUD: The Final PUD Plan may be submitted for the entire project or for each phase consistent with the approved Preliminary PUD Plan. If a Preliminary PUD Plan was not approved as a phased project, nothing in this Subsection shall prevent the Planning Director from approving a Final PUD Plan in phases



"C"

provided that the Planning Director approves a phasing plan pursuant to Subsections 10.235(B)(3)(c) and 10.230(E)(4) as part of the Final PUD Plan approval, and provided further that the phasing plan ensures that essential services such as roads, fire access, storm drain, and sewer are available to serve each successive phase. After Final PUD Plan approval for the first phase, Final PUD Plans must be filed with the City for any subsequent phases.

D. Time Limit Between Phases: After Final PUD Plan approval for the first phase of a PUD having approved multiple phases, and for each successive phase thereafter, no more than five (5) years shall lapse between the approval of phases. If more than five (5) years pass between the Final PUD Plan approval of any two (2) PUD phases after the first phase, the Planning Commission may, without the consent of the owners of the PUD, initiate action to terminate undeveloped portions of the PUD under Subsection 10.245(B).

"C"

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

| | | |
|---|---|---|
| IN THE MATTER OF PLANNING COMMISSION FILE PUD-15-043<br>APPLICATION FOR A REVISION TO CEDAR LANDING SUBMITTED<br>BY CEDAR INVESTMENT GROUP LLC. | )<br>)<br>) | ORDER |

ORDER granting approval for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.245(A), Revision of a Preliminary or Final Planned Unit Development Plan; and

2. The Medford Planning Commission has considered in an open meeting the applicant's request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district; and

3. Evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and

4. After consideration and discussion, the Medford Planning Commission, upon a motion duly seconded a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive,

"C"

west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district.

THEREFORE LET IT BE HEREBY ORDERED that the approval for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district, per the Planning Commission Report dated May 28, 2015.

Accepted and approved this 11th day of June, 2015.

CITY OF MEDFORD PLANNING COMMISSION

David McFadden

Planning Commission Chair

ATTEST:

Lori L. Rozzano

Planning Department Representative

"C"

**BEFORE THE MEDFORD PLANNING COMMISSION**

**STATE OF OREGON, CITY OF MEDFORD**

| | | |
|---|---|---|
| IN THE MATTER OF TENTATIVE PLAT APPROVAL OF | ) | |
| | ) | **ORDER** |
| THE HIGH CEDARS SUBDIVISION PHASES 1 THROUGH 5 [LDS-15-044] | ) | |

ORDER granting approval of a request for tentative plat approval for the High Cedars Subdivision Phases 1 through 5.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and

2. The Medford Planning Commission has duly held a public hearing on the request for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5 located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district and of a request for a revision to the Cedar Landing Planned Unit Development (PUD). The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths, with the public hearing a matter of record of the Planning Commission on May 28, 2015.

3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and

4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for High Cedars Subdivision Phases 1 through 5 stands approved per the Planning Commission Report dated May 28, 2015, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated May 28, 2015.

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

"C"

Accepted and approved this 11th day of June, 2015.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Lori L. Rozzana

Planning Department Representative

"C"

# PLANNING COMMISSION REPORT

for a Type-C quasi-judicial decision: PUD Revision and Tentative Plat

FILE NO. PUD-15-043 / LDS-15-044

DATE May 28, 2015

## BACKGROUND

### Proposal

Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district.

### Subject Site Characteristics

| | |
|---|---|
| Zoning | SFR-4 |
| GLUP | UR (Urban Residential) |
| Use | Vacant Golf Course |

### Surrounding Site Characteristics

| | | |
|---|---|---|
| North | SFR-4 | Single Family Dwellings |
| South | SFR-4 | Single Family Dwellings |
| East | SFR-4 | Single Family Dwellings |
| West | SFR-4 | Single Family Dwellings |

### Related Projects

| | |
|---|---|
| PUD-05-035 | Cedar Landing PUD |
| LDS-05-036 | Cascade Terrace Subdivision |

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|---|---|
| LDS-05-037 | Sky Lakes Subdivision |
| PUD-05-035 | Termination of 5.47 acre portion of PUD for park property in 2011 |
| LDS-13-121 | Sky Lakes Village Subdivision Phases 7A & 7B |
| PUD-13-119 | PUD Revision |
| E-14-059 | Exception to required right-of-way dedication |
| PUD-14-136 | PUD Revision |
| LDS-14-137 | Sky Lakes Village Phase 1 Tentative Plat |
| LDS-14-138 | The Village at Cedar Landing Phase 1 Tentative Plat |

Applicable Criteria

Medford Municipal Code

**Planned Unit Development, §10.235(C)**

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

1. The proposed PUD:
   a. preserves an important natural feature of the land, or
   b. includes a mixture of residential and commercial land uses, or
   c. includes a mixture of housing types in residential areas, or
   d. includes open space, common areas, or other elements intended for common use or ownership, or
   e. is otherwise required by the *Medford Land Development Code*.

2. The proposed PUD complies with the applicable requirements of this Code, or
   a. the proposed modified applications of the Code are necessary for the project to be consistent with the criteria in Section 10.235(C)(1)(a-e), and
   b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
   c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria there under:
   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*.

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

5. If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.230(D) (8)(c), the applicant shall alternatively demonstrate that either:
   1) demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or
   2) the property can be supplied by the time of development with the following Category "A" public facilities which can be supplied in sufficient condition and capacity to support development of the proposed use:
      a. Public sanitary sewerage collection and treatment facilities.
      b. Public domestic water distribution and treatment facilities.
      c. Storm drainage facilities.
      d. Public streets.

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

6. If the Preliminary PUD Plan includes uses proposed under Subsection 10.230(D)(8)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.248.

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

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

3. Burden of Proof; Criteria for Revisions: The burden of proof and supporting findings of fact and conclusions of law for the criteria in Subsections 10.235(D) or 10.240(G), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the

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whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Subsection 10.235(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

**Land Division, §10.270**

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

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

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

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

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

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

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

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Corporate Names

The application lists Cedar Investment Group, LLC as the owner of the subject property. As per the State of Oregon Business Registry, Eric Artner is listed as the registered agent.

**ISSUES AND ANALYSIS**

Project History

On April 27, 2006, the Planning Commission approved Cedar Landing Planned Unit Development (PUD-05-035), a master plan for the redevelopment of the 122.12-acre site to provide a mixture of residential uses, commercial development and a preservation of existing open space. The overall project is organized into four sub areas with multiple phases that are described as follows:

1. High Cedars (43.0 ± acres) consists of five (5) phases including single-family lots, 55 and older, pad lots and common area/open space.

2. The Village at Cedar Landing (21.42 ± acres) is made up of five (5) phases of single-family lots, condominiums, retirement facilities and common area/open space.

3. Cascade Terrace (15.4 ± acres) is comprised of two (2) phases of small single-family lots targeted for detached dwellings and residents aged 55 or older.

4. Sky Lakes Village (41.6 ± acres) consists of single-family residential lots and common area/open space.

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

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

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

Most recently, in April 2015 the Planning Commission approved a revision to the PUD regarding changes to the north side of Cedar Links Drive and tentative plats for Sky Lakes Phase 1 and The Village Phase 1. The changes to the PUD on the north side of Cedar Links Drive are similar to those presented in this application and specifically addressed street design, number of lots, the relocation of paths, a reduction in the front yard setback, and an increase in maximum lot coverage.

Project Update

The applicant is now requesting a PUD revision for the portion of the PUD south of Cedar Links Drive. Specifically, the revisions consists of reconfiguring the entire area into 5 phases; changing all commercial, multi-family, and condominium uses to single-family detached residential; removing the below grade pedestrian crossing at Cedar Links Drive; creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; relocating the pedestrian paths. In addition, the applicant is seeking approval of the tentative plat for High Cedars Phases 1 through 5. In addition, this revision includes minor modifications necessary for the project to ensure compliance with all code provisions.

*Phasing*

The phasing has been changed slightly to adjust for the changes in uses and subareas. The commercial area adjacent to Cedar Links Drive was previously a part of The Village subarea (phase 4). Now, as proposed all detached single-family residential, the entire portion of the PUD south of Cedar Links Drive makes up the High Cedars subarea, consisting of phases 1 through 5.

*Changes to Proposed Uses*

The most significant and substantive revision proposed is that of the land uses for the portion of the PUD south of Cedar Links Drive. Previous versions of the PUD included a mixture of commercial uses, and various housing types, in addition to detached single-family residential units in this area south of Cedar Links Drive. This current revision proposes to remove all other land uses and housing types, leaving the entire area (approximately 48 acres) as detached single-family residential homes, situated on 176 lots. The proposed revision also reduces the amount of open space provided to just over 11 total acres, including the open space easements.

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| Land Use/Housing Type | Previous Approvals | Proposed Revision PUD-15-044 |
|---|---|---|
| Commercial Lots (sq ft) | 42,630 sq ft | 0 |
| Senior Single-Family Dwellings | 34 | 0 |
| Condominium Units | 13 | 0 |
| Detached Single-Family Dwellings | 65 | 176 |
| Duplex Units | 22 | 0 |
| Townhomes | 36 | 0 |
| Open Space Area & Easements (sq ft) | 689,234 sq ft / 15.82 Ac | 489,444 sq ft / 11.24 Ac |
| *Sources: PUD Plan PUD-14-136; Applicant's Exhibit 7 Preliminary PUD Plan* | | |

These proposed revisions to the PUD do not result in a significant change in density. The approximate 114 acres included in the PUD with the underlying zoning of SFR-4, results in an allowable residential density range of roughly 285 units up to about 547 units with a 20 percent density bonus due to the large nature of the PUD. Although the housing types are now proposed to be all detached-single family, the total number of proposed units increases only slightly from 170 total units to 176 total units in this portion of the PUD. Together with the northern portion of the PUD, the total number of proposed housing units is 461, which falls well within the allowable range.

***DECISION:*** *The Planning Commission discussed the change of uses extensively, including both the removal of a commercial component on the south side of Cedar Links Drive as well as the change in housing type diversity. Discussion by the Commission, explanations from Staff, and findings from the applicant indicated that there was sufficient compatibility with the already developed portion of the PUD – detached single-family residential – to adequately satisfy the criteria in §10.245(A)(3).*

*Pedestrian Crossing*

The original PUD plan for Cedar Landing included a below-grade pedestrian crossing to be constructed at Cedar Links Drive. This was an element only briefly described in the applicant's written narrative with the original proposal in 2005. The applicant is now requesting that the Commission eliminate the requirement for this pedestrian crossing. There is adequate pedestrian connectivity provided within both the north and south portion of the PUD, although this change would result in no clearly designated pedestrian connection across Cedar Links Drive.

*Access to Foothill Road*

As proposed, access to Foothill Road will now be limited to a single access point from within this portion of the PUD south of Cedar Links Drive. The connection point will be at Normil Terrace. A second connection was previously proposed as what was then referred to as Timbered Ridge (now Tree Top Drive).

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It is likely that development of this project will begin to occur furthest from Foothill Road due to the associated improvements. Until such time as the Foothill Road connection is constructed at Normil Terrace, the Fire Department has agreed that a 12-foot wide emergency only access road connecting Fallen Oak Drive to Cedar Links Drive would be sufficient as a secondary access in order to lift the fire sprinkler requirement (Exhibit J).

*Pedestrian Paths*

Following the approved revisions to the north side of the PUD, the relocation of the pedestrian paths on the south side are essentially the same. Through past iterations of this project, the location of pedestrian and bicycle paths behind residential lots, connecting to open space areas, has been an issue with neighbors. The original design placed these paths between the rear yards of existing homes and the rear yards of future homes within this project. Privacy and safety concerns were raised with this design. These paths are proposed to be relocated to open space easements along the front of the some lots. However, it should be noted that this shift has resulted in some existing homes south of this project to now back up directly to another lot, rather than to open space as previously approved.

The applicant has provided a cross section of the proposed path (Exhibit E) which illustrates the open space easements to be located along the front of approximately 32 lots in High Cedars Phases 1, 2, 3, and 5. The open space areas will be maintained by the Homeowner's Association and are proposed to consist of a seven foot meandering path with grass planter strips and a street tree per lot, on each side of the path.

***DECISION:*** *The Commission discussed with the applicant and with the City Engineer the distinction between a sidewalk and a multi-use path as well as the standards for each. The Public Works Report required that the proposed multi-use path be ten-feet wide. Ultimately the Commission decided to approve a seven-foot meandering sidewalk, rather than a ten-foot multi-use path throughout the project. The Public Works Report has been revised to reflect the Commission's decision (Exhibit H-1).*

<u>Additional Considerations</u>

As this is a very large, complex project there are additional issues the Commission should consider with this PUD revision and tentative plat proposal.

*Through Lots*

The applicant's findings provide for stipulations to which they agree for items such as completing the necessary property line adjustments, street vacations, and the like (Exhibits A, G). One item included in this list by the applicant is that of restricted access for particular lots with double frontage. Per MLDC §10.440 restricting the access for lots

that border a collector or arterial, in this instance proposed lots 124-128 and 147-148 in Phase 4 and lots 149-156 in Phase 5 which all back to Foothill Road, is appropriate.

Proposed lots 5 and 6 in Phase 1 have frontage to both Morning View Drive and Callaway Drive, both which are residential streets. The layout of these specific lots require approval through the PUD itself per MLDC §10.230(D)(1). Therefore, the applicant is actually requesting the Commission to also approve lot layout – two through lots fronting on to residential streets – as a sixth revision item to the PUD.

All proposed through lots would be restricted to a single vehicular access from the street to which they front within the Cedar Landing PUD. Proposed lots 5 and 6 would have access from Morning View Drive only. Proposed lots 124-128 and 147-156 would have access from High Cedars Lane only. Although lots 128 and 147 are actually bound by streets on three sides (they are also adjacent to Normil Terrace) their access would be limited to High Cedars Lane.

*Minor Modifications*

In order for the revised PUD to fully comply with all current provisions of the Land Development Code, the applicant requests that the Commission approve these minor modifications.

| Modification | Applicable Area | Rationale |
|---|---|---|
| **Side-Yard Setback*** | Lots: 75, 85, 106, 107, 110 | To accommodate adjacent commonly owned open space lots, if necessary. Open space easements are preferred and depicted on the plans. |
| **Front-Yard Setback of 33-feet** | Lots: 36-57, 89-90, 158-165 | To accommodate the meandering path. |
| **Block Length** | Two interior blocks (of 820 and 920 feet respectively) bound by Caldera Ln, Obsidian Ridge, Fallen Oak Dr, Morning View Dr, & Farmington Ave | Removal of commercial area adjacent to Cedar Links Drive results in the relocation of Fallen Oak Drive further north to account for standard residential lots. Pedestrian connections provided via pathways and sidewalks to open space. |
| **Applicant requests the option of a 4-foot setback ONLY if open space easements are not utilized.* | | |

***DECISION:*** *The applicant withdrew the request for the 4-foot sidewalk setback modification.*

*Property Line Adjustments and Rights-of-Way*

Changes in the proposed land uses and overall lot layout necessitate property line adjustments in order to align property lines with the proposed phase boundaries. This should be completed before final plat of any affected phases.

Similarly, a previously recorded plat, Sky Lakes Village Phase 7A, created rights-of-way that do not accurately reflect this proposed revision. The applicant agrees to vacate and dedicate the applicable portions of right-of-way to create appropriate rights-of-way which conform to this proposed plat (Exhibit A, C).

## 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.

- PUD revision for the allowance of the proposed lot layout including through lots and access restrictions.
- Minor modifications to allow for: 33-foot front yard setbacks and extended block lengths, as applicable.

## ACTION TAKEN

Adopted the modified findings as recommended by staff and directed staff to prepare a Final Order for approval per the Planning Commission Report dated May 28, 2015, including Exhibits A through S.

## EXHIBITS

| | |
|---|---|
| A-1 | Conditions of Approval |
| B | Revised PUD Plan for Cedar Landing, received March 26, 2015 |
| C | Tentative Map for High Cedars at Cedar Landing Phases 1-5, received March 26, 2015 |
| D | Conceptual Grading and Drainage Plan, received March 26, 2015 |
| E | Proposed Path Detail, received March 26, 2015 |
| F | Street Tree Master Plan, received March 26, 2015 |
| G | Applicant's Findings of Fact, received March 26, 2015 |
| H-1 | Public Works Staff Report, received May 06, 2015 |
| I | Fire Department Report, received May 06, 2015 |
| J | Fire Department Letter and Secondary Access Agreement, received April 16, 2015 |
| K | Medford Water Commission Memo, received May 06, 2015 |
| L | ODOT Letter, received May 07, 2015 |
| M | Address Technician Memo, received May 06, 2015 |
| N | Building Department Memo, received May 06, 2015 |
| O | Medford Irrigation District Letter, received April 28, 2015 |
| P | Letter from Mr. Robert J. White, received April 14, 2015 |
| Q | Letter from Construction Engineering Consultants, received May 28, 2015 |
| R | Foothill Road Arterial Separation Feature Illustration, received May 28, 2015 |

S Typical Cross Section Foothill Road Illustration, received March 26, 2015
Vicinity map

**MEDFORD PLANNING COMMISSION**

David McFadden, Chair

**PLANNING COMMISSION AGENDA:**

**MAY 28, 2015**
**JUNE 11, 2015**

**EXHIBIT A-1**

Cedar Landing PUD Revision and Subdivision Plat
PUD-15-043 / LDS-15-044
Conditions of Approval
May 28, 2015

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

**DISCRETIONARY CONDITIONS**

1. Comply with all *Agreed to Stipulations* outlined in the Findings of Fact (Exhibit G);

2. Necessary property line adjustments, right-of-way vacations, and right-of-way dedications shall be completed prior to final plat of the affected phases;

**CODE CONDITIONS**

3. Comply with the Public Works Staff Report received May 29, 2015 (Exhibit H-1);

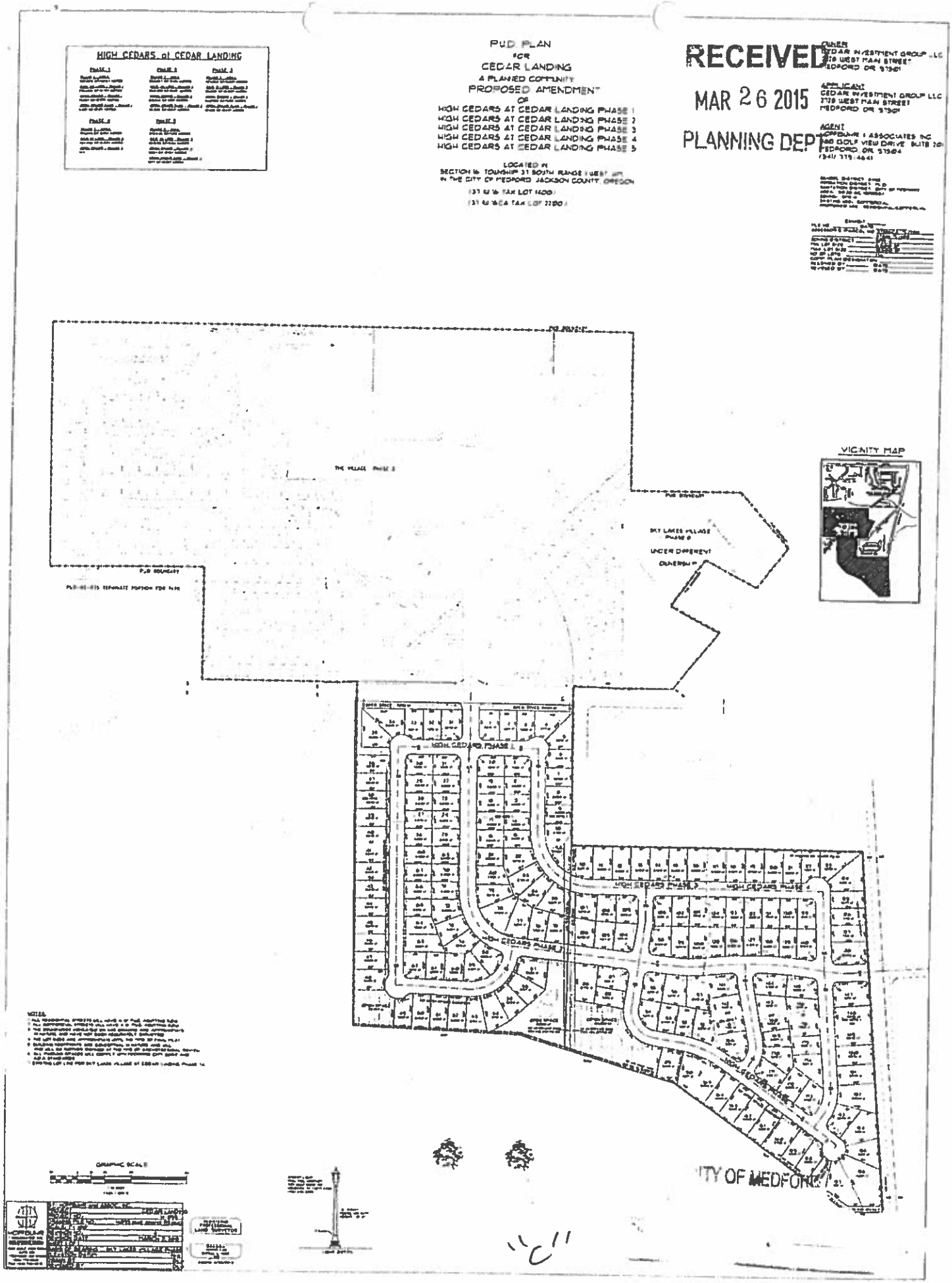
4. Comply with the Medford Water Commission Memorandum received May 06, 2015 (Exhibit K);

5. Comply with the Medford Fire Department Report received May 06, 2015 (Exhibit I);

6. Comply with the Medford Fire Department Letter and Secondary Access Agreement received April 16, 2015 (Exhibit J); and

7. Comply with the Address Technician Memorandum received May 06, 2015 (Exhibit M).

CITY OF MEDFORD
EXHIBIT# "C"
FILE # _____


HIGH CEDARS at CEDAR LANDING
PUD PLAN
FOR
CEDAR LANDING
A PLANNED COMMUNITY
PROPOSED AMENDMENT
OF
HIGH CEDARS AT CEDAR LANDING PHASE 1
HIGH CEDARS AT CEDAR LANDING PHASE 2
HIGH CEDARS AT CEDAR LANDING PHASE 3
HIGH CEDARS AT CEDAR LANDING PHASE 4
HIGH CEDARS AT CEDAR LANDING PHASE 5
LOCATED IN
SECTION 16 TOWNSHIP 37 SOUTH RANGE 1 WEST WM
IN THE CITY OF MEDFORD JACKSON COUNTY, OREGON
RECEIVED
MAR 26 2015
PLANNING DEPT
OWNER
APPLICANT
CEDAR INVESTMENT GROUP LLC
MEDFORD OR 97501
AGENT
VICINITY MAP
THE VILLAGE PHASE 2
SKY LAKES VILLAGE PHASE 8
UNDER DIFFERENT OWNERSHIP
HIGH CEDARS PHASE 1
HIGH CEDARS PHASE 2
HIGH CEDARS PHASE 3
HIGH CEDARS PHASE 4
HIGH CEDARS PHASE 5
NOTES
GRAPHIC SCALE
"C"



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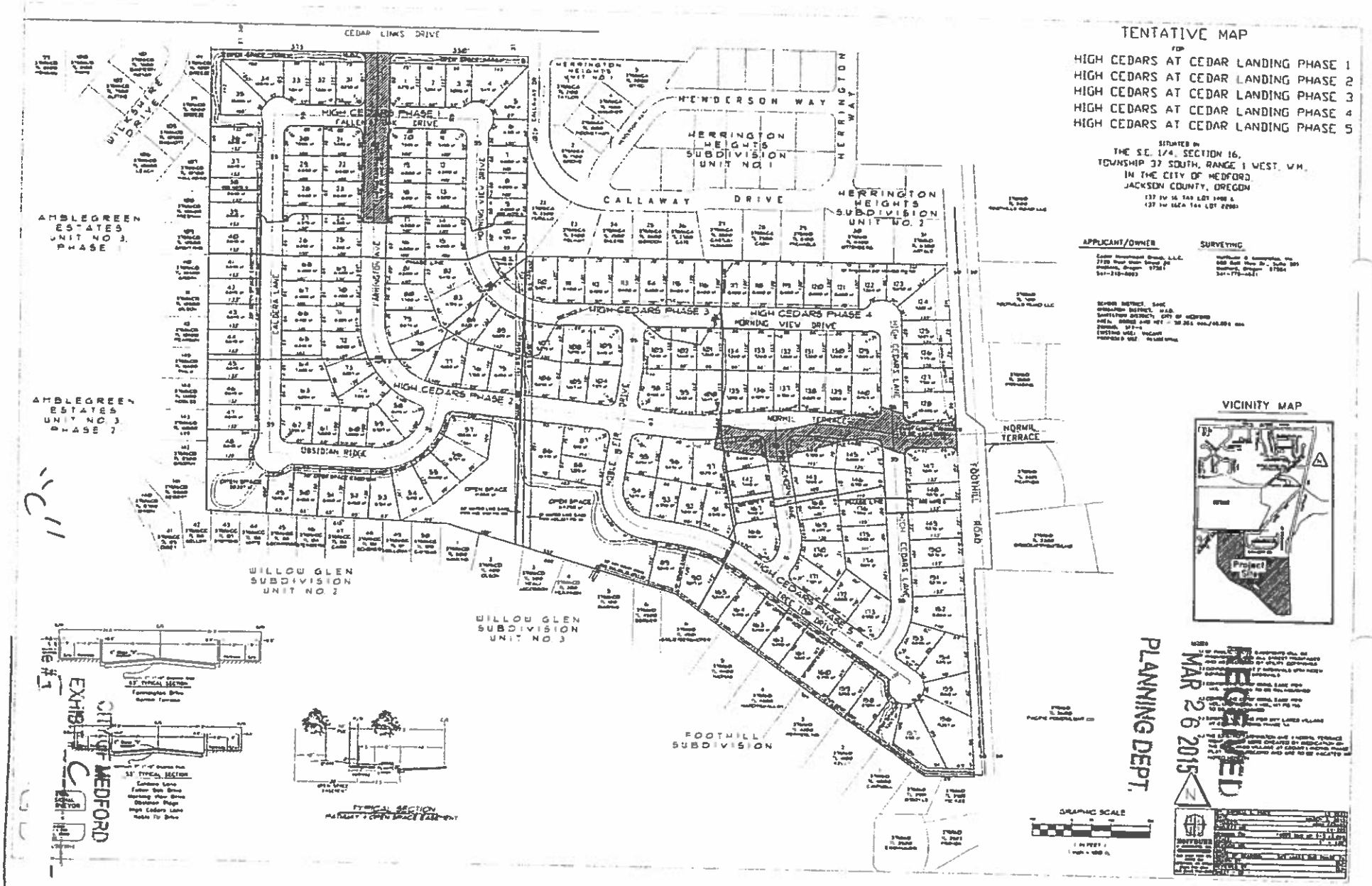
TENTATIVE MAP
FOR
HIGH CEDARS AT CEDAR LANDING PHASE 1
HIGH CEDARS AT CEDAR LANDING PHASE 2
HIGH CEDARS AT CEDAR LANDING PHASE 3
HIGH CEDARS AT CEDAR LANDING PHASE 4
HIGH CEDARS AT CEDAR LANDING PHASE 5
SITUATED IN
THE S.E. 1/4, SECTION 16,
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.
IN THE CITY OF MEDFORD
JACKSON COUNTY, OREGON
APPLICANT/OWNER
SURVEYING
VICINITY MAP
Project Site
CEDAR LINKS DRIVE
HENDERSON WAY
HERRINGTON WAY
HERRINGTON HEIGHTS SUBDIVISION UNIT NO. 1
CALLAWAY DRIVE
HERRINGTON HEIGHTS SUBDIVISION UNIT NO. 2
HIGH CEDARS PHASE 1
FALLEN OAK DRIVE
HIGH CEDARS PHASE 2
HIGH CEDARS PHASE 3
HIGH CEDARS PHASE 4
MORNING VIEW DRIVE
HIGH CEDARS PHASE 5
TREE TOP DRIVE
NORMIL TERRACE
FOOTHILL ROAD
OBSIDIAN RIDGE
CALDERA LANE
HIGH CEDARS LANE
WILLOW GLEN SUBDIVISION UNIT NO. 2
WILLOW GLEN SUBDIVISION UNIT NO. 3
FOOTHILL SUBDIVISION
AMBLEGREEN ESTATES UNIT NO. 3, PHASE 1
AMBLEGREEN ESTATES UNIT NO. 3 PHASE 2
WILKSHIRE DRIVE
OPEN SPACE
TYPICAL SECTION
GRAPHIC SCALE
PLANNING DEPT.
RECEIVED
MAR 26 2015
CITY OF MEDFORD
EXHIBIT C
File #1



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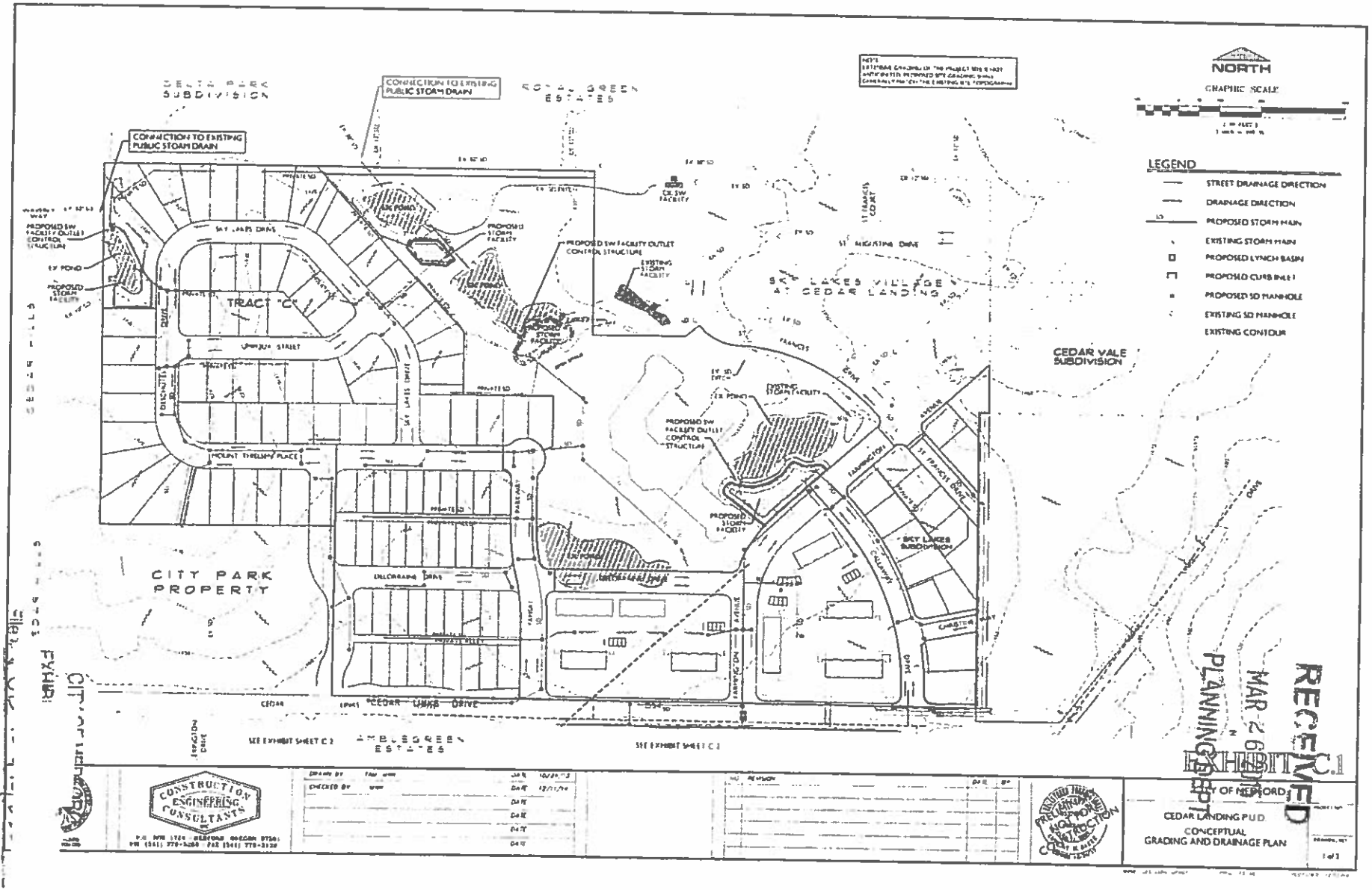
NORTH
GRAPHIC SCALE
LEGEND
STREET DRAINAGE DIRECTION
DRAINAGE DIRECTION
PROPOSED STORM MAIN
EXISTING STORM MAIN
PROPOSED LYNCH BASIN
PROPOSED CURB INLET
PROPOSED SD MANHOLE
EXISTING SD MANHOLE
EXISTING CONTOUR
DELTA PARK SUBDIVISION
CONNECTION TO EXISTING PUBLIC STORM DRAIN
CONNECTION TO EXISTING PUBLIC STORM DRAIN
ROYAL GREEN ESTATES
TRACT "C"
SKY LAKES VILLAGE AT CEDAR LANDING
CEDAR VALE SUBDIVISION
CITY PARK PROPERTY
AMBLEGREEN ESTATES
SKY LAKES SUBDIVISION
SEE EXHIBIT SHEET C.2
SEE EXHIBIT SHEET C.2
CONSTRUCTION ENGINEERING CONSULTANTS
CITY OF MEDFORD
CEDAR LANDING P.U.D.
CONCEPTUAL GRADING AND DRAINAGE PLAN
EXHIBIT C.1
RECEIVED
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PLANNING DEPT



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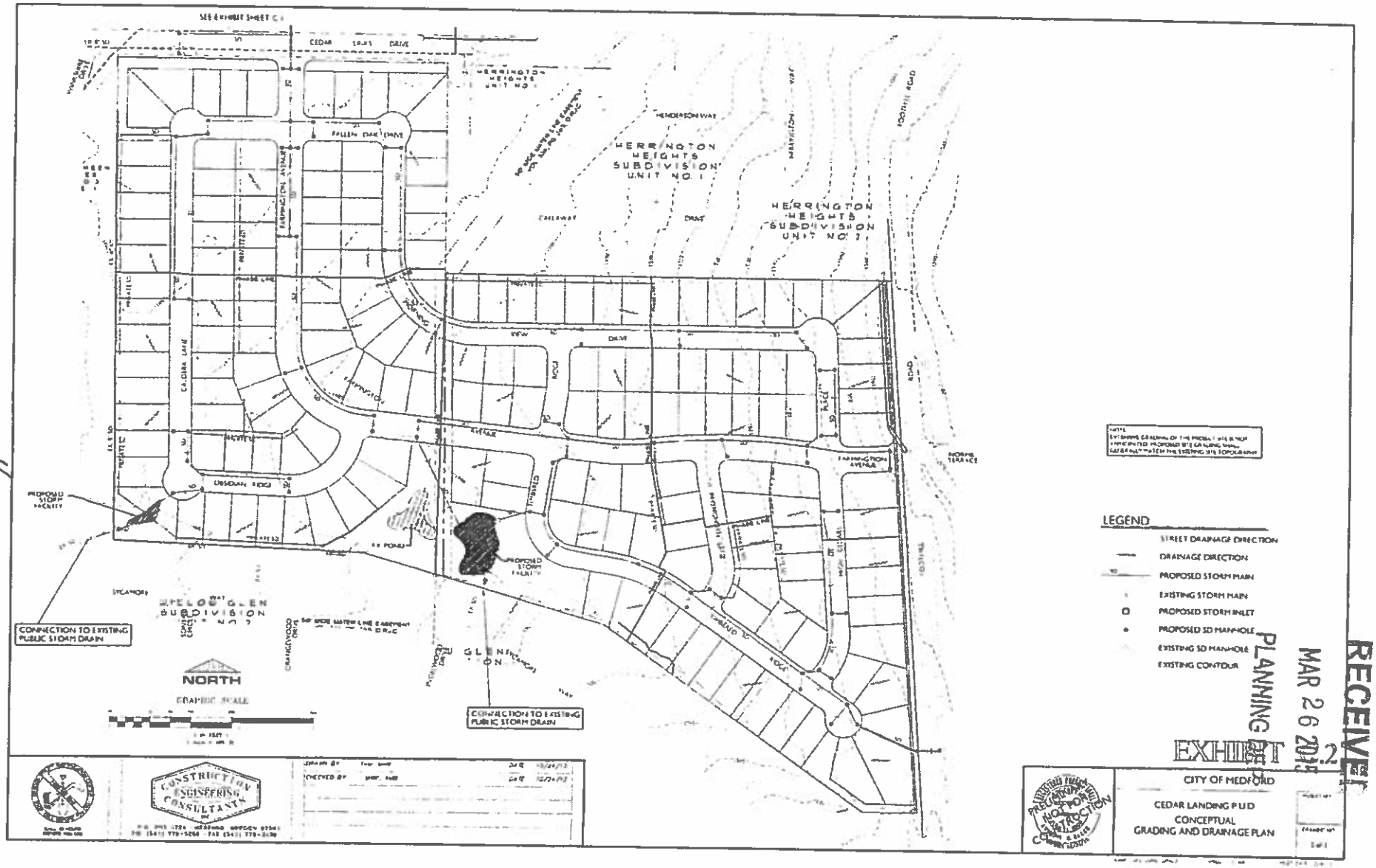


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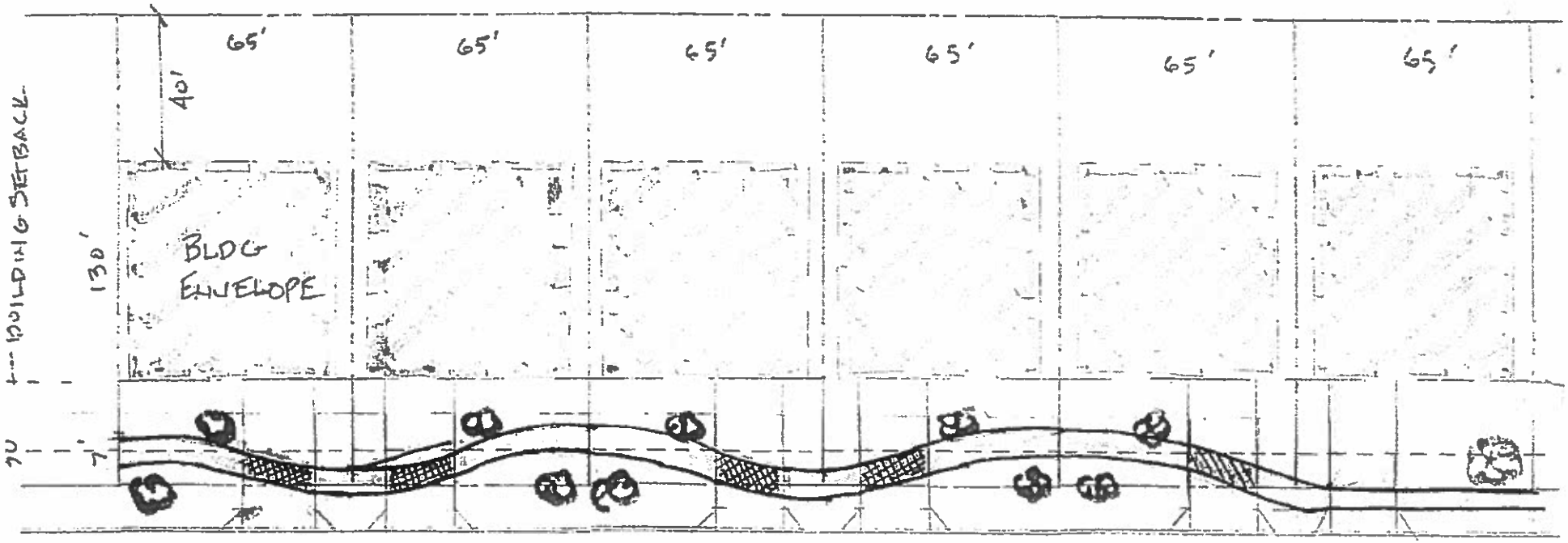
EXHIBIT 2




PROPOSED PATH DETAIL
1" = 40'

20' OPEN SPACE EASEMENT

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EXHIBIT 13

CITY OF MEDFORD
EXHIBIT #
File #

22

# STREET TREE & COMMERCIAL AREA MASTER PLAN

FOR

# CEDAR LANDING

A

PLANNED COMMUNITY

CEDAR INVESTMENT GROUP
[illegible] MAIN STREET
MEDFORD, OREGON [illegible]

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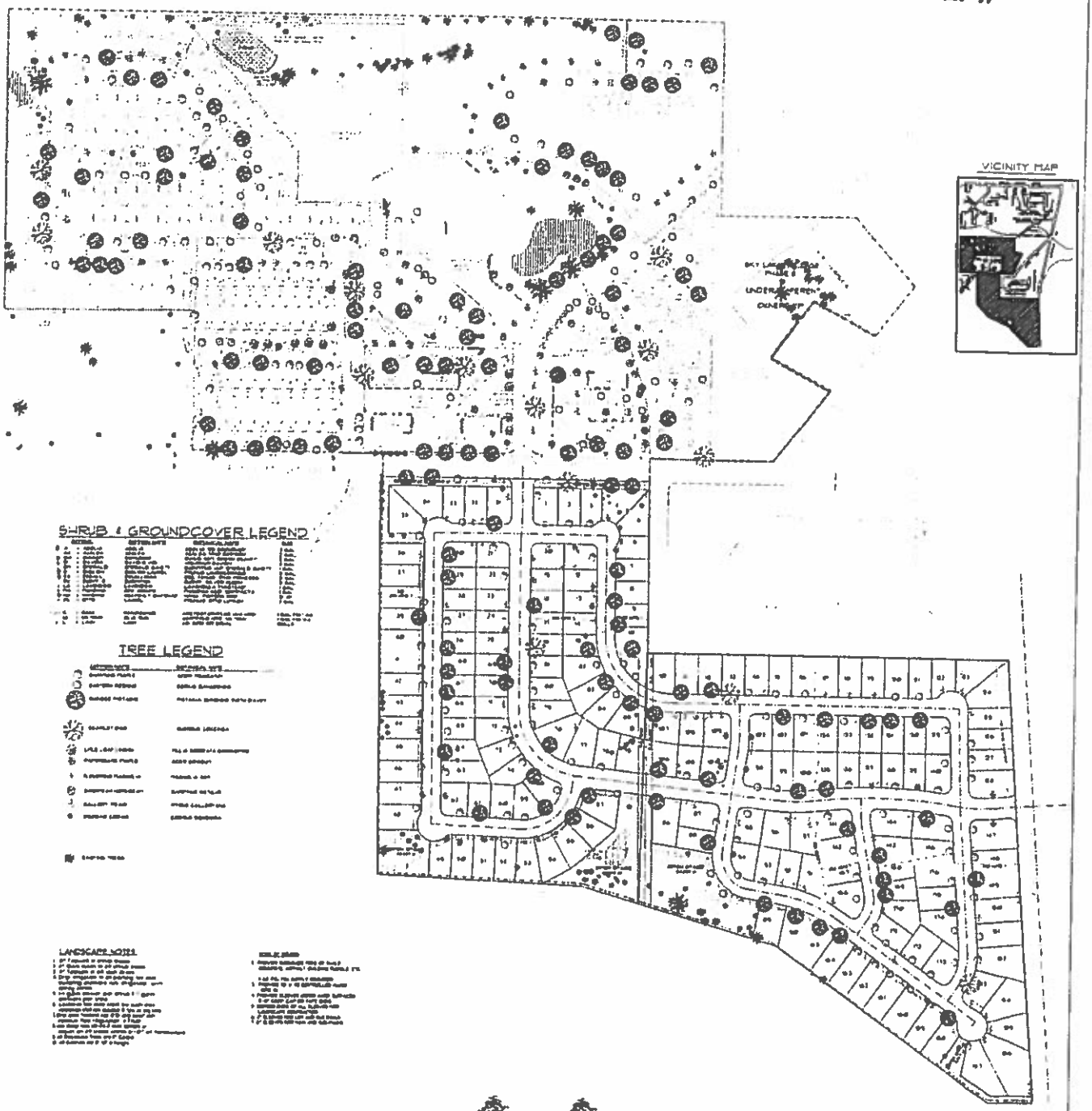


CITY OF MEDFORD
EXHIBIT # C
File # 544



28

BEFORE THE PLANNING COMMISSION

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

RECEIVED
MAR 26 2015
PLANNING DEPT.

| | |
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| IN THE MATTER OF AN APPLICATION TO AMEND THE CEDAR LANDING PLANNED UNIT DEVELOPMENT PLAN (FILE NO's. PUD-05-35; PUD-13-119; and PUD-14-136) AND TO AUTHORIZE A NEW TENTATIVE SUBDIVISION PLAT FOR THE HIGH CEDARS SUBAREA INCLUDING PHASES 1-5 (PREVIOUSLY PHASES 1 THROUGH 4 OF HIGH CEDARS & PHASE 1 OF THE VILLAGE) AND LIMITED TO THAT PORTION OF THE PUD WHICH IS SITED ENTIRELY ON THE SOUTH SIDE OF CEDAR LINKS DRIVE ON 116.58 ACRES OF LAND ZONED SFR-4 ON LAND THAT IS LOCATED APPROXIMATELY 1,000 FEET WEST OF NORTH PHOENIX ROAD IN THE CITY OF MEDFORD, OREGON<br><br>Applicant: Cedar Investment Group, LLC<br>Agent: CSA Planning, Ltd. | FINDINGS OF FACT AND CONCLUSIONS OF LAW<br><br>*Applicant's Exhibit 1* |

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## NATURE AND SCOPE OF APPLICATION

This application involves revisions to the south half of the Cedar Landing Planned Unit Development (PUD) — that portion of the PUD lying south of Cedar Links Drive in incorporated Medford. There are in fact two applications which have been contemporaneously filed concerning this matter:

- Preliminary PUD Plan
- Tentative Plan for Land Division

The proposed PUD amendments seek the following changes:

1. All PUD lands south of Cedar Links Drive will become part of High Cedars Subarea reconfigured into Phases 1 through 5 as illustrated on attached Tentative Plans (Exhibits 7 & 8).

2. All commercial, multi-family and condominium lands lying south of Cedar Links Drive are to be converted to single family detached residential in accordance with the Exhibit 8 Tentative Plat.

CITY OF MEDFORD
EXHIBIT # "C"
File #

3. The below-grade pedestrian crossing at Cedar Links Drive would not to be constructed.

4. Creation of a single access point to Foothills Road designed to properly align with Normil Terrace. A second access point at Tree Top Drive (as earlier approved as part of PUD-13-119) will be eliminated and not recreated elsewhere.

5. Relocate pedestrian paths from the perimeter of the High Cedars Subarea to the interior.

This document, entitled *Findings of Fact and Conclusions of Law* is submitted into evidence as Applicant's Exhibit 1. Its purpose is to present facts relevant to the applications and show how these support the Planning Commission's final decision. Applicant's Exhibit 1 demonstrates how the evidence, in this instance, supports affirmative decision to approve the applications. Applicant urges that this document and the evidence therein referenced are adopted by the Planning Commission in support of any affirmative decisions the Commission may reach.

## II

## EVIDENCE SUBMITTED WITH APPLICATION

Applicant herewith submits the following evidence in support of its applications seeking approval for Preliminary PUD Plan and Tentative Land Division Plat:

**Exhibit 1.** The proposed Findings of Fact and Conclusions of Law (this document) which demonstrates how these modified Preliminary PUD Plans and Land Division applications comply with the applicable substantive criteria of the MLDC

**Exhibit 2.** Jackson County Assessor plat maps T37S-R1W-Sections 16 and 16ca which depict the subject properties. Plat maps T37S-R1W Section 16da is also included to illustrate residual portions of the PUD not proposed to be modified

**Exhibit 3.** City of Medford Zoning depicted on an Aerial Map

**Exhibit 4.** City of Medford General Land Use Plan (GLUP) Map

**Exhibit 5.** Copy of Sky Lakes Village at Cedar Landing Phase 7A Plat

**Exhibit 6.** Aerial Map from 2014 showing improvements to date.

**Exhibit 7.** Preliminary PUD Plan showing the proposed amendments and which reflects modifications currently pending review under City file numbers: PUD-14-136, LDS-14-137 & LDS-14-138

**Exhibit 8.** Proposed Tentative Plat Map

**Exhibit 9.** Proposed Landscape Plan

**Exhibit 10.** Phasing and Infrastructure Plans

**Exhibit 11.** Preliminary Grading and Stormwater Detention Plan

**Exhibit 12.** Foothill Road Preliminary Grading Plan

**Exhibit 13.** Pedestrian Path Detail

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**Exhibit 14.** Neighborhood Meeting Sign-in Sheet and letters of support from neighboring property owners

**Exhibit 15.** Public Notice Area Map

**Exhibit 16.** Wetlands Plan

**Exhibit 17.** Rationale for PUD pursuant to MLDC 10.235(B)(3)

**Exhibit 18.** Proposed Property Line Adjustment Maps and Legal Descriptions

**Exhibit 19.** Completed application forms for Preliminary PUD and Tentative Subdivision Plat and powers of attorney from the record owner of the subject property which permits CSA Planning, Ltd. to act procedurally in its name

III

## RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The criteria under which the applications for Preliminary PUD Plan and Tentative Plat for land division must be approved are in Article II of the Medford Land Development Code (MLDC). The criteria are recited verbatim below and again in Section V where each is followed by the conclusions of law:

### *A. PLANNED UNIT DEVELOPMENT (Revision of an Already Approved PUD)*

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

### *B. APPROVAL OF A (NEW) PRELIMINARY PUD PLAN*

**10.235 Preliminary PUD Plan - Application Procedures.**

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:

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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 ownership, or
   e. is otherwise required by the Medford Land Development Code.

2. The proposed PUD complies with the applicable requirements of this Code, or
   a. the proposed modified applications of the Code are related specifically to the implementation of the rationale for the PUD as described in Section 10.235(B)(3)(a), and
   b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
   c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulations system or the development as a whole.

3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:
   a. Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
   b. Public Facilities Strategy pursuant to ORS 197.768 as amended.
   c. Limited Service Area adopted as part of the Medford Comprehensive Plan.

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

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

   a. Public sanitary sewerage collection and treatment facilities.
   b. Public domestic water distribution and treatment facilities
   c. Storm drainage facilities.
   d. Public streets.

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

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

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

## *C. LAND DIVISION – TENTATIVE SUBDIVISION PLAT*

**10.270 Land Division Criteria.**

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

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

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

(3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or

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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) Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary, to 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) Has streets that are proposed to be held for private use, that they are distinguished from the public street on the tentative plat, and reservations or restrictions relating to the private streets are set forth;

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

## IV

## FINDINGS OF FACT

The following facts are established and found to be true with respect to this matter:

1. **Subject Property Ownership and Details**: According to the records of the Jackson County Assessor and Medford Planning Department, the entirety of the Cedar Landing PUD includes the properties identified in the table herein below. The parcels affected by the proposed amendments are reported in below Table 1 and indicated in the column titled "Part of Amendment." The subject property includes lands within the Cedar Landing PUD which are located south of Cedar Links Drive and identified on the Sky Lakes Village at Cedar Landing Phase 7A plat as Lots 95, 96, 97, 98 and 99. The subject property is also described on the Assessor's plat map as Township 37 South, Range 1 West, Section 16, Tax Lot 1400 and Township 37 South, Range 1 West, Section 16CA, Tax Lot 2200.[1]

***Table 1***

**PUD Ownership and Value; Authority to Amend the PUD**
Sources: Jackson County Assessor; CSA Planning, Ltd.

| Map & Tax Lot | Acreage | Ownership of Record | Assessed Improvements | Assessed Land | Part of Amendment |
|---|---|---|---|---|---|
| 37-1W-16-1400 | 25.58 | Cedar Investment Group LLC | 0 | 748,230 | Yes |
| 37-1W-16-800 | 32.72 | Cedar Investment Group LLC | 453,120 | 731,670 | |
| 37-1W-16-802 | 1.25 | Jantzer Monty R/Theresa | 0 | 0 | |
| 37-1W-16-803 | 5.42 | Medford City | 0 | 0 | |
| 37-1w-16AC-1100 | 0.65 | Horton Craig Dean/Mary Jane | 402,770 | 112,050 | |
| 37-1W-16BD-200 | 14.73 | Cedar Investment Group LLC | 0 | 867,080 | |
| 37-1W-16BD-211 | 0.55 | Jantzer Monty R/Theresa | 0 | 0 | |
| 37-1W-16BD-214 | 0.4 | Jantzer Monty R/Theresa | 0 | 0 | |
| 37-1W-16BD-300 | 3.32 | Jantzer Monty R | 750 | 125,230 | |
| 37-1W-16BD-400 | 2.73 | Jantzer Monty Ray/Theresa L | 87,150 | 116,390 | |
| 37-1W-16CA-2200 | 22.45 | Cedar Investment Group LLC | 0 | 658,140 | Yes |

[1] The Sky Lakes Village at Cedar Landing Phase 7A plat was recently recorded. As the plat is processed by the Jackson County Assessor the property will be assigned new tax lot numbers, one for each of the lots created in said plat.

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| | | | | | |
|---|---|---|---|---|---|
| Cedar Links Drive R.O.W | 3.1 | | | | |
| Saint Frances, Saint Augustine, & Wheat Ridge Drive | 2.3 | | | | |
| | 115.2 | | | | |

2. **Property Location:** The Cedar Landing PUD property is located on both sides (north and south) of Cedar Links Drive, approximately 1,000 feet of west of North Phoenix Road, comprising what was formerly the Cedar Links Golf Course. The portion proposed to be amended (and subject to these applications) is located south of Cedar Links Drive. The property is within the corporate limits of Medford and its urban growth boundary (UGB). The location of the subject property in relation to the present corporate limits of the City and to other land in the surrounding area is depicted on Exhibit 4

3. **Comprehensive Plan and Zoning:** The property has a General Land Use Plan (GLUP)[2] designation of Urban Residential (UR) and is zoned SFR-4. See, Exhibits 3 and 4

4. **Background; Relevant Prior City Approvals**: The City of Medford has taken several land use actions concerning this property and others are still pending as reported below:

   - **PUD-05-35:** On April 27, 2006, the City of Medford Planning Commission approved PUD-05-35 is a planned unit development (PUD) named Cedar Landing with four sub-areas, each with their own phasing plan, covering approximately 122 acres. The four subareas were as follows:

     - The Village at Cedar Landing with 5 Phases including retirement facilities; mixed use commercial / residential; single family residential and common area / open space
     - Cascade Terrace with Phases with single family residential and open space
     - Sky Lakes Village with Phases with single family residential and open space
     - High Cedars with Phases including 55 and older lots, duplexes, townhomes, single family lots and common area/open space.

     Of the original Cedar Landing PUD, two phases — Phases 5 & 6 of Sky Lakes Village — have received final plat approval by the City and have been developed.

   - **Termination of 5.47 acres for City of Medford Park:** On April 14, 2011 the City of Medford approved the termination of 5.47 acres within Phase 1 of the Sky Lakes Village and Phases 1 and 2 of the Cascade Terrace. The same 5.47 acre was acquired by the City of Medford for a future Neighborhood Park.

   - **PUD-13-119** On February 27, 2014 the City of Medford Planning Commission approved PUD-13-119, an amendment to PUD-05-35. PUD-13-119 dissolved remaining portions of Cascade (following termination noted herein above) into The

[2] Also known as a Comprehensive Plan Map Designation.

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Village subarea and renumbered the phases within The Village subarea. The portion formerly within Cascade became phase 1 of The Village.

- **Property Line Adjustments**: Property line adjustments reconfiguring lots 37-1W-16BD-400 and 300 to their current configuration.
- **LDS-13-121** Final Plat for Sky Lakes Phase 7 creating 16 lots on 4.33 acres. Creation of 9 reserve acreage lots throughout the PUD coincident with subarea and phase boundaries. The portion lying south of Cedar Links Drive was recorded as Plat Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community) creating lots 96 through 99 thereof.
- **E-14-136**: Exception to right of way width on north side of Cedar Links Drive currently pending City review.
- **PUD-14-136, LDS-14-137 and LDS-14-138:** Pending revision to the westerly half of Cedar Landing PUD lying north of Cedar Links Drive; Pending minor revisions to roads and lot configurations within Phase 1 of Sky Lakes (Formerly Phases 1-4) creating 60 lots; Pending revision to Phase 1 of The Village (formerly part of Cascade Terrace) creating 38 lots

5. **Surrounding Land Uses**: All surrounding lands are zoned SFR-4 as shown on Exhibit 3. With exception of lot 37-1W-16D-3600 lying east of Foothill Road that is comprised of more than 50 acres is owned by PacifiCorp that is partially developed with a substation. All surrounding lands are developed single family residential lots and dwellings.

6. **PUD Ownership and Structural Development Summary**: The following Table 2 reports the development status of the various parcels/portions of the PUD and Table 3 reports Vacant Acreage Ownership:

***Table 2***

**PUD Ownership by Tax Lot**
Sources: Jackson County Assessor; CSA Planning, Ltd.

| Map & Tax Lot | Acreage | Ownership | Development Status | Assessed Improvements | Assessed Land | Total Assessed Value |
|---|---|---|---|---|---|---|
| 37-1W-16-1400 | 25.58 | Cedar Investment Group LLC | Vacant | 0 | 770670 | 770670 |
| 37-1W-16-800 | 32.72 | Cedar Investment Group LLC | Club House & Related Parking | 466710 | 753620 | 1220330 |
| 37-1W-16-802 | 1.25 | Jantzer Monty R/Theresa | Vacant *(open space common area)* | 0 | 0 | 0 |
| 37-1W-16-803 | 5.42 | Medford City | Vacant *(Portion of Former Golf Course Parking Lot for Club House)* | 0 | 0 | 0 |
| 37-1w-16AC-1100 | 0.65 | Horton Craig Dean/Mary Jane | Single Family Dwelling | 358100 | 164500 | 522600 |
| 37-1W-16BD-200 | 14.73 | Cedar Investment Group LLC | Vacant *(Portion of Former Golf Course Small Parking Lot)* | 0 | 893090 | 893090 |
| 37-1W-16BD-211 | 0.55 | Jantzer Monty R/Theresa | Vacant *(Portion Former Golf Kart Path)* | 0 | 0 | 0 |
| 37-1W-16BD-214 | 0.4 | Jantzer Monty R/Theresa | Vacant *(open space common area)* | 0 | 0 | 0 |
| 37-1W-16BD-300 | 3.32 | Jantzer Monty R | Vacant *(small shed was removed)* | 770 | 128980 | 129750 |
| 37-1W-16BD-400 | 2.73 | Jantzer Monty Ray/Theresa L | Single Family Dwelling & Pool | 89750 | 119890 | 209640 |
| 37-1W-16CA-2200 | 22.45 | Cedar Investment Group LLC | Vacant | 0 | 677880 | 677880 |

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*Table 3*

**Vacant PUD Ownership Totals and Percentages**
Sources: Jackson County Assessor; CSA Planning, Ltd

| Vacant Ownership | Vacant Acreage | Percent of Vacant Acreage | Value of Vacant Acreage | Percent of Vacant Property Values |
|---|---|---|---|---|
| CIG | 62.76 | 85% | $2,341,640 | 95% |
| Jantzer | 5.52 | 7% | $129,750 | |
| City of Medford | 5.42 | 7% | 0 | |
| **Totals** | **73.7** | | **$2,471,390** | **100%** |

Cedar Investment Group LLC (CIG) owns 85 percent of the vacant land within the PUD area and 95 percent of assessed value of the vacant lands.

7. **Topography**: Most of the property is gently sloped and drains to the northwest with slopes of approximately 2 to 3 percent. The steepest portions of the property proposed for development are those lying along Foothill Road where there are slopes of approximately 12 percent. See item 11 herein below related to slopes in excess of 15%.

8. **Floodplain; Wetlands; Drainage:** There is no 100-year mapped floodplain on the property. Portions of the property contain wetlands as indicated on Exhibit 16. Drainage is generally to the northwest. Applicant's drainage plan is submitted as Exhibit 11. Wetlands within the property have been delineated and preservation/mitigation plans have been approved by the required State and Federal agencies as a part of the approval of Cedar Landing PUD. This application will not result in development that will impact any of the identified wetland areas and the proposed PUD plans are consistent with the approved wetland mitigation plan.

9. **Neighborhood Circulation Plan:** The proposed subdivision is not located within one of Medford's Adopted Neighborhood Circulation Plans, however is located within the approved Cedar Landing PUD Master Plan.

10. **Proposed PUD Revisions:**

The entirety of the Cedar Landing PUD lying south of Cedar Links Drive is the area subject to the proposed changes. With exception of Phase nomenclature, neither PUD13-119 nor PUD14-136 (currently pending review) modified or will have the effect of changing any portion of the PUD lying south of Cedar Links Drive. The following is a comparison of what was approved for the subject area under the original PUD05-35 and carried forward through PUD14-136 to what is now proposed.

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*Table 4*

**Comparison of Current versus Proposed Uses within Area of Change**
Sources: Jackson County Assessor, CSA Planning, Ltd.

| Use Comparison on Lands South of Cedar Links Drive | Approved per PUD-05-035; PUD-13-119 and Pending PUD-14-136 | Proposed |
|---|---|---|
| **Commercial (square feet)** | | |
| N/C-S/P commercial | 23,016 | 0 |
| **Residential (units)** | | |
| Senior SINGLE FAMILY DWELLING | 34 | 0 |
| Condominium Units | 13 | 0 |
| SFR | 65 | 176 |
| Duplex Units | 22 | 0 |
| Townhomes | 36 | 0 |
| **Total Residential Units** | 170 | 176 |

Applicant herewith testifies that because of neighborhood concerns and market demand, the commercial and multi-family elements have been removed from the High Cedars subarea. *The congregate care and commercial components of the overall PUD that are situated north of Cedar Links Drive are unchanged by this application.* Applicant further testifies that the proposed changes will better comport with the permitted uses and intent of the underlying SFR-4 zone (because this proposal contains fewer deviations from the base standards of the MLDC) and will produce maintain better compatibility with the surrounding residential neighborhood.

The following explains the nature and extent of the Project in relation to the proposed changes herewith sought:

A. **Land Division; Lot Layout:** The proposed land division is depicted on the Exhibit 8 Tentative Plat Map. The plan for land division proposes the creation of up to 176 single family residential lots and approximately 5.0 acres of common area open space consisting of walking paths, a larger open space of roughly 2.5 acres is located centrally along the property's south boundary and two small open space nodes along the pedestrian paths at the east and west ends of the property along its south boundary. The trails/paths are interconnected with street-side sidewalks and provide enhanced pedestrian and bicycle opportunities. The large open space is intended to provide passive recreation opportunities for residents of the neighborhood.

B. Of the approximately 5.0 acres, approximately 3.9 acres is to be in common lot ownership[3] and the remaining 1.1 acres is by way of open space easements where the pedestrian paths traverse the fronts of lots. Both categories of open space are

[3] Common ownership means owned in common by the unit owners within the PUD.

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to be maintained by the homeowners' association. The areas shown in green on Exhibits 7 and 9 constitute the common areas just explained.

a. **Setbacks:** All proposed lots can and will comply with the standard structural setbacks for the underlying SF-4 zone with the following exceptions, which constitute minor modifications from the strict provisions of the MLDC. See, Exhibit 7.

   i. To accommodate the proposed meandering path as further explained in in Item C below, Lots 36 – 57, 89 – 90, and 158 – 165 propose a front yard setback of 33 feet. This will allow for not less than a 20-foot deep parking area within the driveway between the path and the structural improvements. The setbacks are assured through the establishment of building envelopes. Also see Exhibit 13, a detail of the pedestrian path in relation to dwellings and driveways.

   ii. Applicant seeks flexibility under the PUD provisions herein related to the side-yard setbacks on lots 75, 85, 106, 107 & 110 where (in Exhibit 8) each of these lots is shown as accommodating an open space easement. Applicant requests the option of either utilizing an easement (as depicted on the preliminary plans in Exhibits 7 and 8 or be allowed to accommodate the open space areas as lots reserved for open space and owned in common by the Association of Unit Owners. If said area is perfected as an open space lot, Applicant requests a four-foot side-yard setback for structural improvements to the open space lot side. If the said areas are perfected as an open space easements, the standard side yard setbacks would apply.

b. **Block Lengths:** *All block lengths are consistent with the original approved PUD.* The two interior blocks bound by Caldera Lane, Obsidian Ridge, Fallen Oak Drive, Morning View Drive and Farmington Avenue (primarily within Phases 1 and 2) are 820 and 920 feet respectively. Accordingly the blocks exceed the 660-foot maximum block length prescribed in MLDC 10.426(2)(C). The 920-foot block includes a pedestrian path crossing at approximately 660 feet. Based on the north-south street orientation, pedestrians are able to easily connect with the open space lands by way of the proposed pathways and sidewalks (either of which connect all lots in the project). Additional cross streets between the blocks would serve little purpose to accommodate neighborhood interconnectivity, would create additional crossing impediments for pedestrians using the north-south path system (which connects residences to the open space areas) and impinges on the cost effective delivery of housing by devoting land to public streets without, in this instance, significant purpose. The same would also require future public maintenance of the additional streets.

c. **Double Frontage/Through-Lots:** See Item 10(E)(d) herein below.

C. **Residential Density Calculations (Overall PUD):** The following constitutes facts which relate to the entire Cedar Landing PUD:

a. Density Facts

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i. Total PUD acreage: 116.58 acres

ii. SFR-4 Allowable Density Range: 291 to 466 units

iii. 20% Allowable PUD Density Bonus: 93 units

iv. Maximum allowed units including density bonus: 559 units

v. Congregate Living Single Family Residential Equivalency: 0.70

b. Proposed Densities with Revisions

i. Single Family Lots: 335 units

ii. Condominium Units: 21 units

iii. Congregate Living (150 units @ 0.7): 105 units

iv. Total Units 461

v. Open Space Acres: 17.9

vi. Open Space Percent of Project: 15.35%

c. Density Results:

i. Percent of total units at SFR-4 Density: 98.9% (465 of 466)

D. **Path:** The previous plan contemplated a multi-use path around a significant portion of the development's exterior perimeter which produced criticism and opposition from existing neighborhood residents. In response, the paths in the proposed plan have been relocated to the Project's interior, with near unanimous support. The pathways continue to tie the residential neighborhood to common area open space lands. Following are details related to the proposed interior path.

a. See attached Path Diagram (Exhibit 13)

b. 20-foot open space easement

c. Meandering 7-foot wide path

d. Two street trees per frontage

e. House front setback of 33 feet from edge of right of way to accommodate appropriate driveway parking

E. **Streets and Transportation**

a. **General Layout / Frontage**

The proposed street layout is similar to what is presently approved and all streets are proposed to be dedicated as city residential streets (See. Exhibits 7 and 8 for layouts and cross sections). The design is such that the development has two points of access in and out of the area. Farmington Avenue connects with Cedar Links Drive, a city major collector at the north end and Normil Terrace connects with Foothill Road, a city major arterial at the southeast end. As illustrated in the attached Phasing plans (Exhibit 10) temporary emergency

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vehicle turn-arounds will be provided at street stubs[4] commensurate to each phase.

b. **Connection at Foothill Road**

The Proposal in these applications serves to eliminate an approved connection to Foothill Road at High Cedars in favor of the single connection at Normil Terrace. The connection at Timbered Ridge (now Tree Top Drive) was approximately 550 feet from the Normil Terrace connection, a distance acceptable along a major arterial but less than ideal, prompting Applicant to eliminate the additional connection. The second connection at Timbered Ridge (Tree Top Drive) was not necessary to accommodate traffic volumes. Nor was it necessary to address traffic safety concerns. In fact, its elimination will benefit traffic safety along Foothill Road by minimizing the connections along this major arterial. Approval of the amended master plan for Cedar Landing PUD contained a design for a vertical separation feature along the Foothills Road frontage which will be constructed as part of this project. The separation See, Exhibit 12 for a detail of the design.

As evidenced by the attached Tentative Plan, there is adequate area to accommodate all necessary improvements along Foothill Road consistent with prior approvals.

Applicant is aware that improvements to Foothills Road will be necessary as part of its project. However, Applicant is aware that the City of Medford is now undertaking a study (the Foothills Corridor Study) to ascertain the best solutions for improving Foothills Road. The study has not yet been approved by the City Council. As such, the results of that study and improvement requirements to Foothills Road may necessitate minor design changes to the proposed Tentative Plat which would be reflected in the Final Plat for this land division.

c. **Rights-of-Way to Be Vacated**

Sky Lakes Village at Cedar Landing Phase 7A created rights-of-way for Normil Terrace and Farmington Avenue that were accepted by the City and have been recorded. The rights-of-way were necessary to provide frontage and lawful access to the five lots created under said division.[5] As a condition of approval, Applicant agrees to stipulate to partial vacation of portions of the right of way that do not comport with the proposed tentative plans. Commensurate with the vacations will be requests for portions of rights of way as shown on the attached plan to be accepted by the City – in order to assure appropriate frontage for and access to each underlying lot. The existing right-of-way dedications to be vacated and the new rights-of-way to

[4] The terminus of each street to less than its planned length is referred to as a street stub. The City may also require a "street plug" in each location.

[5] This was done so that each of the then contemplated phases would have lawful access under the MLDC.

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be dedicated as part of the Final Plat for this land division are shown on Exhibit 8.

**d. Access Restrictions; Double Frontage/Through Lots**

Proposed Lots 5 and 6 of Phase 1 will have frontage on both Morning View Drive and Callaway Drive. Proposed Lots 124-128 and Lots 147 -148 will of Phase 4 and proposed Lots 149-156 of Phase 5 will have frontage on High Cedars Lane and Foothill Road.

As a condition of approval, Applicant has agreed to stipulate to restrict access for Lots 5 and 6 to Morning View Drive only. Direct access to lots 5 and 6 will not be permitted from Callaway Drive. Similarly, access for Lots 124-128 and 147-156 will not be permitted from Foothill Road. Said lots will be permitted access from High Cedars Lane only. Lots 128 and 147 (which also front upon Normil Terrace) will be permitted access from High Cedars Lane only.

Agreed to stipulations are summarized in Section VI.

**e. Cul-de-sacs**

The development includes one small cul-de-sac situated in the southeast corner of Phase 4, off of High Cedars Drive a proposed local city street. The configuration and dimensions of the cul-de-sac are illustrated on the attached plans. The cul-de-sac is needed to provide access to a corner of the property that meets at an oblique angle which makes access otherwise difficult. See, Exhibit 8. Lot frontages within the cul-de-sac range from 31 feet to 53 feet and the paved cul-de-sac curve radii is 45', consistent with MLDC 10.450(2).

Pursuant to MLDC 10.450 cul-de-sacs are only permitted under certain circumstances. These include circumstances where it is not possible to create a street pattern which meets the design requirements for streets. In this instance the cul-de-sac here proposed arguably just barely meets that terms definition but is needed because the cul-de-sac cannot reasonably be extended. It cannot be extended to the east due to severe grade changes and the creation of a "too-close" intersection at Foothills Road in relation to the nearby intersection with Sycamore Way. A new intersection would similarly need to be located on a curve in Foothills Road and produce an avoidable safety issue. The cul-de-sac similarly cannot be extended south to connect with Sycamore Way as doing so in this location would impermissibly Sycamore in a location that is too near its intersection with Foothills Road. For these reasons, Applicant has elected to place a cul-de-sac in the location specified and asserts that through the findings of fact thus offered above, that this Proposal complies with the requirements in MLDC 10.450 to enable use a cul-de-sac.

**f. Intersection of Cedar Links Drive and Foothill Road**

A condition of approval for PUD-05-035 required a new signalized intersection with Cedar Links Drive and Foothill Road. Said offsite improvement has been recently completed and is pending acceptance by the City.

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**g. Transportation General**

The original Cedar Landing PUD included a Traffic Impact Analysis (TIA) that related to the entire Cedar Landing PUD project. As described herein above, this proposal results in a significant reduction in areas to be devoted to commercial uses and access to a major arterial (Foothills Road) has to be reduced from two to one. The significant reduction in commercial land (and its potential uses) in turn reduces the number and types of vehicular trips at the intersections then studied. In short, this Proposal results in reductions in potential traffic loading in comparison to the PUD plans now approved. Additionally, this Proposal reduces the number of connections to Foothill Road from two to one and the same will increase safety consistent with objectives expressed in the TSP which seek to minimize access to major arterials for better traffic throughput. Based on the foregoing, there is no need for additional analysis of transportation impacts.

**F. Landscaping**

Applicant's Exhibit 9 is a landscape plan depicting all proposed vegetative plantings. Note that the plan calls for two street trees per frontage for lots crossed by the proposed meandering pathway, including Lots 36 – 57, 89 – 90, and 158 – 165.

**G. Phasing**

a. The plan proposed five phases within the High Cedars subarea as illustrated on Exhibits 7-11. The improvements associated with each phase are identified on the Phasing Plan, Exhibit 10.

b. As explained herein above, temporary emergency access will be provided at street stubs commensurate with the development of each phase.

c. As a condition of approval, Applicant has agreed to stipulate to providing temporary emergency vehicular access turn-arounds with each phase. See, Section VI.

**H. Property Line Adjustments**

Property line adjustments associated with this project are necessary in order to align the underlying property lines with proposed phase boundaries for purposes of financing and potential sale. Applicant has agreed to stipulate to execute the appropriate property line adjustments to serve this objective. There are sections of roadway proposed to provide access to some of the proposed tracts and these are proposed simply to prevent the future tax lots from being landlocked and conforming to similar requirements in the MLDC. The street stubs will not produce issues with traffic circulation because there will not be any traffic generated by these future phases until they are first finally approved by the City. Before housing and supporting public facilities can be built on each of the future phases, the City must first approve a Final Plat for land division.

**I. Summary of Comparative PUD Modifications**

The proposed PUD request includes minimal modifications of the MLDC. See, Section IV(10)(B) herein above.

- Table 4 herein above summarizes the proposed changes to the south half of Cedar Landing PUD.
- Section IV, Items 10(B)(a) and (b) herein above describe the three minor requests for modifications of the code related to: flexibility in application of a side-yard setback for specific interior lots, increased front-yard setback for lots that are crossed by the proposed mult-use path and a slight modification to the minimum block-length standards.

Block length standards are found in MLDC 10.426. Residential setback standards are found in MLDC 10.710. Authority to flex the above standards is found under MLDC 10.230(D)(1)-(5).

11. **Hillside:** A very small amount of land in this project exceeds 15%. These steeper slopes are isolated in a narrow band adjacent to Foothills Road and the Medford Irrigation District canal that came about because of their construction, creating the sometimes steep embankment. The entire area will likely be eliminated when the anticipated Foothill Road widening/improvement project takes place and the irrigation canal is likely to be placed underground. There will be resulting fill slopes from the new construction that also will exceed 15 percent per the plans in Exhibit 12 where the slopes are to be terraced, landscaped and integrated into the vertical separation feature for Foothills Road. A detail for the separation feature is shown on the Exhibit 9 Landscape Plan submitted with this application. See also Exhibit 12.

12. **Neighborhood Meeting:** Applicant conducted a neighborhood meeting in accordance with the requirements of the MLDC. Attached to this land use application are the Neighborhood Meeting Certificate of Mailing Form and the Neighborhood Meeting Verification Form. The meeting was held February 4, 2015 and was attended by no less than 24 property owners (sign-up sheet attached). Applicant asserts that the surrounding neighborhood appeared near unanimous in its support of the plans now proposed while the earlier approved plan (proposed here to be replaced, in part) was strongly opposed.

13. **Impacts to Essential (Category "A") Public Facilities:** Due to the reduction in commercial uses, this amendment is not expected to have an appreciable effect on the demand for Category A public facilities when compared to the current and valid PUD approval. An analysis of adequacy of public facilities and services, including those denoted as Category A, are not required as part of the instant applications unless there are "proposed uses not allowed in the underlying zone pursuant to MLDC 10.230(D)(7)(c)." In this instance, no new uses of that category are proposed and in fact the same are being reduced over the amounts earlier approved by the City. The reductions come by way of exchanging commercial land/uses for single family detached housing. It is well established that single family dwellings on average produce less traffic than that which is generated by the kinds of shopping, offices and other commercial uses that this project originally contemplated.

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## CONCLUSIONS OF LAW

The following conclusions of law are based on the evidence enumerated in Section II and the findings of fact contained in above Section IV and which relate to the approval criteria for a Preliminary PUD Plan and Tentative Subdivision Plat Approval. The approval criteria are recited verbatim below and are followed by the conclusions of law of the Planning Commission.

The Conclusions of Law are separated and addressed in four parts which seek the following approvals:

A. **Approval for Revision of an Approved PUD.** Here the Commission concludes with respect to threshold standards whether this PUD can be revised.

B. **Approval of the Preliminary PUD Plan.** In this portion of the Conclusions of Law the Commission concludes with respect to the changes sought in this application for the PUD by issuing its conclusions regarding the standards and criteria for **Preliminary** PUD Plan approval.

C. **Approval of the Tentative Plat for Land Division.** Here the Commission concludes with respect to standards and criteria in the MLDC prerequisite to approving the first step of a land division.[6]

### *A. PLANNED UNIT DEVELOPMENT (Revision of an Already Approved PUD)*

#### *PUD Revision Criterion 1*

**10.245 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 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 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 City. 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 10.235(B) 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.

**Conclusions of Law**: Based upon the facts found in Item #5 of the Findings of Fact in Section IV above, the Planning Commission concludes that Cedar Investment Group, LLC is the Applicant and is an entity that owns more than 50 percent of the vacant land covered by the approved PUD and also owns more than 50 percent of the total assessed value of the of the vacant portion of the PUD. Based upon the record, the Planning Commission further

[6] Subdivisions (land divisions) are a two-step process

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concludes that Applicant has provided all the requisite materials for the nature and scope of the PUD revision. Based upon the balance of the conclusions of law provided herein, the Planning Commission further concludes that the PUD revision has followed the same procedures used for the initial approval. As such, the Commission concludes that this application is consistent with PUD Revision Criterion 1.

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### *PUD Revision Criterion 2*

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.

**Conclusions of Law**: The Planning Commission concludes that Applicant in this instance has not requested a consolidated review for both Preliminary and Final PUD Plan.

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### *PUD Revision Criterion 3*

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

**Conclusions of Law**: The Planning Commission concludes that its review has properly been limited to the specific nature and magnitude of the proposed revision and the revision has properly relied upon the design and development aspects of the whole PUD in its consideration of this matter. The developed portion of the PUD includes single family residential development in an area not adjacent to or within close proximity to the proposed changes. The Planning Commission concludes the proposed single family units are compatible with the developed single family portions nearby and there is nothing in the proposal that is incompatible. For these reasons, the Commission concludes that this application is consistent with PUD Revision Criterion 3.

**Summary Conclusions of Law**: Based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that it is lawfully possible (and desirable) to permit the revision of the Cedar Landing PUD because the revisions are within the clearly established eligibility standards which have been cited and addressed above as PUD Revision Criterion 1 through 3. Therefore, the Planning Commission concludes that this proposed PUD revision can proceed.

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## *B. APPROVAL OF A PRELIMINARY PUD PLAN*
## *(Approval of an New Preliminary PUD Plan to Replace the Plan Already Approved)*

**MLDC 10.235 - Preliminary PUD Plan - Application Procedures.**

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:[7]

### *PUD Criterion 1*

1. The proposed PUD
   a. preserves an important natural feature of the land, or
   b. includes a mixture of residential and commercial land uses, or
   c. includes a mixture of housing types in residential areas, or
   d. includes open space, common areas, or other elements intended for common ownership, or
   e. is otherwise required by the Medford Land Development Code.

**Conclusions of Law:** Based upon the evidence, the Planning Commission concludes that the existing PUD includes a mixture of residential housing types, commercial uses and planned open spaces and the proposed (revised) PUD will also contain mixtures of residential housing types, commercial land uses and common trails and open spaces. The PUD will also continue to preserve important natural features (such as the large pond) which were once a part of the Cedar Links Golf Course. For the reasons stated, the Commission concludes that this application to revise the PUD with this new Preliminary PUD Plan is consistent with PUD Criterion 1.

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### *PUD Criterion 2*

2. The proposed PUD complies with the applicable requirements of this Code, or

   a. the proposed modified applications of the Code are related specifically to the implementation of the rationale for the PUD as described in Section 10.235(B)(3)(a), and
   b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
   c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

**Conclusions of Law:** The Planning Commission concludes that this criterion is in three subparts, each of which is addressed as follows:

**PUD Criterion 2, Subpart 'a':** With respect to Subpart 'a' the Commission concludes that the Proposed Modified Applications of the Code ("the deviations") have been carefully set forth in the findings of fact in Section IV and consist of the following:

- Minor modification to minimum block lengths.
- Reduced side-yard setbacks for lots adjacent to interior open space, in the event said open space is established as common lot in lieu of easement
- Increased front-yard setback for lots crossed by the proposed multi-use path.

[7] The Applicant observes that the Planning Commission is under the same obligation to apply the criteria to a revision as it was the original application and that retention of previously imposed conditions that are not necessary to satisfy the relevant substantive criteria is no more proper than imposition of such conditions on the original approval.

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Moreover, Applicant has explained the rationale for the PUD as required in MLDC 10.235(B)(3) and the same is included in Exhibit 17. The proposed modifications are consistent with and deemed to specifically relate to the implementation of stated rationale.

**PUD Criterion 2, Subpart 'b'**: With respect to Subpart 'b' the Commission concludes that the Proposed Modified Applications of the Code ("the deviations") enhance the development as a whole resulting in a more desirable project. The setback flexibility is related to the implementation of open space and path network serving the neighborhood. Said amenities enhance the development as a whole.

**PUD Criterion 2, Subpart 'c'**: With respect to Subpart 'c' the Commission concludes that the Proposed Modified Applications of the Code ("the deviations") will in no way impair the function, safety, or efficiency of the circulation system or the development as a whole. The entirety of lands surrounding the proposed site, are comprised of fully-built residential neighborhoods without any street connections into the subject property, thereby making it impossible to create local street connections in a manner that can accommodate the maximum required block lengths. The proposed street connections with Cedar Links Drive and Foothill Road were previously evaluated and deemed both safe and adequate in prior approvals. Nothing in the proposal will materially impair the the safety, efficiency or functionality of the circulation system or development as a whole.

Based on the Section II Attached Evidence, Section IV Findings of Fact and discussion herein above, the Planning Commission concludes that overall, there is nothing in the proposed PUD revisions that changes the rationale and basis for the code modifications under the PUD ordinance already approved. With respect to the specific request for modifications to the block length and option to reduce setbacks adjacent to interior open space common lots, the Planning Commission relies on the evidence provided in Section II and Findings of Fact Section IV and concludes the proposed modifications are consistent with all subsections a, b and c herein.

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### *PUD Criterion 3*

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

   a. Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
   b. Public Facilities Strategy pursuant to ORS 197.768 as amended.
   c. Limited Service Area adopted as part of the Medford Comprehensive Plan.

**Conclusions of Law**: The Planning Commission concludes the existing approved PUD was not found to be subject to any of the above named limitations and there is nothing in this PUD revision application that would cause it to become subject to any of the above. Prior approvals required the installation and completion of a traffic signal at the intersection of Cedar Links Drive and Foothill Road which has since been completed. However, the earlier condition which required that public facility improvement did not (and does not now) constitute a moratorium, public facilities strategy or limited service area. Therefore, Based upon the foregoing findings of fact and conclusions of law, the Planning Commission

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concludes that the application is consistent with the requirements of PUD Criterion 3.

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### *PUD Criterion 4*

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

**Discussion; Conclusions of Law**: The Planning Commission concludes that the common elements in this PUD consist of the open spaces, including its trails interconnected with sidewalks, large and small open space nodes as shown on Applicant's plans in Exhibits 7, 8 and 9. The function of the open space elements is explained in the findings of fact in Section IV. Applicant asserts and the Commission agrees that Applicant's plans speak for themselves with respect to the location, size, shape and character of the planned open space common elements and the Commission further agrees that these are appropriate for the intended use and function, consistent with PUD Criterion 4.

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### *PUD Criterion 5*

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

   a. Public sanitary sewerage collection and treatment facilities.
   b. Public domestic water distribution and treatment facilities
   c. Storm drainage facilities.
   d. Public streets.

   Determination of compliance with this criterion shall be based on 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.

**Conclusions of Law**: Based upon the findings of fact in Section IV the Planning Commission concludes that with the net overall reduction of commercial uses by 23,000 square feet, the demand on Category A public facilities is likely to be less than that which was previously approved and nothing about the changes are expected to negatively affect the demand for public sanitary sewerage collection and treatment, water supply, storm drainage or traffic upon public streets. In fact, traffic resulting from the proposed PUD revisions will appreciably reduce projected traffic levels. Therefore, Based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of PUD Criterion 5.

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### *PUD Criterion 6*

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

**Conclusions of Law**: The Planning Commission concludes the PUD revision herein sought does not include uses subject to conditional use permit criteria. To the contrary, this application seeks to reduce uses that trigger the necessity to show compliance with the conditional use permit criteria pursuant to PUD Criterion 6 above. Moreover, to the extent that portions of the PUD, not subject to this request for modification, were approved for commercial uses, the Planning Commission also holds that the same uses are now permitted, not subject to this PUD revision application, and do not require additional consideration at this time and the nature of this revision is such that it does not require these uses to be approved anew. For the reasons above stated, and based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of PUD Criterion 6.

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### *PUD Criterion 7*

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

**Conclusions of Law**: The Planning Commission concludes that Applicant has requested a land division, the approval criteria for which are addressed herein below and the same are incorporated here, thus establishing the basis for the Commission to concludes, as it does, that this application is consistent with PUD Criterion 7.

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## *C. LAND DIVISION – TENTATIVE SUBDIVISION PLAT*

### *Land Division Approval Criteria*

**10.270 Land Division Criteria.**

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

### *Land Division Criterion 1*

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

**Discussion; Conclusions of Law**: The Planning Commission concludes there are no specific plans applicable to this area and there are no goals or policies that function as approval criteria for the subject application. The Planning Commission further concludes that the design complies with all applicable design standards of Article IV and V except modifications to the Code specifically approved under the PUD ordinance herein above and where block length and interior side yard setbacks are varied from the base zoning district standards by approval of the PUD herein above.

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### *Land Division Criterion 2*

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

**Conclusions of Law**: The Commission concludes that the only remainder of the property owned by Applicant are portions of the overall Cedar Land PUD located on the north/opposite side of Cedar Links Drive from the property subject to these applications. The portions of Cedar Landing PUD one opposite sides of Cedar Links Drive do not have transportation interconnections other than across Cedar Links Drive. As such this approval will not prevent or adversely affect development of the portion north of Cedar Links Drive. There is nothing in the proposed PUD revisions to suggest that it will in any way prevent development of other portions (owned by Applicant) on the north side of Cedar Links Drive.

There is also no evidence to suggest that the proposed land divisions will prevent the development of other adjoining land or access thereto because, in fact, all land surrounding the subject property is fully developed with the exception of some land on the opposite side of Foothills Road from the subject property, with which it is concluded to be infeasible and undesirable to interconnect with access. For the reasons thus described, the Planning Commission concludes that this application is consistent with Land Division Criterion 2 because this land division will not prevent development of the remainder of the property under the same ownership or of adjoining land or of access thereto.

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### *Land Division Criterion 3*

(3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford, except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; 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;

**Conclusions of Law**: The proposed subdivision is to include the name High Cedars at Cedar Landing, Phases 1 through 5. This name was approved by the Planning Commission in 2006 as part of the original approval under PUD05-035 and there is no evidence to suggest that the proposed names are not presently available.

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### *Land Division Criterion 4*

(4) Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary, to the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;

**Discussion; Conclusions of Law**: The Planning Commission concludes the proposed land division will include new public streets and as evidenced by Exhibits 7 through 10, the connections with surrounding lands are in a manner that conforms to all existing and proposed street layouts, none of which contemplated interconnections with the development

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of the subject property. As such, based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of Land Division Criterion 4.

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### *Land Division Criterion 5*

(5) Has streets that are proposed to be held for private use, that they are distinguished from the public street on the tentative plat, and reservations or restrictions relating to the private streets are set forth;

**Conclusions of Law:** The proposal does not include private streets and Land Division Criterion 5 is concluded to be inapplicable.

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### *Land Division Criterion 6*

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

**Discussion; Conclusions of Law:** Based upon the evidence, the Planning Commission concludes the project is a considerable distance from the nearest EFU zoning district and will not, therefore, create an unmitigated land use conflict with adjoining agricultural lands.

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## VI

## AGREED TO STIPULATIONS

Applicant herewith agrees to stipulate to the following matters if the same are made conditions attached to the approval of this application:

1. **Property Line Adjustment**. Applicant will execute property line adjustments that modify the existing underlying lot configurations to coincide with phase boundaries approved as part of this application and as shown on Exhibit 18.

2. **Street Vacations**. Prior to recording the Final Plat for any of the five phases in High Cedars at Cedar Landing, those portions of Normil Terrace and Farmington Avenue which lie within the subject property but outside the rights-of-way on the plans herein proposed are to be vacated whether by Applicant or, at Applicant's request, by the City of Medford on the City Council's own motion as provided by Oregon law.

3. **Street Dedications**. Applicant will cause the following street dedications:

   a. Prior to or concurrent with recording of the property line adjustments described in #1 above, portions of Normil Terrace within the rights-of-way on the plans proposed herein and lying between Foothill Road and the easterly boundary of

adjusted lot 97 (coincident with the easterly boundary of Phase 3) shall be dedicated as unimproved right-of-way in order to assure access and frontage to said Lot 97.

b. Prior to or concurrent with recording of the property line adjustments described in #1 above, portions of Farmington Avenue within the rights-of-way on the plans proposed herein, lying between Foothill Road and the northerly boundary of adjusted lot 96 (coincident with the northerly boundary of Phase 2) shall be dedicated as unimproved right-of-way in order to assure access and frontage to said Lot 96.

4. **Restricted Access.** Certain lots in the project shall have the following access restrictions:

   a. **Lots 5 and 6** shall have restricted access only to Morning View Drive: no direct access shall be permitted to Callaway Drive.

   b. **Lots 124-128 and 147-156** shall have restricted access only to High Cedars Lane: no direct access shall be permitted to Foothill Road.

   c. **Lots 128 and 147** shall have restricted access only to High Cedars Lane; no direct access shall be permitted to Normil Terrace.

5. **Vehicular Access Turn-Arounds.** At the terminus of each phase, Applicant will provide temporary emergency vehicular access turn-arounds which will be constructed to temporary standards to be approved by the Medford Fire Department. As streets are extended, the temporary turn-arounds will be replaced with permanent street improvements and, if needed, new temporary turn-arounds will be installed.

## VII

## ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, it is ultimately concluded that the case for revision to the Preliminary PUD Plan approval and a new Tentative Subdivision Plat approval is consistent with all of the relevant criteria in the Medford Land Development Code (MLDC) as hereinabove enumerated and addressed.

**Dated: March 25, 2015**

Respectfully submitted on behalf of Applicant Cedar Investment Group, LLC:

CSA PLANNING, LTD.

Craig A. Stone
President

Continuous Improvement Customer Service

CITY OF MEDFORD

RECEIVED
MAY 29 2015
PLANNING DEPT

Revised Date: May 29, 2015
File Number: PUD 15-043/LDS-15-044
(Reference: PUD-14-136, LDS-14-137, and LDS-14-138)

# PUBLIC WORKS DEPARTMENT STAFF REPORT
## CEDAR LANDING PUD (South-side of Cedar Links Dr.) - REVISION & HIGH CEDARS SUBDIVISION PHASE 1-5

**Project:** **Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for HIGH CEDARS SUBDIVISION, Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, Phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths.**

**Location:** **North and south side of Cedar Links Drive, west of Foothill Road on approximately 114 acres, within an SFR-4/PD zoning district.**

**Applicant:** **Cedar Investment Group, LLC**

**Applicability:** The Medford Public Works Department's conditions of Preliminary Plan Approval for Cedar Landing PUD were adopted by Order of the Medford Planning Commission on April 27, 2006 (PUD-05-035). The approval for Cedar Landing PUD received a minor amendment on July 14, 2008 through a De minimis revision by the Planning Director. A portion of the PUD was terminated by the Planning Commission on April 14, 2011. A revision to the PUD was approved on February 27, 2014 (PUD-13-119) and included name changes, phase re-numbering, and lot reconfiguration. An exception for reduced right-of-way along the northerly section of Cedar Links Drive was approved on January 22, 2015 (E-14-059). Cedar Landing PUD on the north side of Cedar Links Drive was amended and approved by the Planning Commission on April 23, 2015 (PUD-14-136, LDS-14-137, and LDS-14-138). The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.



PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us

CITY OF MEDFORD
EXHIBIT# "C"
FILE # [illegible]

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

**REVISION REQUESTS**

The Public Works Department has no objections to the five (5) revision requests stated above for the portion of the Cedar Landing PUD south of Cedar Links Drive. They are described in more detail below as needed. Public Works does have a comment on the width of the proposed pathways adjacent to the public right-of-way, which is discussed under "Access and Circulation" below.

## A. STREETS

### 1. Dedications

**Foothill Road** is an existing County road, which lies along the easterly boundary of the portion of Cedar Landing PUD, which is south of Cedar Links Drive. It is classified as a major arterial street, which has a required total right-of-way width of 100 feet, or 50 feet on each side of the centerline along the frontage of the proposed Development. The necessary right-of-way was previously dedicated as part of the final plat for "Sky Lakes Village at Cedar Landing, Phase 7A". **No other right-of-way is needed with this Development.**

**Cedar Links Drive** is an existing City street, which lies along the northerly boundary of this portion of Cedar Landing PUD, which is south of Cedar Links Drive. It is classified as a major collector street, which has a required total right-of-way width of 74 feet, or 37 feet on each side of the centerline along the frontage of the proposed Development. The necessary right-of-way was previously dedicated as part of the final plat for "Sky Lakes Village at Cedar Landing, Phase 7A". **No other right-of-way is needed with this Development.**

**Farmington Avenue and Normil Terrace** are proposed as Standard Residential Streets with a right-of-way width of 63 feet in accordance with Medford Land Development Code (MLDC) Section 10.430. The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat. Normil Terrace shall intersect with Foothill Road in the same alignment with Normil Terrace on the east side of Foothill Road.

On the plat of "Sky Lakes Village at Cedar Landing, Phase 7A", right-of-way for Farmington Ave. and Normil Terrace was dedicated to provide access to Lots 96 and 97. The proposed revised PUD and tentative plat for High Cedars Subdivision will necessitate vacating portions of the existing right-of-way and dedicating new areas. This can be done in several ways, but the timing of any vacations must be coincident with dedicating new right-of-way so that Lots 96 and 97 will always have 63 feet of right-of-way width available to their boundaries.

**Caldera Lane, Obsidian Ridge, Morning View Drive, Fallen Oak Drive, Noble Fir Drive, Tree Top Drive, Pronghorn Lane, and High Cedars Lane** are each proposed as Minor Residential Streets with a right-of-way width of 55 feet in accordance with MLDC Section 10.430. The 'Knuckles and Cul-de-sac' shown shall also be dedicated with a minimum of a 45



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foot radius to the right-of-way line. **The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat.**

Streets as shown on the Tentative Plat in which any portion terminates at the boundary line of a phase of this subdivision shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee, as a **non-access reserve strip** to the City of Medford per MLDC 10.439.

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

A minimum of a 15 foot radius shall be provided at the Lot corners at each intersection, in accordance with the MLDC, Section 10.445.

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

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

**2. Public Improvements**

**a. Public Streets**

**Foothill Road**, adjacent to this development, shall be improved to Major Arterial Street Standards with a 70-foot paved section (designed to City of Medford Standards), complete with curbs, gutters, 10-foot wide park strips, 5-foot wide sidewalks and street lights in accordance with the MLDC, Section 10.428. The developer shall improve the west half plus 12-feet, or to the existing edge of pavement, whichever is greater, east of the centerline along the frontage of this development.

In accordance with the Commission Report for PUD-05-035, Cedar Landing PUD, the Developer is required to:

1. Prepare a final Street Tree and Commercial Area Master Plan for Cedar Landing PUD, which includes a detailed plan component for the Foothill Road Arterial Street Frontage Landscape feature that will be installed within Phase 3 of High Cedars Subdivision.
2. Include a minimum 8-foot high vertical separation feature along the Foothill Road frontage prior to the final plat of High Cedars, Phase 3.

**Cedar Links Drive**, adjacent to the northerly boundary of this Development shall be improved



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to major collector street standards with a 44-foot paved section (designed to City of Medford Standards), complete with curbs, gutters, 10-foot wide park strips, 5-foot wide sidewalks and street lights in accordance with the MLDC, Sections 10.428 and 10.430B, Table IV-1. The developer shall improve the south half (22-feet) plus 12-feet north of the centerline along the frontage of this development.

**Farmington Avenue and Normil Terrace** shall be improved to full width Standard Residential Street standards with 36-foot wide paved sections, complete with curbs, gutters, 8-foot wide park strips, 5-foot wide sidewalks and street lights, in accordance with MLDC 10.430(1).

In the areas where the Developer has proposed the Pathway and Open Space Easement to be adjacent to the public right-of-way and in accordance with the Planning Commission's decision the Developer shall provide a 7 foot wide sidewalk.

**Caldera Lane, Obsidian Ridge, Morning View Drive, Fallen Oak Drive, Noble Fir Drive, Tree Top Drive, Pronghorn Lane, and High Cedars Lane** shall be improved to Minor Residential Street standards with paved section, complete with curb, gutter, park strip, sidewalk and street lights, in accordance with MLDC 10.430 (2).

In the areas where the Developer has proposed the Pathway and Open Space Easement to be adjacent to the public right-of-way and in accordance with the Planning Commission's decision the Developer shall provide a 7 foot wide sidewalk.

**b. Street Lights and Signing**

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

The following street lighting and signing installations will be required:

**High Cedars at Cedar Landing, Phase 1-5**

Street Lighting - Developer Provided & Installed

8 – 310W HPS street lights w/ BMC, (Foothill)

40 – 100W HPS street lights with/out Pedestrian Lighting

Or

13 – 100W HPS street lights with Pedestrian Lighting
(May require multiple BMC's)

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

15 – Street Name Signs
2 – Stop Signs
Varies Depending on Phase - Barricades



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

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

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

**c. Pavement Moratoriums**

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

**3. Section 10.668 Analysis**

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

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

**4. Access and Circulation**

The Public Works Department has no objection to the request to eliminate the Tree Top Drive connection to Foothill Road. This will also eliminate the need for the raised median in Foothill Road. Normil Terrace shall be the only street to intersect with Foothill Road within this P.U.D.

No Lot or Parcel shall be allowed to take direct access to Cedar Links Drive or to Foothill Road.

The Public Works Department also has no objection to the request within this PUD to remove the below grade pedestrian crossing on Cedar Links Drive.

## B. SANITARY SEWERS

This site lies within the Medford sewer service area. A private sanitary sewer lateral shall be constructed to each Lot prior to approval of the Final Plat. All public sanitary sewers shall be



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located in public streets, or within public sanitary sewer easements. All sanitary sewer manholes not located within public streets or alleys shall be accessible via paved surfaces having a width of at least 12-feet.

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

## C. STORM DRAINAGE

### 1. Hydrology

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

### 2. Stormwater Detention and Water Quality Treatment

This development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual. Since this development is larger than five acres, Section 10.486 requires that the development set aside a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

Upon completion of the project, the Engineer of Record shall provide written certification to the Engineering Division that the construction of the controlled storm water release drainage system was constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to approval of the Final Plat.

### 3. Grading

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

### 4. Mains and Laterals

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



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storm drain system.

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

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

**5. Wetlands**

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

**6. Erosion Control**

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

## D. SURVEY MONUMENTATION

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

## E. General Conditions

**1. Design Requirements and Construction Drawings**

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

**2. Construction Plans**

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, sanitary sewers, storm drains, and street lights as required by the Planning Commission's Final Order, together with all pertinent details and calculations. The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any



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additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

**3. Phasing**

The Tentative Plat shows that the subdivisions will be developed in phases. The public improvements corresponding to a particular phase shall be constructed at the time such phase is being developed, and the public improvements that are not included within the geometric boundaries of any phase being developed, but are needed to serve each respective phase, shall be constructed with each phase as needed.

**4. Draft of Final Plat**

The developer shall submit 2 copies of the preliminary draft of the final plat at the same time the public improvement plans (3 copies) are submitted. Neither lot number nor lot line changes shall be allowed on the plat after that time, unless approved by the City and all utility companies.

**5. Permits**

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

Concrete or block walls built within a P.U.E., or within sanitary sewer or storm drain easements require review and approval from the Engineering Division of Public Works. Walls shall require a separate permit from the Building Department and may also require certification by a professional engineer.

Excavation and private plumbing shall require a separate permit from the Building Department.

**6. System Development Charges**

Buildings in this development are subject to sewer treatment, collection and street systems development charges. These SDC fees shall be paid at the time individual building permits are taken out.

This development is also subject to storm drain system development charges, the Developer is eligible for storm drain system development charge credits for the installation of storm drain pipe which is 24 inches in diameter or larger and is not used for storm drain detention in accordance with Medford Municipal Code (MMC), Section 3.891. The storm drain system development



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charge shall be collected at the time of the approval of the final plat

Developments in which Collector and/or Arterial streets are being dedicated are eligible for Street SDC credits in accordance with MMC 3.815.

### 7. Pavement Moratoriums

The developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any public street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

### 8. Construction and Inspection

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

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

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

Prepared by: Larry Beskow, 5-4-15
Revised by: Doug Burroughs
Revised Per PC Hearing by: Doug Burroughs 5-29-15



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## SUMMARY CONDITIONS OF APPROVAL
**Cedar Landing PUD – REVISION/High Cedars Subdivision**
PUD 15-043/LDS-15-044

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

**A. Streets**

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

- Dedicate Farmington Ave. and Normil Terrace rights-of-way sixty three (63) feet wide.
- Dedicate Caldera Lane, Obsidian Ridge, Morning View Drive, Fallen Oak Drive, Noble Fir Drive, Tree Top Drive, Pronghorn Lane, and High Cedars Lane rights-of-way fifty five (55) feet wide. "Knuckles" and Cul-de-sac dedicate 45 foot radius minimum.
- Dedicate 10 foot public utility easements (PUE).

**2. Improvements:**

a. Public Streets

- Construct Foothill Road to major arterial street standards. Construct the west half plus a minimum of 12 foot east of centerline
- Prepare final Street Tree Mater Plan for Foothill Road frontage
- Construct 8-foot high vertical separation along Foothill Road frontage
- Construct Cedar Links Drive to major collector street standards. Construct the south half plus a minimum of 12 foot north of centerline
- Construct Farmington Avenue and Normil Terrace to Standard Residential Street standards.
- Construct Caldera Lane, Obsidian Ridge, Morning View Drive, Fallen Oak Drive, Noble Fir Drive, Tree Top Drive, Pronghorn Lane, and High Cedars Lane to Minor Residential Street standards.

b. Lighting and Signing



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

**B. Sanitary Sewer:**

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

**C. Storm Drainage:**

Developer provides an investigative drainage report.

Development includes above ground water quality and detention facilities.

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

Provide a storm drain lateral to each building lot. In the event lots drain to the back, a private system will be required.

The developer shall contact Division of State Lands for approval and/or clearance of the development with regards to wetlands.

Erosion Control Permit from DEQ required for this project prior to public improvement plan approval.

**D. Survey Monumentation**

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

**The above summary is for convenience only and does not supersede or negate the full report in any way. If there is any discrepancy between the above list and the full report, the full report shall govern. Refer to the full report for details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection.**



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# LAND DEVELOPMENT REPORT - APPLICANT

**To:** Jennifer Jones

**LD Meeting Date:** 05/06/2015

**From:** Greg Kleinberg

**Report Prepared:** 05/05/2015

**Applicant:** Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

**File #:** PUD - 15 - 43

**Associated File #'s:** LDS - 15 - 44

**Site Name/Description:** Cedar Landing PUD, and High Cedars Subdivision

Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road, within an SFR-4/PD (Single-Family Residential - 4 dwelling units per gross acre/ Planned Development) zoning district; Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Jennifer Jones, Planner.

## DESCRIPTION OF CORRECTIONS

**REFERENCE**

**Requirement FIRE HYDRANTS** — OFC 508.5

Fire hydrants with reflectors will be required for this project.

Hydrant locations shall be as follows: Twenty one (21) total fire hydrants are required located at the following locations: One on the corner of Farmington/High Fallen Oak near lot #21; One on the corner of Fallen Oak/Morning View near lot #11; One on Caldera in front of lot #36; One on Caldera in front of lot #39; One on Caldera in front of lot #43; One on Caldera in front of lot #47; One on Obsidian in front of lot #61; One on the corner of Farmington/Obsidian in front of lot #58; One on Farmington in front of lot #69; One on Morning View in front of lot #15; One on Morning View in front of lot #107; One on the corner of Morning View/Noble Fir in front of lot #103; One on Morning View in front of lot #133; One on the corner of Morning View/High Cedars in front of lot #129; One on the corner of Normil Terrace/Noble Fire in front of lot #87; One on the corner of Normil Terrace/Pronghorn Lane in front of lot #141; One on the corner of Normil Terrace/High Cedars in front of lot #145; One on High Cedars in front of lot #175; One on Tree Top in front of lot #92; One on the corner of Tree Top/Pronghorn in front of lot #171; and one on the corner of High Cedars/Tree Top in front of lot #173.

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

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

**Requirement ADDL. FD ACCESS REQUIRED-1 & 2 FAMILY DWELLINGS** — OFC D107.1

Lots/Units Affected: All Phases-Two access roads are required as stipultated below unless all the homes are protected with home fire sprinkler systems.

CITY OF MEDFORD
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# LAND DEVELOPMENT REPORT - APPLICANT

**To:** Jennifer Jones

**LD Meeting Date:** 05/06/2015

**From:** Greg Kleinberg

**Report Prepared:** 05/05/2015

**Applicant:** Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

**File #:** PUD - 15 - 43

**Associated File #'s:** LDS - 15 - 44

**Site Name/Description:** Cedar Landing PUD, and High Cedars Subdivision

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Exceptions:
1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses (D104.3).

A minimum size 3/4" x 3/4" water meter is normally required to supply the required water flow for a residential fire sprinkler system. Consult the Medford Water Commission for additional information.

**Requirement MEDFORD CODE STREET DESIGN OPTIONS** **MEDFORD** **10.430**

Section 10.430 of the Medford Code states the following:

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

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

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

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

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

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# LAND DEVELOPMENT REPORT - APPLICANT

**To:** Jennifer Jones

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**File #:** PUD - 15 - 43

**Associated File #'s:** LDS - 15 - 44

**Site Name/Description:** Cedar Landing PUD, and High Cedars Subdivision

**Requirement FIRE DEPARTMENT TURN-AROUND** — **OFC 503.2.5**

Phasing will require temporary fire department turn-arounds at the ends of Caldera, Farmington, Morning View, and Noble Fir.

Dead-end Fire Apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

The Fire department turn-around area must be posted with "NO PARKING-FIRE LANE" signs. These signs shall be spaced at 50' intervals along the fire lane and at fire department designated turn-around's.

**Requirement FD APPARATUS ACCESS ROAD DESIGN** — **OFC 503.2.1**

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under section 503.2.1, shall be maintained at all times. The fire apparatus access road shall be constructed as asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 60,000 pounds.
(See also OFC 503.4; D102.1)

The turning radius on fire department access roads shall meet Medford Fire Department requirements (OFC 503.2.4).

**Requirement ADDITIONAL REQUIREMENTS/COMMENTS** — **MEDFORD** — **OTHER**

If all the homes are protected with home fire sprinklers, the following requirements are changed:

1. The design of clustered/offset driveways is not required
2. Max. fire hydrant spacing throughout the project is 500' o.c. (will reduce total number of fire hydrants required for overall project)
3. Temporary fire department turn-arounds are not required

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

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

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

"C"

**Jennifer M. Jones**

RECEIVED
APR 16 2015
PLANNING DEPT.

**From:** Greg G. Kleinberg
**Sent:** Thursday, April 16, 2015 8:32 AM
**To:** Jennifer M. Jones
**Subject:** Cedar Landing PUD-15-043: LDS-15-044
**Attachments:** Secondary Access Agreement.pdf

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

Jennifer,

See the attached agreement. The fire sprinkler requirement will be lifted with the addition of this is secondary access.

Thank You,

Greg Kleinberg
Deputy Chief - Fire Marshal
Medford Fire-Rescue
541-774-2317



CITY OF MEDFORD
EXHIBIT# C
FILE # _____

**CSA Planning, Ltd**
4497 Brownridge, Suite 101
Medford, OR 97504

Telephone 541.779.0569
Fax 541.779.0114

Mike@CSAplanning.net

April 15, 2015

Jennifer Jones, Planner
City of Medford Planning
200 South Ivy Street,
Lausmann Annex, Room 240
Medford, OR 97501

RE: ***Secondary Emergency Access; Cedar Landing; Files: PUD-15-043 & LDS-15-44***

Dear Ms. Jones:

Please accept this letter and the attached illustration into the record for the above files. The applicant herewith agrees to stipulate to providing a secondary emergency-only access consistent with the attached as a condition of approval should the applications be approved. We met with City of Medford Fire & Rescue to discuss this request and they have found the proposal sufficient.

If you have any questions, please do not hesitate to contact myself or Mark Kamrath with CEC Engineering.

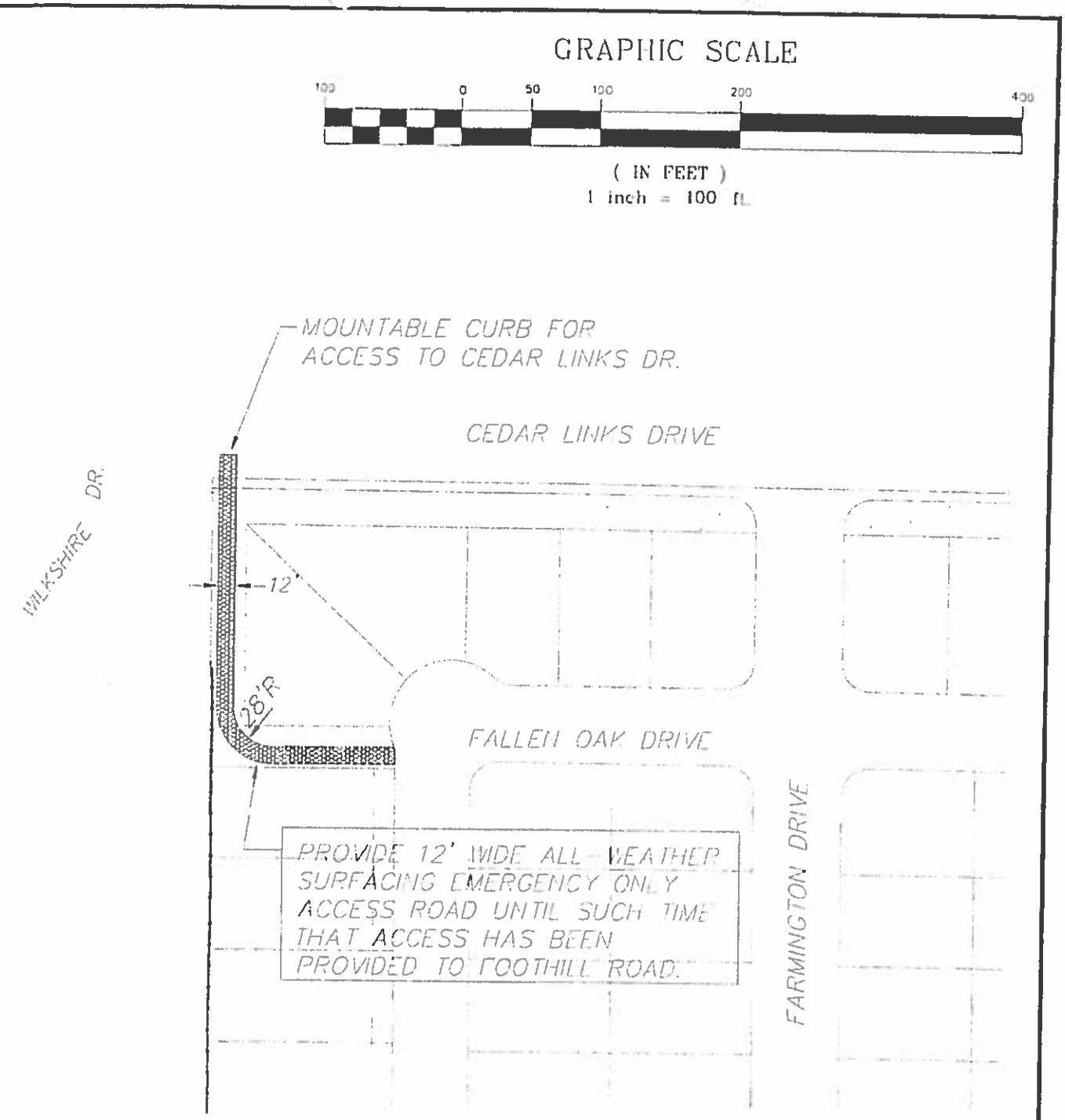
Very truly yours,

CSA Planning, Ltd.

Michael Savage
Associate

cc. File; Client; CEC Engineering; City of Medford Fire & Rescue

"C"




NORTH

CONSTRUCTION ENGINEERING CONSULTANTS INC

P.O. BOX 1721 · MEDFORD, OREGON 97501
PH (541) 779-5206 FAX (541) 779-3139

CITY OF MEDFORD

CEDAR LANDING PUD

CEDAR LINKS DRIVE

*SECONDARY EMERGENCY FIRE ACCESS*

DATE: 4-14-15

SHEET 1 OF 1

"C"

RECEIVED
MAY 06 2015
PLANNING DEPT.

MEDFORD WATER COMMISSION

BOARD OF WATER COMMISSIONERS

# Staff Memo

**TO:** Planning Department, City of Medford

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

**SUBJECT:** PUD-15-043 & LDS-15-044

**PARCEL ID:** 371W16 TL 1400 & 371W16CA TL 2200

**PROJECT:** Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road, within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre/ Planned Development) zoning district; Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Jennifer Jones, Planner.

**DATE:** May 5, 2015

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 8-inch water lines is required to be installed in all proposed streets of all proposed phases of this development with connections to existing water lines in both Cedar Links Drive and N Foothill Road.

4. The existing water meter located near the northwest property corner of TL 1400 is required to be abandoned.

5. Applicants Civil Engineer shall coordinate with Medford Fire Department for proposed fire hydrant locations.

K:\Land Development\Medford Planning\pud15043 - lds15044.docx

CITY OF MEDFORD
EXHIBIT# "C"
FILE #

6. Applicants Civil Engineer shall coordinate with Medford Water Commission for water line and water meter layout for all five (5) proposed phases of this development.

**COMMENTS**

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

2. On-site water facility construction is required. (See Condition 3 above)

3. This development is located within two (2) of MWC's pressure zones. Static water pressure for the Lots located within the "Gravity" pressure zone will be between 40 psi and 55 psi; and the static water pressure for the Lots the "Zone 1A" pressure zone will be between 44 psi and 100 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".

4. MWC-metered water service does exist to this property. A ¾-inch water meter serves the old Cedar Links Golf Course Maintenance Building located near the northwest property corner of TL 1400. (See Condition 4 above)

5. Access to MWC water lines is available. There is an existing 8-inch water line in Cedar Links Drive, and a 12-inch water line in N Foothill Road. The is also an existing 24-inch welded steel water transmission line (Big Butte Springs Line #2) located near the existing property line between TL 2200 and TL 1400; extreme care shall be taken when working around the 24-inch Big Butte Springs Line #2. There will be no connections allowed off the BBS #2 24" water transmission main.

**Jennifer M. Jones**

| | |
|---|---|
| **From:** | MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us> |
| **Sent:** | Thursday, May 07, 2015 2:47 PM |
| **To:** | Jennifer M. Jones |
| **Subject:** | PUD-15-043/ LDS-15-044 |
| **Follow Up Flag:** | Follow up |
| **Flag Status:** | Flagged |

RECEIVED
MAY 07 2015
PLANNING DEPT.

Jennifer,

Thank you for sending agency notice of a consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5. The PUD revision request applies only to the portion south of Cedar Links Drive and consists of: 1) reconfiguring the entire area into the High Cedars subarea, phases 1 through 5; 2) changing all commercial, multi-family, and condominium uses to single family detached residential; 3) removing the below grade pedestrian crossing at Cedar Links Drive; 4) creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive; and 5) relocating pedestrian paths. The project is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road, within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre/ Planned Development) zoning district. We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

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

CITY OF MEDFORD
EXHIBIT# "C"
FILE # PUD-15-043/LDS-15-044

RECEIVED
MAY 06 2015
PLANNING DEPT.

# STAFF MEMO

**To:** Jennifer Jones

**From:** Jennifer Ingram, Address Technician

**Date:** 5/6/2015

**Subject:** PUD-15-043/LDS-15-044

---

**Obsidian Ridge** still needs an acceptable street suffix (e.g., Drive, Lane, Street or Way).

The proposed street names **Noble Fir Drive & Tree Top Drive** are acceptable replacements for **Timbered Ridge**.

CITY OF MEDFORD
EXHIBIT# "C"
FILE #

# Memo

RECEIVED
MAY 06 2015
PLANNING DEPT.

**To:** Jennifer Jones, Planning Department

**From:** Mary E. Montague, Building Department

**CC:** Cedar Investment Group LLC.,

**Date:** May 6, 2015

**Re:** File No. PUD-15-043 & LDS-15-044

---

**Building Department Requirements:**

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

***Please contact the front counter for fees.***

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.

2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.

3. A site/excavation permit is required for all private work being done. i.e. storm drains, sewer lines, water lines, or private streets. Also, permit required for Proposed Storm Facilities.



CITY OF MEDFORD
EXHIBIT# "C"
FILE # [illegible]

RECEIVED
APR 28 2015
PLANNING DEPT.

# MEDFORD IRRIGATION DISTRICT

*P.O.BOX 70*
*5045 Jacksonville Hwy*
*Jacksonville, Oregon 97502*
*Office (541)899-9913*

City of Medford
Planning Department
Lausmann Annex, Room 240
200 South Ivy St.
Medford, OR 97501

April 24, 2015

Subject: Cedar Investment Group, LLC

The Medford Irrigation District currently has this acreage with two tax lots: TL 1400 with 23.90 acres and TL 2200 with 20.50 acres of irrigation rights.

The owner/Developer will need to supply water to all the lands or transfer off any portions that will not be able to receive irrigation water any longer. Also, the District's East Main canal runs on the west side of Foothills Rd. parallel with the road. The canal is in the cross hatched portion of the map. What are the plans for this area?

The District requests to be kept informed as this development goes forward.

Thank You,

Carol Bradford

Carol Bradford, District Manager

CITY OF MEDFORD
EXHIBIT# "C"
FILE #

RECEIVED
APR 14 2015
PLANNING DEPT.

Robert J. White
3113 Sycamore Way
Medford OR 97504
4-14-15

Jennifer Jones
Medford Planning Dept.
200 S. IVY ST. 2nd Floor
Medford OR 97501

Re: Cedar Landing Planned Development
Restoration of Lone Pine Creek

Dear Ms. Jones,

My neighbors and I, who live adjacent to the Southern boundry of the Cedar Landing Proposed Development, are concerned about the unusually high level of the water table here during the winter and that the development will worsen that problem. Currently the water table is a couple of inches below the existing sewer grate in the S.W corner of the development. The sewer grate allows water to drain into Lone Pine Creek which is buried along the southern property line. Because of the high water table, all of the homes on Sycamore have standing water in the crawl space below the ground floor. During heavy rains water actually overflows my water meter box in front of my house.

We believe the developer has not adequately addressed the drainage from the S.W corner of the development. He doesn't even mention Lone Pine Creek. It is as if he doesn't even recognize that it exists.

Background

About 30 years ago the City approved the expansion of Cedar Links Golf Course to the South side of Cedar Links Drive. They allowed the owners to put Lone Pine Creek into a Concrete pipe and bury it between Foothill and Kerrisdale. This creek used to drain the property. After it was put into the pipe, the water table rose up to 10 feet because the ground water could no longer get into the creek. Now is the time to fix this problem.

CITY OF MEDFORD
EXHIBIT# "C"
FILE #

This could be done by either restoring the creek back to its original configuration or at least doing something to the pipe to allow ground water to flow into the creek.

I have seen several versions of what the developer proposes for this location. They include leaving the area above the creek alone as open space, filling in that area and allowing the wetlands there to drain into a newly created pond in the S.W. corner, and selling that land with the newly developed houses. Nothing has been said of reducing the water table in this area by allowing the ground water to flow into the creek.

This issue must be addressed before any development is allowed to proceed. I hold the City liable for any damage to the surrounding home caused by an increased water table. Please keep me informed of what changes are being made to eliminate this problem.

Sincerely

Robert J. White

"C"

RECEIVED
MAY 28 2015
PLANNING DEPT.

CONSTRUCTION ENGINEERING CONSULTANTS INC.
P.O. BOX 1724 • MEDFORD, OR 97501 • PH (541) 779-5268 • FAX (541) 779-3139

May 28, 2015

CSA Planning, Ltd
4497 Brownridge, Suite 101
Medford, Oregon 97504

RE: **Cedar Landing – Storm Drainage**

Dear Mr. Stone:

This letter is written to help answer questions from the neighbors along Sycamore Way, adjacent to the southernmost boundary of the Cedar Landing development.

Currently a portion of the property surface drains to a ditch along the southern boundary of the project. Existing City stormdrain pipes are collecting this surface runoff along the southern boundary ditch line in multiple locations. With build out of the project, the majority of this surface runoff will be cutoff by the construction of roads and houses. The stormwater that is generated from these impervious surfaces and other site runoff will be directed into the stormdrain system and conveyed to detention ponds. The stormwater held in the detention ponds will be released to an existing City underground stormdrain pipe at a calculated rate, which more closely mimics a natural situation. After a storm, the detention ponds will completely drain into the stormdrain system within the 8 to 12 hours. All stormdrain systems will be designed and built to City standards.

Sincerely,

Tony Bakke, P.E.
Project Engineer

CITY OF MEDFORD
EXHIBIT# "C"
FILE #

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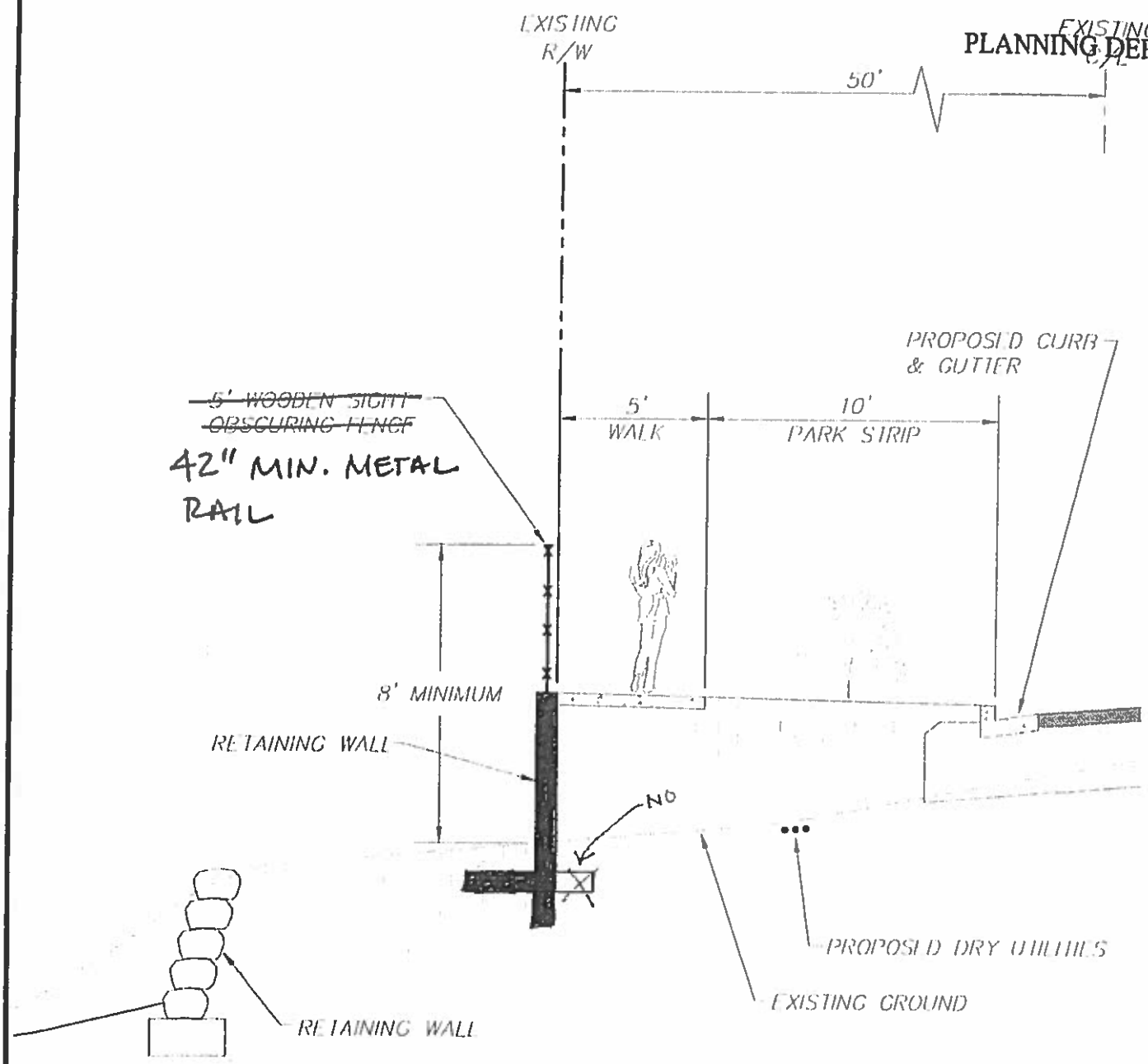
MAY 28 2015
PLANNING DEPT.




# FOOTHILL ROAD ARTERIAL SEPARATION FEATURE

CONSTRUCTION ENGINEERING CONSULTANTS INC.

P.O. BOX 1721 • MEDFORD, OREGON 97501
PH (541) 779 5205 FAX (541) 779-3139

CONSTRUCTION ENGINEERING CONSULTANTS, INC.

CEDAR LANDING PUD

PROPOSED FOOTHILL ROAD ARTERIAL SEPARATION FEATURE

SHEET 1 OF

CITY OF MEDFORD
EXHIBIT# "C"
FILE #

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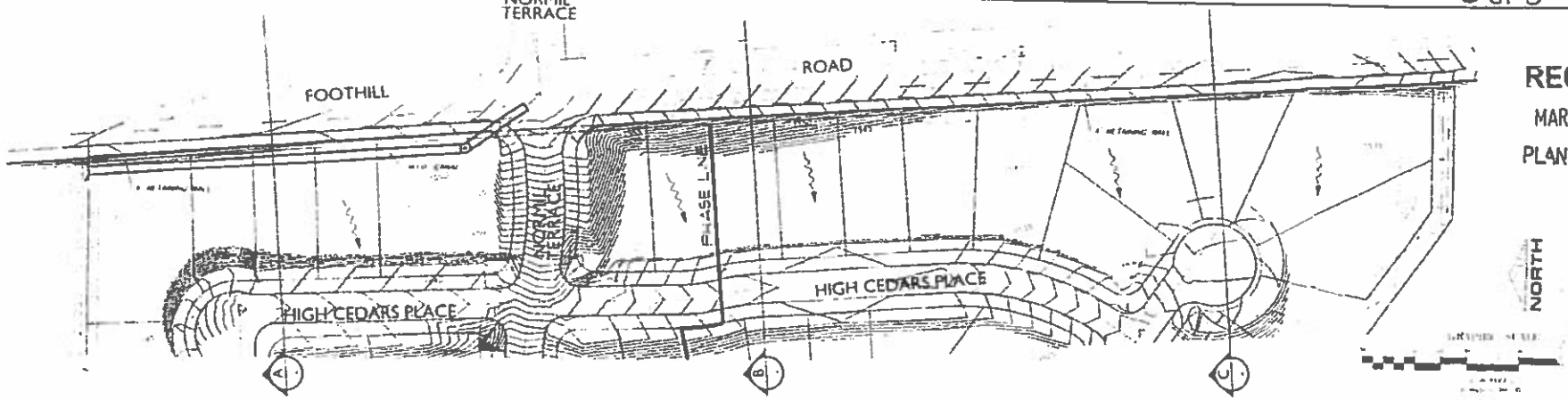
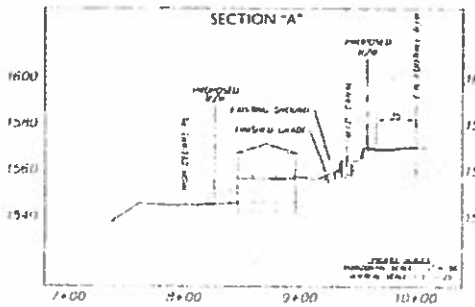
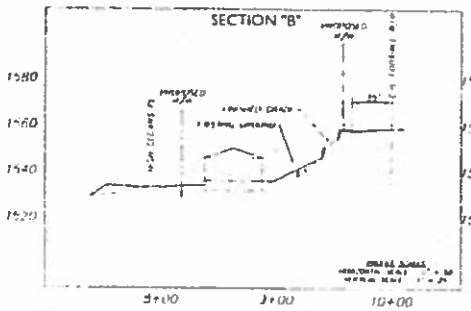
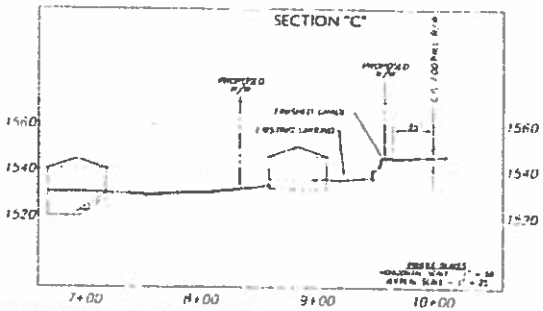


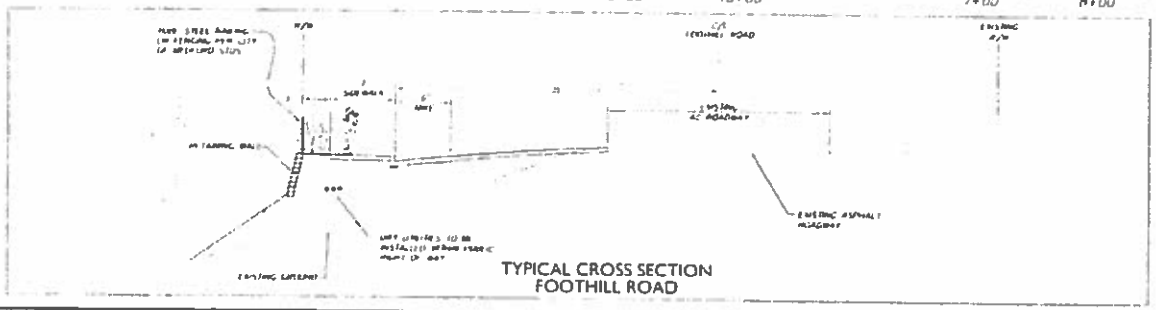




EXHIBIT C.5

CONSTRUCTION ENGINEERING CONSULTANTS

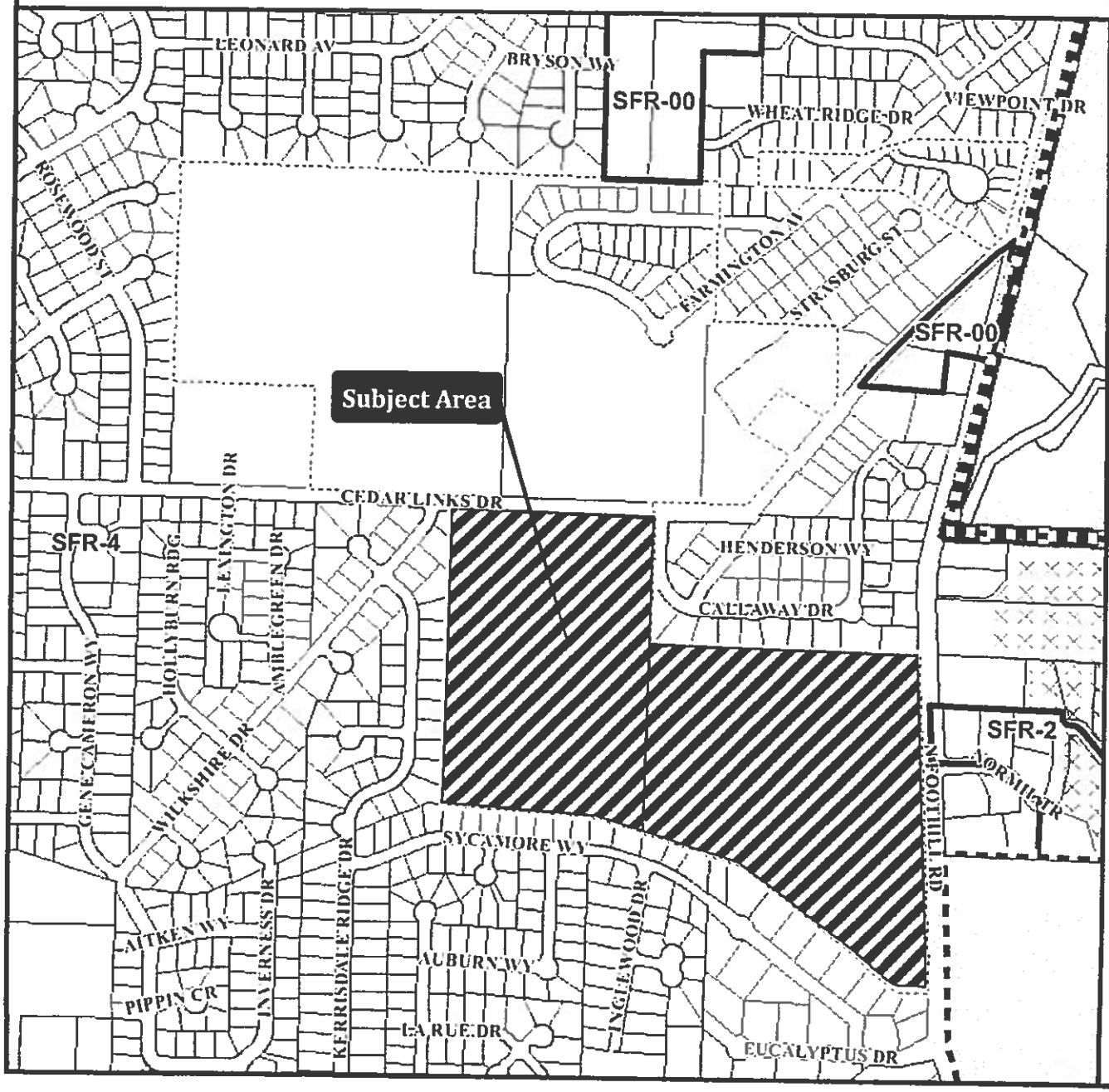
PRELIMINARY NOT FOR CONSTRUCTION

CITY OF MEDFORD

CEDAR LANDING PUD
FOOTHILL ROAD
CONCEPTUAL GRADING
CROSS SECTIONS

CITY OF MEDFORD
EXHIBIT# 11
FILE #

CITY OF MEDFORD ✱ PLANNING DEPARTMENT




# Vicinity Map

Application Name/Description:
**Cedar Landing PUD**

Proposal:
**Revisions to PUD and 176 lot subdivision**

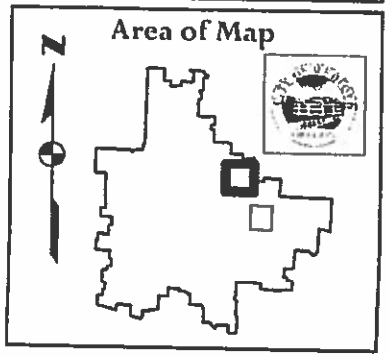
File Numbers:
**PUD-15-043 & LDS-15-044**

Applicant:
**Cedar Investment Group LLC**

Map/Taxlot:
**371W16 TL1400**
**371W16CA TL 2200**

- Subject Area
- Medford Zoning
- UGB
- Tax Lots
- City Limits
- PUD

Area of Map




03/27/2015

TENTATIVE PLAT
FOR
HIGH CEDARS AT CEDAR LANDING PHASE 1
HIGH CEDARS AT CEDAR LANDING PHASE 2
HIGH CEDARS AT CEDAR LANDING PHASE 3A
HIGH CEDARS AT CEDAR LANDING PHASE 3B
HIGH CEDARS AT CEDAR LANDING PHASE 4A
HIGH CEDARS AT CEDAR LANDING PHASE 4B
HIGH CEDARS AT CEDAR LANDING PHASE 5A
HIGH CEDARS AT CEDAR LANDING PHASE 5B
HIGH CEDARS AT CEDAR LANDING PHASE 6A
HIGH CEDARS AT CEDAR LANDING PHASE 6B
HIGH CEDARS AT CEDAR LANDING PHASE 7A
HIGH CEDARS AT CEDAR LANDING PHASE 7B
(A PLANNED COMMUNITY)
SITUATED IN
THE SW 1/4 OF SECTION 16,
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.,
IN THE CITY OF MEDFORD,
JACKSON COUNTY, OREGON

APPLICANT/OWNER

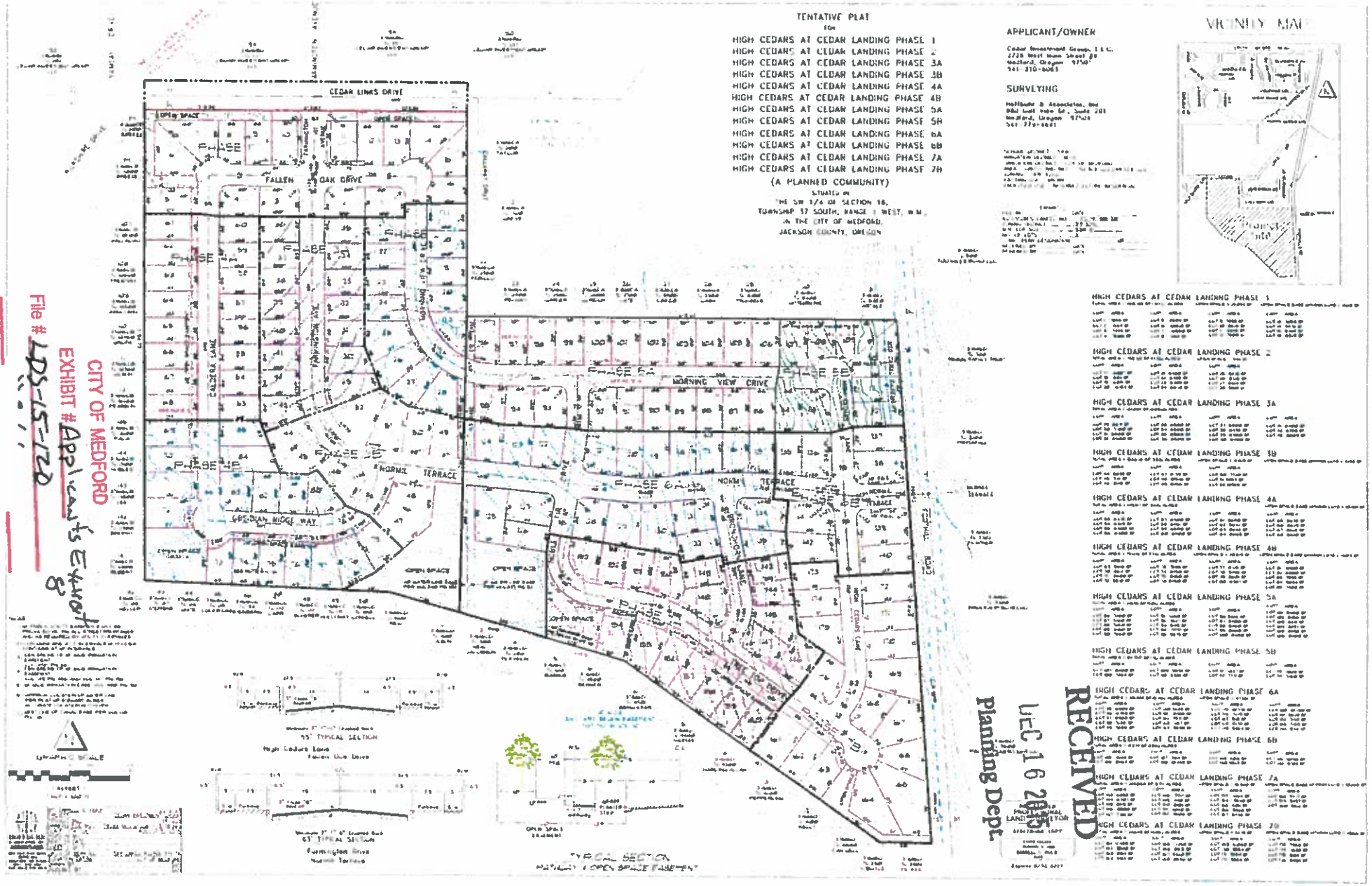
Cedar Investment Group, L.L.C.
2728 West Main Street #8
Medford, Oregon 97501
541-210-6065

SURVEYING

Hoffbuhr & Associates, Inc
8841 Lost Vine Dr., Suite 201
Medford, Oregon 97504
541-779-6661

VICINITY MAP

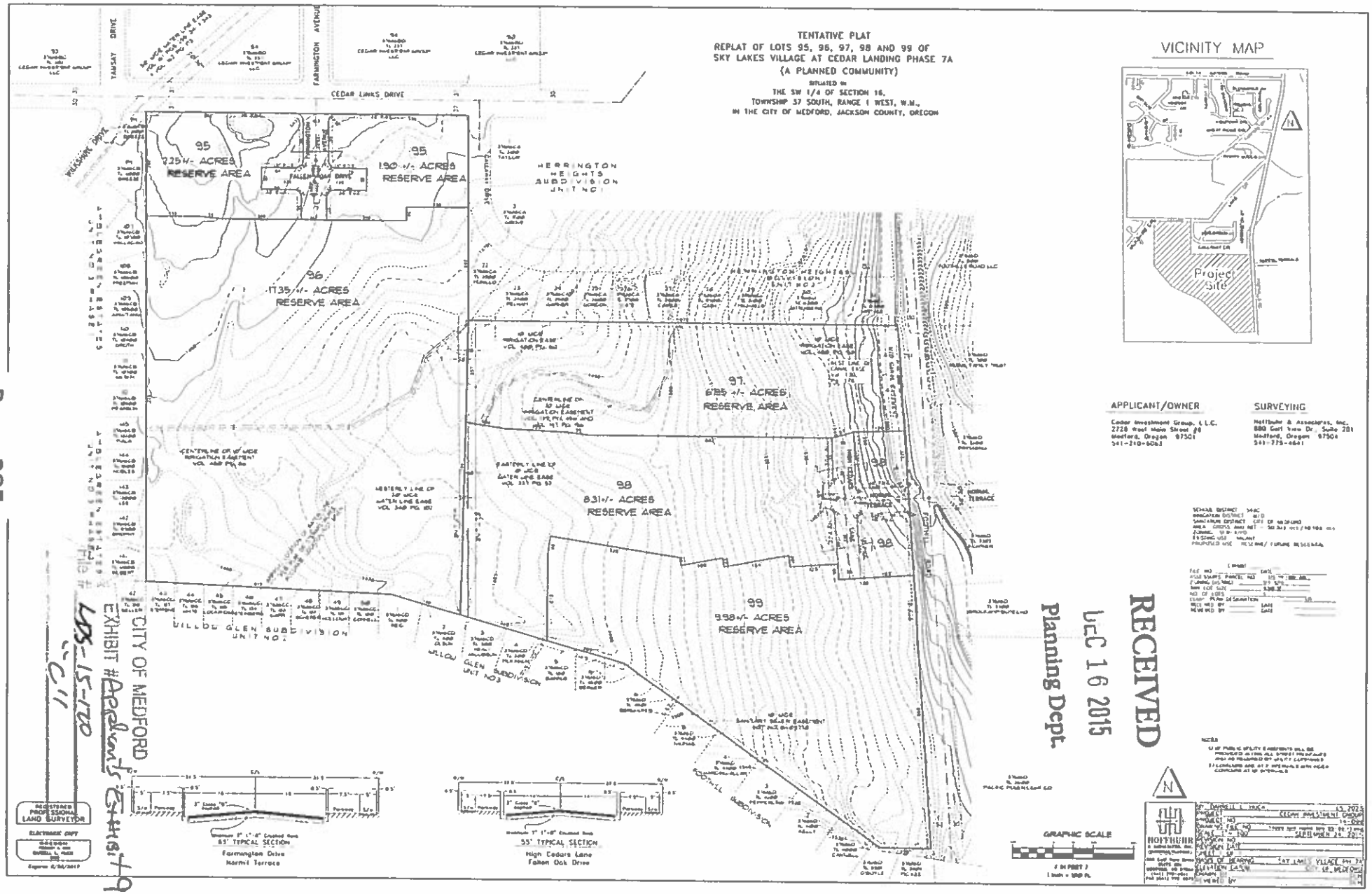





RECEIVED
DEC 16 2015
Planning Dept.

CITY OF MEDFORD
EXHIBIT # Applicant's Exhibit 8
File # LDS-15-120

TENTATIVE PLAT
REPLAT OF LOTS 95, 96, 97, 98 AND 99 OF
SKY LAKES VILLAGE AT CEDAR LANDING PHASE 7A
(A PLANNED COMMUNITY)
SITUATED IN
THE SW 1/4 OF SECTION 16,
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.,
IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON



Continuous Improvement Customer Service

**CITY OF MEDFORD**

LD Date: 02/24/2016
File Number: LDS-15-120 (replat)
(Reference: PUD-15-043/LDS-15-044, PUD-14-136, LDS-14-137, LDS-14-138 and LDS-13-121)

# PUBLIC WORKS DEPARTMENT STAFF REPORT

**Sky Lakes Village at Cedar Landing Phase 7A - Replat**

**Project:** **Request approval of a subdivision replatting of Sky Lakes Village at Cedar Landing Phase 7A, in order to comport with requested modifications in the phase boundaries of the subdivision.**

**Location:** **The subject 116.58 acre property is located entirely on the south side of Cedar Links Drive, approximately 1,000 feet west of North Phoenix Road, within an SFR-4 zone district.**

**Applicant:** **Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner. Cedar Investment Group, LLC.**

**Applicability:**

The Medford Public Works Department's conditions of Preliminary Plan Approval for Cedar Landing PUD were adopted by Order of the Medford Planning Commission on April 27, 2006 (PUD-05-035). The approval for Cedar Landing PUD received a minor amendment on July 14, 2008 through a De minimis revision by the Planning Director. A portion of the PUD was terminated by the Planning Commission on April 14, 2011. A revision to the PUD was approved on February 27, 2014 (PUD-13-119) and included name changes, phase re-numbering, and lot reconfiguration. Planning Commission granted approval of a request for tentative plat approval of Sky Lakes Village Subdivision Phases 7A and 7B on February 27, 2014 (LDS-13-121). An exception for reduced right-of-way along the northerly section of Cedar Links Drive was approved on January 22, 2015 (E-14-059). Cedar Landing PUD on the north side of Cedar Links Drive was amended and approved by the Planning Commission on April 23, 2015 (PUD-14-136, LDS-14-137, and LDS-14-138). Request for a revision to the Cedar Landing PUD and for approval of the tentative plat for High Cedars Subdivision Phases 1 through 5 was approved by the Planning Commission on June 11, 2015 (PUD-15-043/LDS-15-044). **The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.**



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

CITY OF MEDFORD
EXHIBIT # D
File # LDS-15-120

## A. STREETS

### 1. Dedications

**Farmington Avenue and Normil Terrace** are proposed as Standard Residential Streets with a right-of-way width of 63-feet in accordance with Medford Land Development Code (MLDC) Section 10.430. The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat. Normil Terrace shall intersect with Foothill Road in the same alignment with Normil Terrace on the east side of Foothill Road.

**Fallen Oak Drive, and High Cedars Lane** are each proposed as Minor Residential Streets with a right-of-way width of 55 feet in accordance with MLDC Section 10.430. **The Developer shall dedicate the length and width of the proposed streets as shown on the Tentative Plat.**

On the plat of "Sky Lakes Village at Cedar Landing, Phase 7A", right-of-way for Farmington Avenue and Normil Terrace was dedicated to provide access to Lots 96 and 97 (as shown on previous tentative plat approved under PUD-15-043/LDS-15-044). The proposed tentative replat for High Cedars Subdivision will necessitate vacating portions of the existing right-of-way and dedicating new areas. This proposed replat will reconfigure reserve lots in order to comport with the proposed phase boundaries in the concurrent action under LDS-15-044 (revision). The timing of any vacations must be coincident with dedicating new right-of-way so that Lots 96, 97 and 99 will always have right-of-way available to their respective boundaries. Lots 97 and 99 shall not have direct access to Foothill Road, but shall take access from Lot 98.

Streets as shown on the Tentative Plat in which any portion terminates at the boundary line of a phase of this subdivision shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee, as a **non-access reserve strip** to the City of Medford per MLDC 10.439.

### 2. Public Improvements

#### a. Tracts

As proposed, no development will occur on any of the platted Tracts, therefore no street improvements are required until a future development application is submitted and approved. All improvements shall be conditioned with the approval of LDS-15-044.

## B. SANITARY SEWERS

The Developer shall extend easements on the final plat to proposed Tracts that may be blocked from access to sewer connections.

## C. STORM DRAINAGE

### 1. Mains and Laterals

Public storm drain easements shall be provided on the final plat so that each Tract being created in this Subdivision has public access to the approved discharge point for storm drainage from the



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

"D"

proposed future development.

### 2. Drainage Channel

The Developer shall dedicate a drainage easement along the existing drainage channel through the southern portion of this project, 20-feet on each side of the centerline for a total width of 40-feet, within the limits of this development.

Prepared by: Doug Burroughs

"D"



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

# SUMMARY CONDITIONS OF APPROVAL

**Sky Lakes Village at Cedar Landing Phase 7A – Replat**
LDS-15-120 (replat)

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

## A. Streets

### 1. Street Dedications to the Public:

- Dedicate Farmington Avenue and Normil Terrace rights-of-way 63-feet wide.
- Dedicate Fallen Oak Drive, and High Cedars Lane rights-of-way 55-feet wide.
- Dedicate 10 foot public utility easements (PUE).

### 2. Improvements:

None at this time.

## B. Sanitary Sewer

Provide easements as required.

## C. Storm Drainage

Provide easements as required.

**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.**

"D"



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BOARD OF WATER COMMISSIONERS

# Staff Memo

**TO:** Planning Department, City of Medford

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

**SUBJECT:** LDS-15-120

**PARCEL ID:** 371W16CA TL's 2200-2202 & 371W16D TL's 7000& 7001

**PROJECT:** Request approval of a subdivision replatting of Sky Lakes Village at Cedar Landing Phase 7A, in order to comport with requested modifications in the phase boundaries of the subdivision. The subject 116.58 acre property is located entirely on the south side of Cedar Links Drive, approximately 1,000 feet west of North Phoenix Road, within an SFR-4 zone district; Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

**DATE:** February 23, 2016

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

**CONDITIONS**

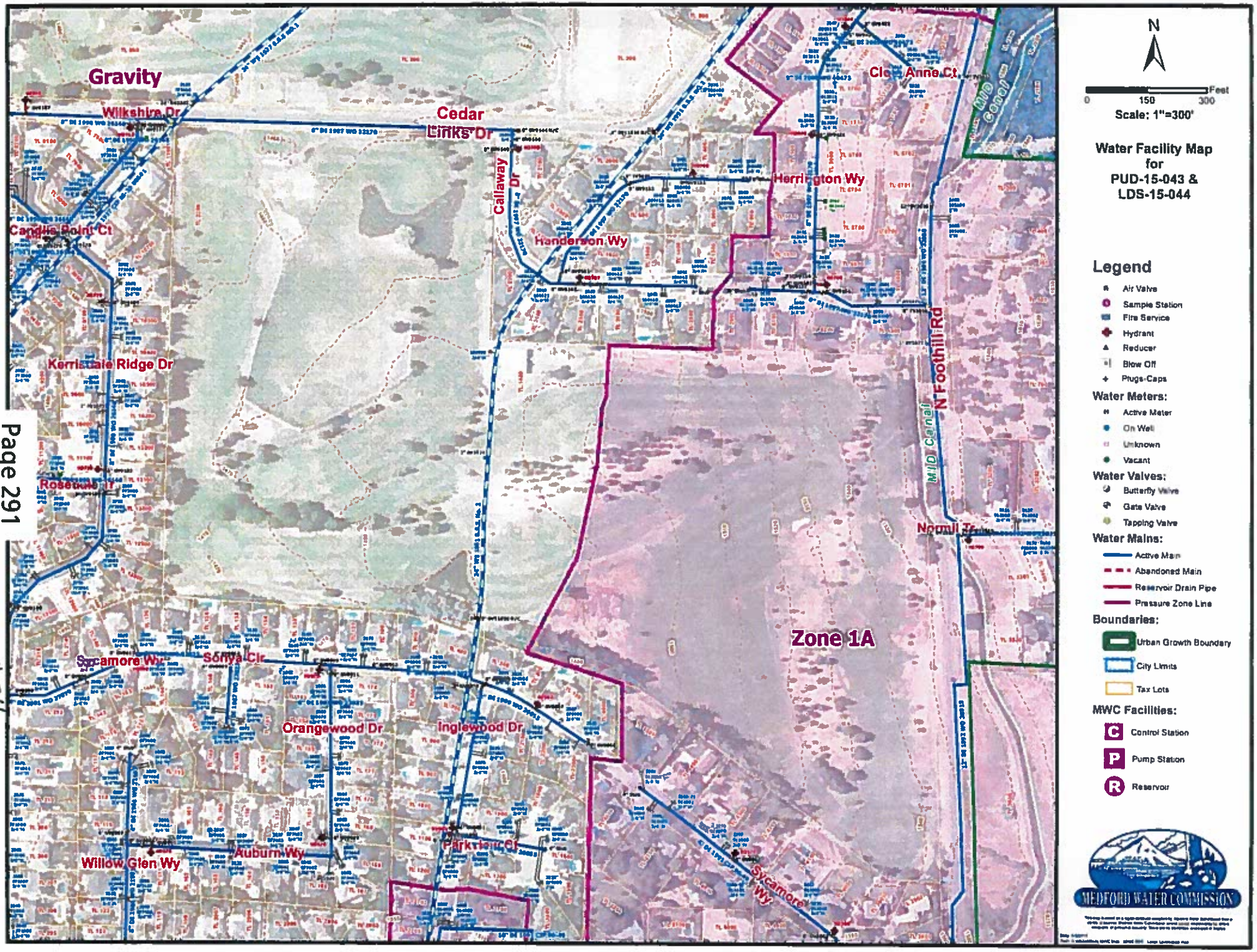
1. Applicant shall refer to previous MWC Conditions per previous City of Medford Planning Application PUD-15-043 & LDS-15-044 dated May 5, 2015.

2. Applicants' Civil Engineer shall coordinate with MWC engineering staff for water line phasing and water meter layout for the five (5) Reserve Areas of this development.

**COMMENTS**

1. No comments.

CITY OF MEDFORD
EXHIBIT # "E"
File # LDS-15-120


Gravity
Wilkshire Dr
Cedar Links Dr
Callaway Dr
Henderson Wy
Herrington Wy
Clem Anne Ct
Candlis Point Ct
Kerrisdale Ridge Dr
Rosedale Tr
N Foothill Rd
MID Canal
Normil Tr
Zone 1A
Sycamore Wy
Sonya Cir
Orangewood Dr
Inglewood Dr
Park Vista Ct
Auburn Wy
Willow Glen Wy
Sycamore Wy
N
0 150 300 Feet
Scale: 1"=300'
Water Facility Map for PUD-15-043 & LDS-15-044
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
MEDFORD WATER COMMISSION

# Medford Fire Department

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


## LAND DEVELOPMENT REPORT - PLANNING

**To:** Desmond McGeough

**LD Meeting Date:** 02/24/2016

**From:** Fire Marshal Kleinberg

**Report Prepared:** 02/19/2016

**File #:** LDS - 15 - 120

**Site Name/Description:**

Request approval of a subdivision replatting of Sky Lakes Village at Cedar Landing Phase 7A, in order to comport with requested modifications in the phase boundaries of the subdivision. The subject 116.58 acre property is located entirely on the south side of Cedar Links Drive, approximately 1,000 feet west of North Phoenix Road, within an SFR-4 zone district; Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner

| DESCRIPTION OF CORRECTIONS | REFERENCE |
|---|---|
| **Approved as Submitted** | |
| **Meets Requirement:** No Additional Requirements | |

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

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

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

CITY OF MEDFORD
EXHIBIT # "F"
File # LDS-15-120

# Memo

**To:** Desmond McGeough, Planning Department

**From:** Mary Montague, Building Department

**CC:** Cedar Investment Group, LLC

**Date:** 02/24/2016

**Re:** File No. LDS-15-120;
Ref: PUD-15-043/LDS-15-044/PUD-14-136/LDS-14-137/LDS-14-138

---

## 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 2014 ORSC with additional Oregon amendments to the 2011 ORSC; 2014 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. A site/excavation permit is required for all private work being done. i.e. storm drains, sewer lines, water lines, or private streets. Also, permit required for Proposed Storm Facilities.

4. If retaining walls are required for the purposes of retaining a surcharge for lot development next to the homes or driveways, then a permit is required. Wall will be required to be engineered.

5. Demo Permit is required for any buildings being demolished.

CITY OF MEDFORD
EXHIBIT # "G"
File # LDS-15-120

## Desmond M. McGeough

**From:** MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us>
**Sent:** Friday, February 26, 2016 3:32 PM
**To:** Desmond M. McGeough
**Subject:** LDS-15-120

Desmond,

Thank you for sending agency notice of a request for approval of a subdivision replatting of Sky Lakes Village at Cedar Landing Phase 7A, in order to conform with requested modifications in the phase boundaries of the subdivision. The subject 116.58 acre property is located entirely on the south side of Cedar Links Drive, approximately 1,000 feet west of North Phoenix Road, within an SFR-4 zone district. We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

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

CITY OF MEDFORD
EXHIBIT # "H"
File # LDS-15-120

# JACKSON COUNTY
Roads

**Roads**
**Engineering**

**Kevin Christiansen**
*Construction Manager*

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

www.jacksoncounty.org

February 12, 2016

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

RE: Subdivision off Cedar Links Drive – a city maintained road.
Planning File: LDS-15-120

Dear Desmond:

Thank you for the opportunity to comment on the request for approval of a subdivision replatting of Sky Lakes Village at Cedar Landing Phase 7A, in order to comport with requested modifications in the phase boundaries of the subdivision. The subject property is locates south of Cedar Links Drive and west of North Foothill Road. Jackson County has the following comments:

1. All proposed access roads or frontage improvements shall be permitted and inspected by the City of Medford.

2. At Arterial and Collectors approaches, the radii shall be thirty-foot.

3. Future construction plans shall be submitted to Jackson County Roads, so we may determine if county permits will be required.

4. North Foothill Road is a County Minor Arterial and is county-maintained. The Average Daily Traffic Count 225 ft. north of Coker Butte Road was 6,228 in August 2014.

5. If frontage improvements are required, they shall be permitted and inspected by the City of Medford.

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). Jackson County Roads recommends that the city request jurisdiction of North Foothill Road.

7. Storm water should meet City of Medford requirements that also include water quality.

CITY OF MEDFORD
EXHIBIT # "F"
File # LDS-15-120

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

9. Jackson County concurs with any right-of-way dedication required by the City of Medford.

10. Jackson County Roads requests a limited TIS that looks at the North Foothill Road and Normal Terrace intersection. If mitigations are recommended they shall be required.

11. No new approaches will be permitted on North Foothill Road.

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

Sincerely,

Kevin Christiansen
Construction Manager

"I"



I:\Engineering\Development\CITIES\MEDFORD\2015\LDS-15-120.docx

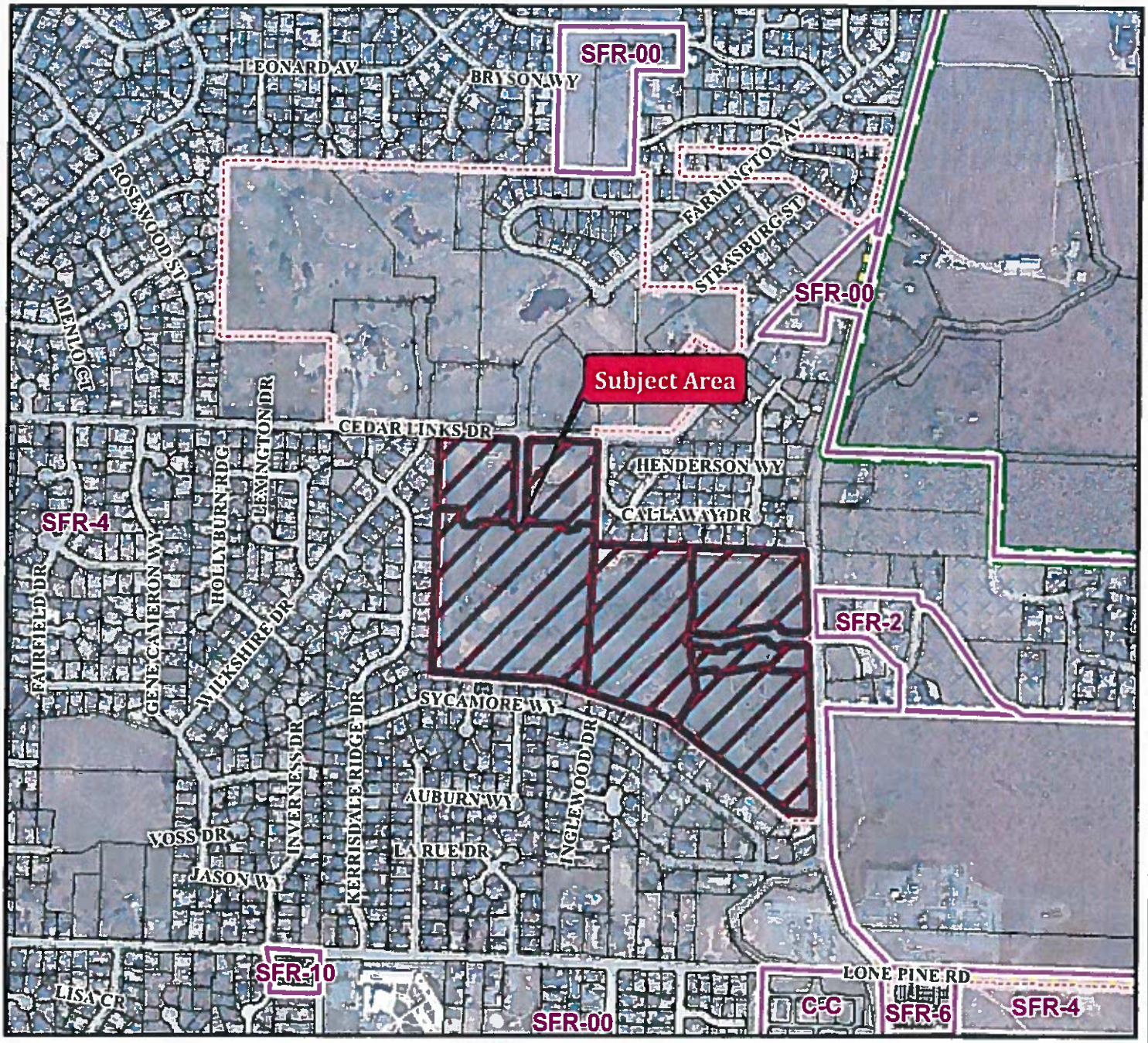
City of Medford

# Planning Department

Vicinity Map

File Number:

**LDS-15-120**




Project Name:

**Replat - Sky Lakes Village at Cedar Landing Phase 7A**

Map/Taxlot:

**371W16CA TL's 2200 - 2202**
**371W16D TL's 7000 & 7001**

0 250 500 Feet

09/02/2015

Subject Area

Medford Zoning

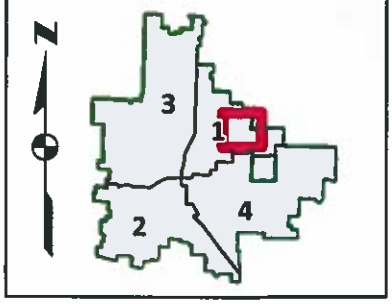
UGB

Tax Lots

PUD

City Limits

Medford UGB with Wards



# STAFF REPORT

for a type-C quasi-judicial decision: Land Division / Exception

| | | |
|---|---|---|
| PROJECT | Kasey's Court Subdivision<br>Applicant: Suncrest Homes, LLC<br>Agent: Scott Sinner Consulting, Inc. | |
| FILE NO. | LDS-16-002 / E-16-003 | |
| TO | Planning Commission | *for March 24, 2016 hearing* |
| FROM | Tracy Carter, Planner II | |
| REVIEWER | Kelly Akin, Principal Planner | |
| DATE | March 17, 2016 | |

## BACKGROUND

### Proposal

Proposed tentative plat for Kasey's Court Subdivision, a two phase, 6-lot residential subdivision with an exception to reduce right of way dedication on a 1.21 acre parcel located on the north side of Orchard Home Court, approximately 375 feet east of Orchard Home Drive, within a SFR-6 zoning district.

### Subject Site Characteristics

Zoning: SFR-6 (Single-Family Residential – 6 dwelling units per gross acre)
GLUP: UR (Urban Residential)
Use: Single family residence

### Surrounding Site Characteristics

| | | |
|---|---|---|
| North, East & West | SFR-6 | Single family homes, and vacant |
| South | SFR-4 | Single family homes |

### Related Projects

LDS-14-112 Orchard Court Subdivision
PLA-15-132 Susan Campbell Calzaretta Property Line Adjustment

Applicable Criteria

**Medford Land Development Code §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 §10.253, Exception Criteria**

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority (Planning Commission/Site Plan and Architectural Commission) having jurisdiction over the plan authorization unless it finds that all of the

following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

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

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

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

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

**ISSUES AND ANALYSIS**

Project Summary

The tentative plat submitted consists of a two phase development with six lots (Exhibit B). Phase 1, consisting of Lot 1, contains an existing single family residence that is proposed to remain. Phase 2, consisting of Lots 2 through 6, are shown as single family lots. In addition, the applicant has submitted an exception to the required right-of-way dedication on the Diamond Street frontage of Lot 4. If approved, the exception would reduce the planter strip from 10 feet to 7 feet. The proposal will result in the creation of a new Minor Residential Street, with Milton Lane being the proposed name. Additionally, the applicant is proposing a north to south running pedestrian access way to connect Milton Lane to Diamond Street on the east side of Lot 4, which would consist of a 6-foot half access way dedication and pavement improvement.

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

Density

The standard density calculation for the SFR-6 zone is between four and six dwelling units per gross acre. The permitted density range for the subject subdivision is between five to seven dwelling units. The applicant is proposing six lots (and six dwelling units), which meets the minimum and does not exceed the maximum number of dwelling units (Exhibit O).

Dedication and Improvements

*Street Dedications*

The Public Works Department Staff Report (Exhibit M) identifies Diamond Street as a Major Collector Street having a total width of 74 feet. The applicant shall provide sufficient width of right-of-way for the half street width of a Major Collector Street, which is 37 feet. The amount of right-of-way to be dedicated will vary and the developer's surveyor shall verify the amount of additional right-of-way required. The developer shall also provide a 10-foot wide Public Utility Easement (PUE) adjacent to the new right-of-way.

The current width of Orchard Home Court is 60 feet. This alignment is classified as a Minor Residential Street, having a total required width of 55 feet. No additional right-of way dedication is required for Orchard Home Court.

Per the Public Works Department Staff Report, Milton Lane, a proposed new street running south to north on the east boundary of the subdivision, will be designated as a Minor Residential Street and having a total right-of-way dedication of 55 feet. Based on the Tentative Plat, it appears there are 12.5 feet of existing right-of-way west of centerline. However, a final plat has not been recorded or submitted for Orchard Court Subdivision and no right-of-way has been dedicated to date. Therefore, the amount of additional right-of-way needed appears to be 40 feet (MLDC 10.451), which will provide for a half plus 12-foot street improvement. If the final plat for Orchard Court Subdivision is recorded prior to the plat for this development, then the amount of additional right-of-way needed appears to be 15 feet.

The portion of Milton Lane running east to west is also proposed as a Minor Residential Street with a right-of-way width of 55 feet, consistent with the standard prescribed by MLDC 10.430. The developer shall dedicate adequate right-of-way for the knuckle to

City of Medford standards with a minimum right-of-way radius of 45 feet. It should be noted that per the Staff Memo of the City of Medford Address Technician (Exhibit K), an additional street name is required for the east to west portion of Milton Lane after the 90 degree change in direction; a condition of approval has been included.

The proposed location of Milton Lane is consistent with the block length spacing standards specified in Section 10.426(C) of the Land Development Code. Milton Lane is located approximately 317 feet west of Spruce Way. The western terminus of the east to west portion of Milton Lane (to be renamed) is approximately 375 feet east of Orchard Home Drive. As shown on the tentative plat (Exhibit B), after approximately 265 feet north of Orchard Home Court, Milton Lane is proposed to turn westward and intersect with Orchard Home Drive, which would provide an approximate block perimeter of 1,630 linear feet. Also, it should be noted that additional pedestrian connectivity is provided via the public access way connecting Milton Lane with Diamond Street. Considering the pedestrian way, the block perimeter along Milton Lane, Diamond Street, Spruce Way and Orchard Home Court is a total of approximately 1,440 linear feet.

*Street Improvements*

The frontage of Diamond Street shall be improved to Major Collector Street standards with a 44-foot wide curb-to-curb paved section. Required improvements also include curb, gutters, street lights and a 10-foot wide planter strip and 5-foot sidewalk on the south side. The development to the north (Warren Park Subdivision, LDS-14-037) completed full improvements with the exception of sidewalk on the south side along the frontage of this development. Therefore, along this partially improved portion, the developer shall improve the remaining sidewalk in conjunction with the other public improvements, prior to final plat. As previously noted, an exception to reduce the planter strip from 10 feet to 7 feet along the Diamond Street frontage of Lot 4 has been submitted, and the Public Works Department has no objection to this exception (Exhibit M).

Orchard Home Court along the frontage of the subdivision shall be improved to Minor Residential Street standards with a 28-foot wide paved section, curb, gutter, 5-foot sidewalks and 8-foot planter strips. The developer shall be responsible to improve the north half, plus 12 feet south of centerline.

Milton Lane shall also be improved to Minor Residential Street standards, having the same standard as Orchard Home Court. The improvements necessary for the north to south portion of Milton Lane depend on the development to the east, Orchard Court Subdivision (LDS-14-112), which has not completed any improvements or dedicated any right-of-way for any portion of Milton Lane. Therefore, the developer shall improve the

west half (14 feet) plus 12 feet east of the centerline. If the improvements for Orchard Court Subdivision are completed prior to the improvements for this development, then the developer shall only be required to improve the remaining west half to provide a 14-foot half street width. The east to west portion of Milton Lane (to be renamed) shall also be improved to the same Minor Residential Street standards, per the Public Works Staff Report (Exhibit M).

*Stormwater Quality and Detention Facilities*

This subject site lies with the Crooked Creek Drainage Basin. The development shall provide stormwater detention and water quality treatment in accordance with MLDC Section 10.486 and in accordance with the Rogue Valley Stormwater Quality Manual. The developer shall provide a report of off-site drainage volumes onto the subdivision perimeter, a distance of not less than 100 feet in all directions. A condition of approval has been included requiring the developer to comply with the Public Works Report dated March 2, 2016 (Exhibit M).

*Sanitary Sewer*

The site lies within the Rogue Valley Sewer Service (RVSS) area. The existing residence on Lot 1, Phase 1 of this development is currently served by a connection to the sewer main on Orchard Home Court and will not be affected by the proposed development. Phase 2 of the development, including Lots 2 through 6, can be served by extending the sewer main from Diamond Street as indicated on the tentative plat. Rogue Valley Sewer Services recommends approval of this project subject to the following conditions:

1. Applicant must construct a sewer main extension to serve Lots 2 through 6. This sewer must be designed and constructed in accordance with RVSS standards.
2. The sanitary sewer system must be accepted as a public system by RVSS prior to the issuance of any building permits.

A condition of approval has been included requiring the developer to comply with the memorandum received from Rogue Valley Sewer Services dated February 19, 2016 (Exhibit H).

*Water Facilities*

The Medford Water Commission (MWC) memorandum identifies that no off-site water line installation is required for this development. Access to MWC water lines is available to this development by an 8-inch water main located in Orchard Home Court.

An 8-inch water line will be required in Milton Lane. The applicant shall coordinate with MWC for location of required water main, water meter locations and fire hydrants. A condition of approval has been included requiring the applicant to comply with the memorandum from the Medford Water Commission dated February 25, 2016 (Exhibit N).

*Fire Safety*

The report from the Medford Fire Department offers various options to ensure there are at least 20 feet of unobstructed clearance for fire apparatus. The developer shall choose from one of the three design options outlined in the Medford Land Development Code Sections 10.430(2)(a) through 10.430(2)(c). A condition of approval has been included requiring the applicant to comply with the Fire Department Report, prepared February 19, 2016 (Exhibit I).

Exception

The applicant has submitted for an exception in conjunction with the land division. The request is to reduce the amount of right-of-way dedication along the Diamond Street frontage of Lot 4.

*Reduced Right-of-Way Dedication*

Diamond Street is classified as a Major Collector Street, which requires a 74-foot wide right-of-way. As a result, the applicant would typically be required to dedicate 37 feet along the frontage of the development to comply with the half-width standard. As stated above, the development to the north (Warren Park Subdivision, LDS-14-037) completed full improvements with the exception of sidewalk on the south side along the frontage of this development. The exception request is to reduce the planter strip from 10 feet to 7 feet along the frontage of Lot 4, with the intent of not creating any substandard lots given the proposed amount of lots, which is six. Public Works has stated in their staff report to have no objection to this exception (Exhibit M).

**FINDINGS AND CONCLUSIONS**

Staff has reviewed the Applicant's Findings and Conclusions (Exhibit's E, F & G) and recommends the Commission adopt the findings as presented.

**RECOMMENDED ACTION**

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-16-002 / E-16-003 per the staff report dated March 17, 2016, including Exhibits A through O.

**EXHIBITS**

| | |
|---|---|
| A | Conditions of Approval dated March 17, 2016 |
| B | Tentative Plat received February 10, 2016 |
| C | Conceptual Grading & Drainage Plan received January 6, 2016 |
| D | Conceptual Future Circulation Plan received January 6, 2016 |
| E | Applicant's Findings of Fact (Land Division) received January 6, 2016 |
| F | Applicant's Findings of Fact (Exception) received January 6, 2016 |
| G | Supplemental Finding of Fact received February 4, 2016 |
| H | Rogue Valley Sewer Services letter received February 19, 2016 |
| I | Medford Fire Department Report received February 26, 2016 |
| J | ODOT email received March 1, 2016 |
| K | Address Technician Memo received March 1, 2016 |
| L | Medford Building Department memo received March 2, 2016 |
| M | Public Works Report received March 2, 2016 |
| N | Medford Water Commission memo received March 2, 2016 |
| O | Density Calculation Spreadsheet created February 22, 2016 |
| | Vicinity map |

**PLANNING COMMISSION AGENDA:** **MARCH 24, 2016**

**EXHIBIT A**

Kasey's Court Subdivision & Exception
LDS-16-002 / E-16-003
Conditions of Approval
March 17, 2016

**CODE CONDITIONS**

1. Prior to Final Plat approval, the applicant shall:

   a. Comply with the Public Works Staff Report dated March 2, 2016 (Exhibit M);

   b. Comply with the Rogue Valley Sewer Services memorandum dated February 19, 2016 (Exhibit H);

   c. Comply with the Medford Water Commission memorandum dated February 25, 2016 (Exhibit N);

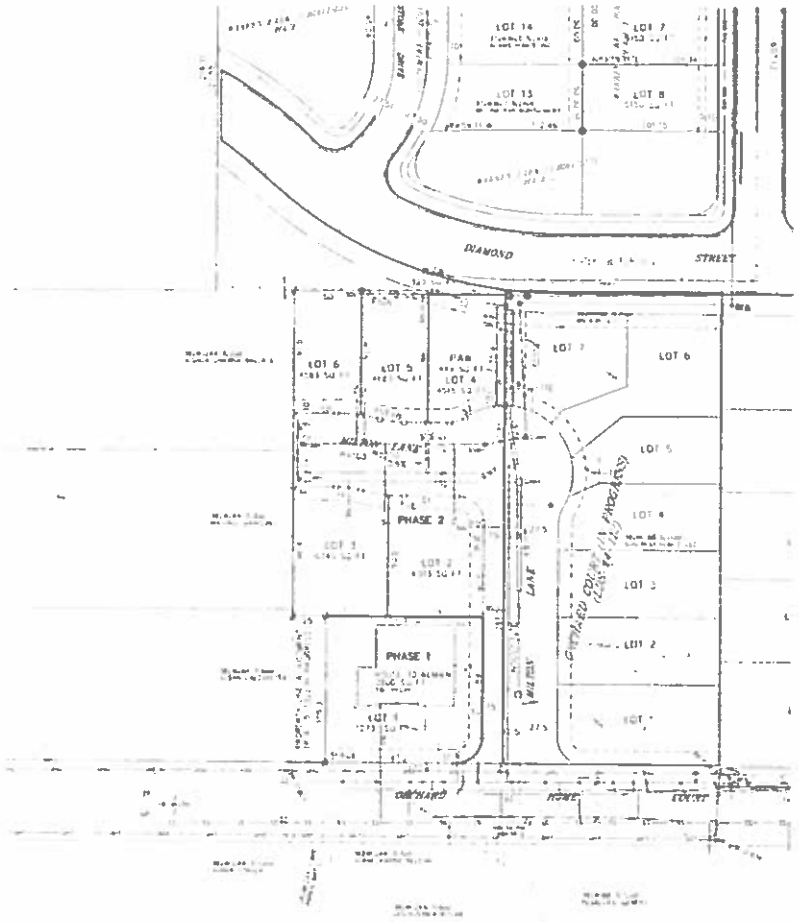
   d. Comply with the Medford Fire Department Report, prepared February 19, 2016 (Exhibit I);

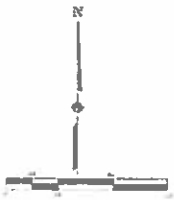
   e. Comply with City of Medford Address Technician memorandum dated March 1, 2016 (Exhibit K).



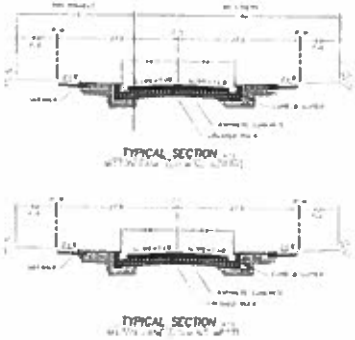
CITY OF MEDFORD
EXHIBIT # A
File # LDS-16-002/E-16-003

TENTATIVE PLAT OF
# KASEYS COURT, PHASES 1 & 2
Located in the NE 1/4 of Section 2
T.36S., R.2W., W.M., City of Medford
Jackson County, Oregon




RECEIVED
FEB 2016
PLANNING DEPT.




GENERAL NOTES

PHASING NOTE

RECORD OWNER

CITY OF MEDFORD
EXHIBIT # B
File # # LDS-16-002/E-16-003

# KASEYS COURT, PHASES 1 & 2

*Located in the N.E. 1/4 of Section 2, T.38S., R.2W., W.M., City of Medford, Jackson County, Oregon*

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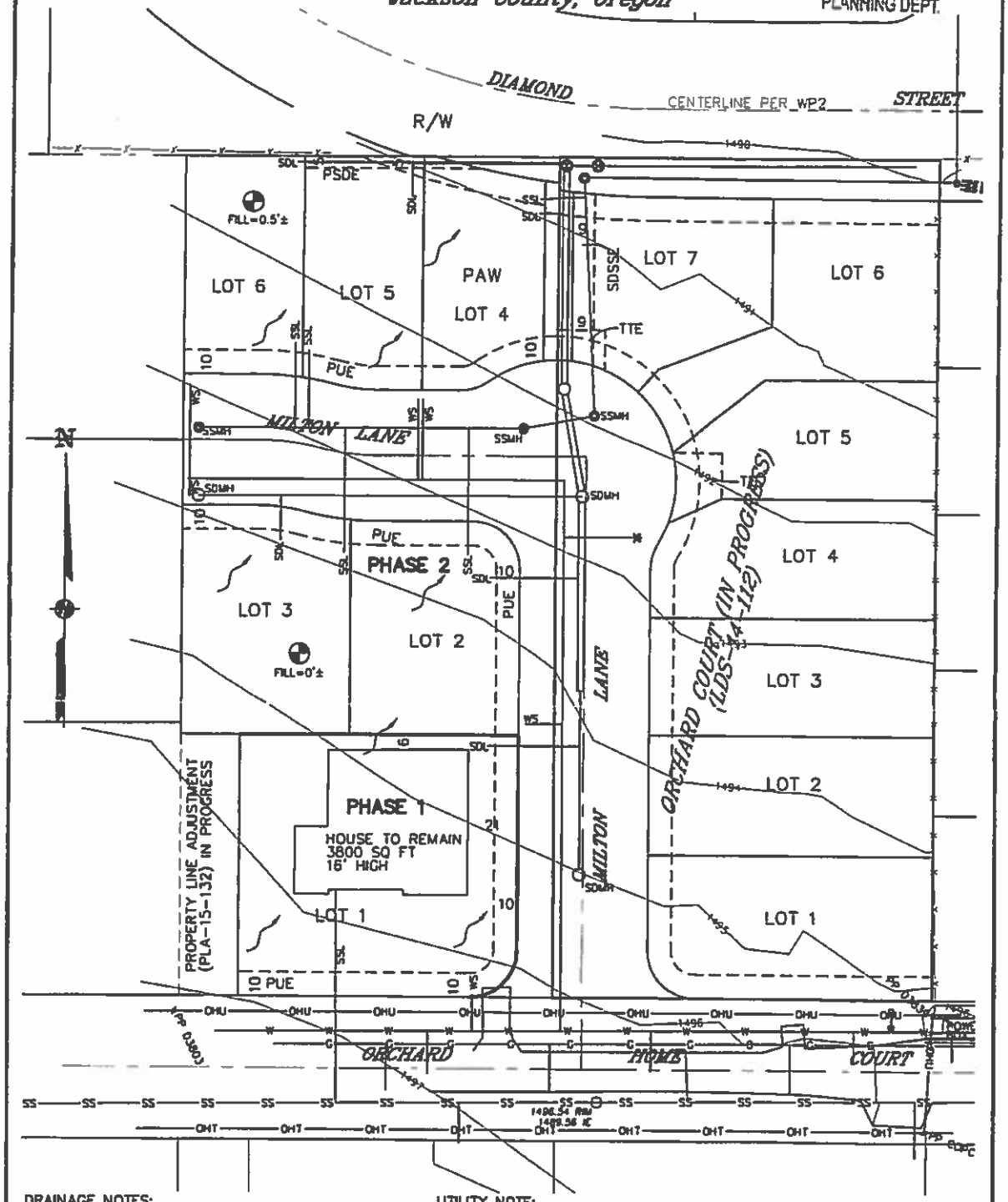


**DRAINAGE NOTES:**

UPON DEVELOPMENT, EXCESS SPOILAGE WILL BE REMOVED BY THE CONTRACTOR FROM THE PROJECT IF, IN FACT, IT WILL CREATE AREAS OF DRAINAGE ONTO EXISTING PROPERTIES.

ROOF DRAINS WILL BE DIRECTED INTO STORM DRAIN MAIN LINES IN STREETS.

**UTILITY NOTE:**

PROJECT ENGINEER WILL PREPARE A COMPREHENSIVE GRADING & UTILITY PLAN AS PART OF THE CIVIL IMPROVEMENT CONSTRUCTION DOCUMENTS WHICH WILL CHANGE THE LOCATIONS OF THE UTILITIES SHOWN HEREON.

**PHASING NOTE:**

PHASE 1 = LOT 1.
PHASE 2 = LOTS 2-6, MILTON LANE & PAW

**RECORD OWNER:**

SUSAN CALZARETTA
PO BOX 1389
MEDFORD, OR 97501

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

TITLE: CONCEPTUAL GRADING & DRAINAGE PLAN
ASSESSOR'S MAP #: 382W02AA TL100
FOR: SUNCREST HOMES, LLC
P.O. BOX 1313
TALENT, OR 97540

L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
816 W. 8th St., Medford, OR 97501
Phone: (541) 772-2782
Email: lfriar@charter.net

DATE: 5 JAN 2016
SCALE: 1 inch = 40 feet
DRAWN BY: JEH
CHK BY:
ORIGIN:
ROTATION: 0°
JOB#: 14145FM

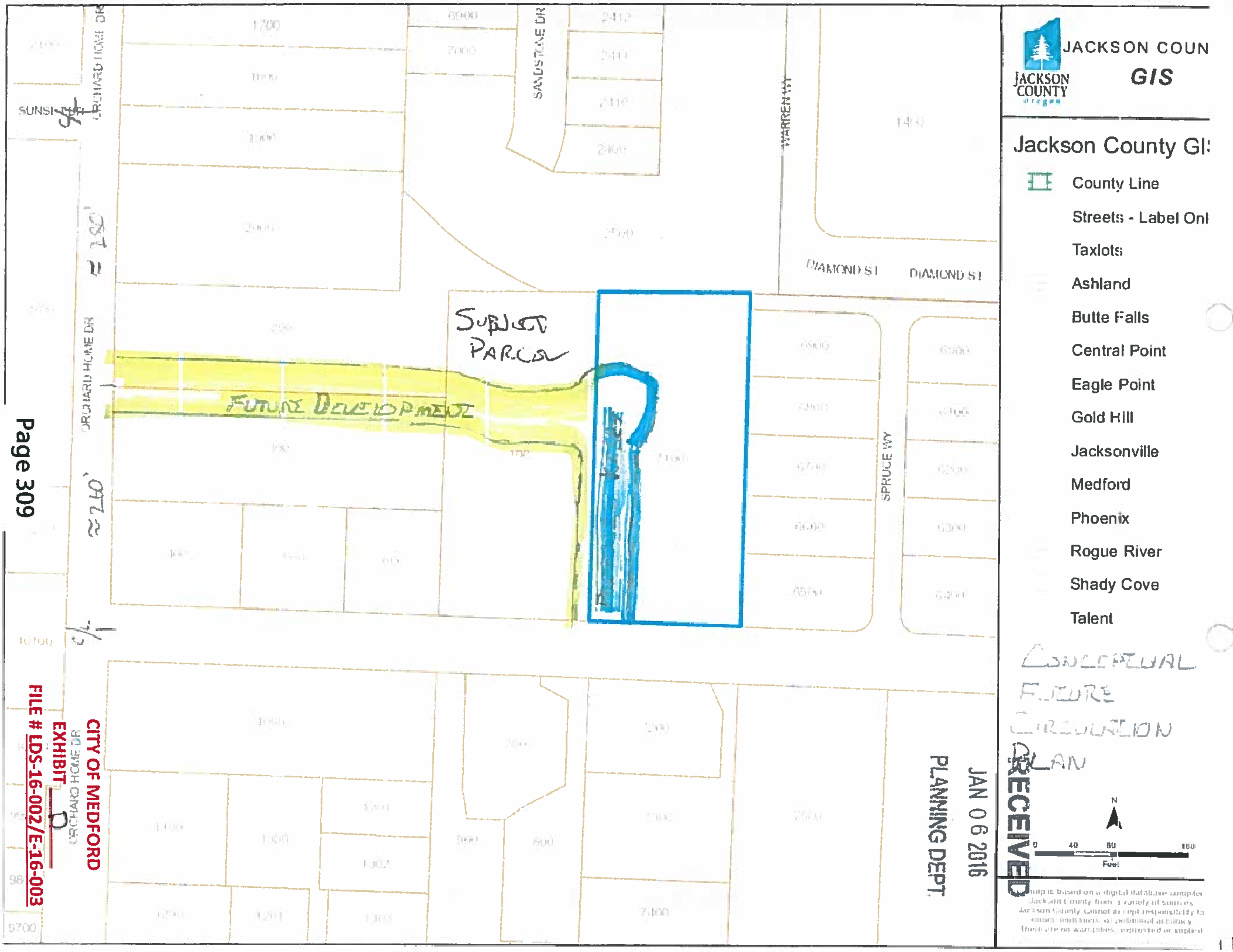
CITY OF MEDFORD
Sheet 1 of 1.

EXHIBIT C

FILE # LDS-16-002/E-16-003



13



JACKSON COUNTY GIS
JACKSON COUNTY oregon
Jackson County GI
County Line
Streets - Label Onl
Taxlots
Ashland
Butte Falls
Central Point
Eagle Point
Gold Hill
Jacksonville
Medford
Phoenix
Rogue River
Shady Cove
Talent
CONCEPTUAL FUTURE CIRCULATION PLAN
N
0 40 80 160
Feet
ORCHARD HOME DR
SANDSTONE DR
WARREN WY
DIAMOND ST
DIAMOND ST
SPRUCE WY
SUBJECT PARCEL
FUTURE DEVELOPMENT
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CITY OF MEDFORD
EXHIBIT D
FILE # LDS-16-002/E-16-003
Page 309

**BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD, OREGON:**

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

| | | |
|---|---|---|
| **IN THE MATTER OF AN APPLICATION FOR** | ) | |
| **LAND DIVISION OF PROPERTY IDENTIFIED AS** | ) | **FINDINGS OF FACT** |
| **T38-R2W-02AA-TL 100 APPLICANT** | ) | **AND** |
| **SUNCREST HOMES, L.L.C.** | ) | **CONCLUSIONS** |
| **SCOTT SINNER CONSULTING, INC. AGENT** | ) | **OF LAW** |

## I. BACKGROUND INFORMATION

**Applicant:**

Suncrest Homes, L.L.C.
Charlie Hamilton, Member
PO Box 3130
Talent, OR 97540
suncresthomes@mind.net

**Agent:**

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
541-772-1494
scottsinner@yahoo.com

**Property:**

382W02AA TL 100
Susan Calzaretta
1820 Orchard Home Ct
Medford, OR 97501
1.21 Acres
Single Family Residential 6 units per acre (SFR-6) City of Medford Zoning
Urban Residential (UR) General Land Use Plan Map Designation

**Summary:**

This application is submitted to comply with the Land Division Criteria contained within the City of Medford Land Development Code (MLDC). An Exception application is submitted requesting a reduction of the Right of Way width on the Diamond Street



CITY OF MEDFORD
EXHIBIT E
FILE # LDS-16-002/E-16-003



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frontage of Lot 4. The approval of the exception would reduce the planter strip from 10 feet to 7 feet. All other standards of the MLDC are met.

The subject property is 1.21 acres within the SFR-6 zoning district. The subdivision is a phased subdivision with phase in containing the existing dwelling on the parent parcel and Phase 2 encompassing lots 2 through 6.

The current owner of the property will retain Lot 1 and the dwelling and the applicant will take title of the remaining property. The applicant seeks to improve or bond for the Orchard Home Court frontage improvements with Phase 1 and will construct and develop all other improvements associated with Milton Lane in Phase 2.

The property is not in a steep slope area and is not subject to the requirements of the Medford Hillside Ordinance. The property does not contain any wetlands or water features. The street layout proposed is designed to be consistent with the adopted Southwest Circulation Plan and provides circulation opportunities for the existing and proposed development in the vicinity.

**Relevant Approval Criteria**

*10.270 Land Division Criteria*

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

*(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.*

**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 Article IV and V;*

The Tentative Plat submitted with this application has been designed to be consistent with the Comprehensive Plan, the General Land Use Plan Map (GLUP), Transportation System Plan (TSP), the Southwest Circulation Plan, and all applicable design standards for the proposed public improvements as well as the lot design standards of the Medford Land Development Code (MLDC), with the approval of the Exception Application for the right of way width reduction of 3 feet on the Diamond Street frontage of Lot 4.

The lots established with this plat conform to the standards of the MLDC for length, width, square footage, lot frontage, and access.

Lot 4 is constrained by the dedication of Milton Way on the South, Diamond Street on the North and a 6' dedication for a Public Accessway on the east. Without the approval of the requested exception, the lot depth for Lot 4 is 87 feet, 3 feet below standard.

The Applicant's Agent reviewed the reduction of right of way width to reduce the planter strip from 10 feet to 7 feet with Alex Georgivitch, the City Engineer prior to preparing this application. With his supportive response, the plat was developed as submitted.

The location of Milton way was located to match the centerline of the right of way with the common property line of the two properties on the West. Failure to adjust the centerline would have resulted in a detrimental condition for future urban development of these adjoining parcels.

All lots proposed are suitable and intended to be developed as detached single family residential dwellings consistent with the standards for the SFR-6 zoning district.

Lots 4 and 5 have frontage on Milton Lane and also abut Diamond Street. MLDC section 10.704 permits through lots when abutting streets are a collector or arterial street classification. Diamond Street is classified as a Major Collector.

The Southwest Circulation Plan is the neighborhood circulation plan for this area of the City of Medford. A review of the Southwest Circulation Plan contained in the adopted Transportation System Plan indicates the proposed street circulation is consistent with the adopted Southwest Circulation Plan.

While all lower order streets are not indicated on the Plan, typically intersections with collectors or arterials are indicated. The attached copy of the plan with the subject property does not indicate a connection with Diamond Street at this location and no connection is proposed.

Milton Lane is proposed as a minor residential street with a 55 foot right of way. The portion of Milton Lane proposed with this plat completes the improvements approved with Orchard Court Subdivision and provides the future extension of Milton Lane to the west to serve adjoining parcels.

Milton Lane on this property has an alignment adjustment to place the centerline of the street at the common property line for TL 200 and TL 300. This alignment will allow these properties to develop lots with approximately 91.5 foot lot depths.

The Utility plan for the development is to collect storm water from the individual lots and discharge into the proposed public facilities in Milton Lane. The public lines will be conveyed through public easements on the east side of lot 4 to connect to public improvements in Diamond Street. The property is within the Elk Creek Drainage Basin and the discharge from this development will continue to flow in the historical direction. This is consistent with the adopted Stormwater Master Plan for the City of Medford.

The site is within the area of Rogue Valley Sewer Service (RVS) for sanitary sewer facilities. The proposed development will connect the public sanitary lines in Milton Lane to those facilities in Diamond Street.

## Conclusions of Law

The Planning Commission can conclude the proposed tentative plat and exception approval 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;*

**Findings of Fact**

The Tentative Plat submitted with this application proposed development on the entire parcel in a two phases. The property to the east is approved for development and is currently being engineered for improvements. The subject parcel abuts Diamond Street right of way and the approval of this plat will provide for the dedication of the remaining Diamond Street right of way on this property's north line.

The properties to the west were developed in the 1940's at low densities. A conceptual street pattern is attached with these findings indicating the continuation of the street pattern established with the construction of Milton Lane. The development of this subdivision will provide access and the extension of urban services for adjoining properties for development at urban densities.

The construction of the proposed subdivision is consistent with the existing and approved street patterns of other existing subdivisions and the southwest Circulation Plan.

**Conclusions of Law**

The Planning Commission can conclude the proposed tentative plat proposed development on the entire parcel at urban densities and the approval of this plat will not prevent development or access on adjoining properties.

*(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 subdivision is proposed with the name Kaseys Court Subdivision. The name has been submitted for approval by the County Surveyor at the time of submission of the application.

**Conclusions of Law**

The Planning Commission can conclude the subdivision name proposed with this application is a unique name within Jackson County.

*(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 tentative plat submitted with this application will construct one new street, Milton Lane. As stated above, this segment is proposed with a knuckle for a turn to the west to extend urban facilities to the adjoining properties to the west. This street is proposed as a public street.

A conceptual street circulation plan is attached to demonstrate the potential for future development in the vicinity while maintaining consistency with the Southwest Circulation Plan.

The plat also contains a Public Access Way dedication of 6 feet adjacent to lot 4. This aligns with a 6 foot dedication on the adjoining Orchard Court subdivision approved in 2015. The total width of the Public Access Way is 12 feet to conform to the MLDC.

The proposed plat is consistent with the adopted Southwest Circulation Plan and provides both connectivity and access to public facilities for the adjoining properties.

**Conclusions of Law**

The Planning Commission can conclude the proposed plat is consistent with existing and planned streets in the vicinity and is consistent with the adopted Southwest Circulation Plan.

*(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**

The tentative plat submitted with this application includes the development of Milton Lane, a minor residential street which will be developed as a public street and dedicated

to the City of Medford at the time of Final Plat. There are no private streets or alleys proposed with this plat.

**Conclusions of Law**

The Planning Commission can conclude all streets contained on the proposed tentative plat are to be publicly dedicated streets.

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

**Findings of Fact**

The subject property does not abut any agricultural lands in any agricultural zoning district.

**Additional Applicable Criteria**

The City of Medford land division application requires a complete application must demonstrate compliance with the Hillside Ordinance contained in section 10.929 to 10.933 and the Block Length Ordinance in sections contained within section 10.426, and consistency with adopted neighborhood circulation plans per 10.454

**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 on Orchard Home Court. 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.

The submission of the Constraints Analysis is not required when the Hillside Ordinance is not applicable with site slopes of less than 1%.

## 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 City of Medford has amended the MLDC to include 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:*

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.*

*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,*
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 the10.426 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**

This the approval of this application will provide for the development of one new street segment, Milton Lane. The street is a minor residential street. Milton Lane is consistent with the Southwest Circulation and will be approximately 300 feet from the centerline of Spruce Way to the east and 550 feet from Orchard Home Court to the West. The westerly extension of Milton Lane will be approximately 240 feet north of Orchard Home Court.

**Conclusions of Law**

The Planning Commission can conclude the block length proposed with this application complies with the block length standards of the MLDC.

**10.454 Neighborhood Circulation Plan, Adoption**

*Neighborhood circulation plans developed for areas of the City and urbanizable area shall be adopted as amendments to the Medford Comprehensive Plan and Medford Street Functional Classification Plan Map. Such neighborhood circulation plans shall identify the functional classification and location of existing and planned streets and alleys and applicable objectives and policies, if any, as well as planned circulation for pedestrians, bicyclists, and transit users. Transportation system design standards shall be applied as per this code, unless alternative standards are provided by the adopted neighborhood circulation plan.*

**Findings of Fact**

The approval of this application will create one new street, Milton Lane to be classified as a minor residential street. As discussed above, all the local or lower order streets are not typically indicated on the Southwest Circulation Plan Map.

The higher order streets are on the Plan, and the subject property is adjacent to Diamond Street, classified as a major collector, on the north property line. According to the Public Works Department, there will be a dedication of right of way for the future improvement of Diamond Street, and the subject property will not be taking any access for the development from the Diamond Street.

**Conclusions of Law**

## FINDINGS OF FACT

The Planning Commission can conclude the application is consistent with the adopted Southwest Circulation plan and is consistent with MLDC section 10.454.

**Application Summary and Conclusions**

This application for a land division and the accompanying exception request to reduce the width or the right of way to allow for a 7 foot planter strip instead of 10 foot planter strip on the subject property demonstrates compliance with all relevant sections contained within the Medford Land Development Code.

The proposed street circulation pattern is consistent with the adopted Southwest Circulation plan and the Transportation System Plan and all other adopted plans.

The construction of the proposed land division will allow for the extension urban services to the site and provide adjoining property owners with development opportunities.

The lot dimensions and design standards are consistent with the requirements of the SFR-6 zoning district and the application has demonstrated compliance with the standards for urban development near areas utilized for farm use.

On behalf of the applicant, I respectfully request the approval of the application for Tentative Plat approval of the Kaseys Court Subdivision.

Regards,

Scott Sinner, President
Scott Sinner Consulting, Inc.

FINDINGS OF FACT

**BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD, OREGON:**

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JAN 06 2016
PLANNING DEPT.

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

| | | |
|---|---|---|
| **IN THE MATTER OF AN APPLICATION FOR** | ) | |
| **AN EXCEPTION ON PROPERTY IDENTIFIED AS** | ) | **FINDINGS OF FACT** |
| **T38-R2W-02AA-TL 100 APPLICANT** | ) | **AND** |
| **SUNCREST HOMES, L.L.C.** | ) | **CONCLUSIONS** |
| **SCOTT SINNER CONSULTING, INC. AGENT** | ) | **OF LAW** |

## I. BACKGROUND INFORMATION

**Applicant:**

Suncrest Homes, L.L.C.
Charlie Hamilton, Member
PO Box 3130
Talent, OR 97540
suncresthomes@mind.net

**Agent:**

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
541-772-1494
scottsinner@yahoo.com

**Property:**

382W02AA TL 100
Susan Calzaretta
1820 Orchard Home Ct
Medford, OR 97501
1.21 Acres
Single Family Residential 6 units per acre (SFR-6) City of Medford Zoning
Urban Residential (UR) General Land Use Plan Map Designation

**Summary:**

This application is submitted to comply with the Exception Criteria contained within the City of Medford Land Development Code (MLDC). The requested exception is a three foot reduction of the Diamond Street right of way width to reduce the planter strip from 10 feet to 7 feet for the Lot 4 frontage on the Diamond Street right of way.



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The exception request is necessary to develop the property at the current standards of the MLDC due to the unusual rights of way dedication requirements on three sides of Lot 4 and the historic development patterns of this infill development.

**Relevant Approval Criteria**

*10.253 Criteria for an Exception*

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

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

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

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

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

**Findings of Fact**

*(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent*

*natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.*

This exception request seeks relief from strict application of the Medford Land Development Code (MLDC) to reduce the right of way width of the Diamond Street frontage of Lot 4 for the proposed Kaseys Court subdivision. Reducing the right of way width will allow the planter strip to be reduced from 10 feet to 7 feet on the Diamond Street frontage of lot 4. The approval of the requested exception will allow lot 4 to be developed with a full 90 foot lot depth conforming to the lot standards set forth in the MLDC.

Diamond Street is classified as a major collector in the adopted Transportation System Plan (TSP). The standard street section for a major collector includes a 5 foot side walk, a 10 foot planter strip and a 5 foot bike lane. The approval of the exception would result in a 5 foot sidewalk, a 7 foot planter strip and 5 foot bike lane.

The subject property is within 1 block of South Medford High School. The proposed plat includes a 6 foot Public Access Way (PAW) dedication completing the partial PAW dedication approved in the Orchard Court Subdivision.

The PAW will provide public pedestrian access way from the residential areas south of Diamond Street to the High School. Virtually all of the pedestrian activity through the PAW will be directed east to the school where the full right of way is currently being developed by other development projects. The approval of the reduction of right of way request in this exception will not be a risk to the safety or welfare of the general public.

There are no significant natural resources impacted or enhanced with the approval of this exception request.

**Conclusions of Law**

The Planning Commission can conclude the approval of the exception request is harmonious with the purpose and intent the Medford Land Development Code. The approval of the exception request will provide a buildable lot within the zoning district and the second half of a public Access Way will be dedicated to improve the general welfare and safety of the public.

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

**Findings of Fact**

The approval of the request for the reduction of right of way width will allow for the reduction of the 10 foot planter strip to a 7 foot planter strip. The approval will not create a use that is not permitted in the zoning district.

The result of an approval of the requested exception and the associated land division application will be the development of a 6 lot residential subdivision in the SFR 6 zoning district. The lots will be developed in full compliance with the standards in the MLDC. Single family residential development at urban densities is a permitted use and no other uses will be established with the approval of the requested exception.

All lots will be suitable for detached single family residential development in compliance with the standards of the MLDC.

**Conclusions of Law**

The Planning Commission can conclude the approval of the exception request will not allow a use that is not permitted in the zoning district.

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

**Findings of Fact**

The Land Division associated with this request for an exception is an infill development with significant constraints from prior land use approvals, historic development patterns, and adopted circulation plans.

The original development patterns in the area predate all land use regulations in both County and City jurisdiction. Large parcels were developed to provide septic systems and wells on site for single family residences. These existing development patterns require infill development strategies to develop at the current urban standards of the MLDC.

The subject parcel is bounded on the north by the Diamond Street right of way extension as indicated on the adopted Southwest Circulation Plan and existing development on east of the site and approved subdivisions north of the Diamond Street right of way.

The approval of Orchard Court Subdivision (LDS 14-112) established the location of Milton Lane and provided a dedication of 6 feet of property for one half of a 12 foot public access way to provide pedestrian connectivity to the nearby South Medford High School.

The site is further, uniquely, constrained by an alignment of the westerly course of the center line of Milton Lane with the common property line of the two adjoining parcels on the west of the project site. Without the alignment adjustment, the development of

one of the adjoining properties would not have adequate width for conformance with the lot depth standards of the MLDC.

The existing development patterns, established higher order street locations and the unique public access way result in public right of way dedications on three sides of the proposed lot 4 of the Kaseys Court subdivision. Without the approval of the requested exception, the lot depth of lot 4 would be 87 feet, less than the 90 foot standard of the MLDC.

The requested exception to reduce the right of way width to allow the planter strip to be reduced from 10 feet to 7 feet will allow lot 4 to be developed to all the standards of the MLDC and the general welfare and safety of the public will not be compromised or jeopardized.

To not approve the requested exception would result in lot 4 having a 87 foot lot depth, and assuming an exception request for the 87 foot lot depth were not approved, the subdivision would fall below the density requirements of the MLDC and current urban development.

**Conclusions of Law**

The Planning Commission can conclude there are unique and unusual circumstances which apply to this site due to existing development patterns and dedication requirements that are not typical elsewhere in the City.

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

**Findings of Fact**

The need for this exception is not the result of a legal act. The requested reduction of the right of way width at the Diamond Street frontage of Lot 4 is necessary for developing this property at urban densities due to the existing development patterns, established rights of way conforming to adopted circulation plans and the development standards within the MLDC.

The result of the strict application of the MLDC is suffered directly on this land division application and the detrimental effects are unique to this property, and the applicant, and the set of constraints applicable to this development.

Relief from the approval of this request will allow the property to be developed at the density requirements of the SFR-6 zoning district. Meeting the minimum density of the zoning district with the lot design standards of the MLDC override any profitability impacts of the applicant.

**Conclusions of Law**

The Planning Commission can conclude the need for the requested exception to reduce the width or right of way by 3 feet and the planter strip from 10 feet to 7 feet is not a result of an illegal act or lack of knowledge of the MLDC standards.

**Application Summary and Conclusion**

The Planning Commission is the approving authority for the requested exception application to allow the 3 foot reduction of right of way width and the reduction of the planter strip from 10 feet to 7 feet for the Diamond Street frontage on lot 4 of the proposed Kaseys Court Subdivision.

The approval of the requested reduction will allow for the subject property to be developed to urban densities and all other standards of the Medford Land Development Code.

The need for the exception is unique to the subject property due to the historic development in the vicinity, the adopted circulation plans and existing development of the higher order streets and the constraints of prior approvals on other properties in the vicinity.

The approval of the requested exception will provide for the extension of Category A facilities to adjoining properties to allow those properties to develop in compliance with the current standards of the Code.

The requested exception is not need due to an illegal act by the applicant and is impacted by the applicant's level of knowledge of the Code. The need for the exception is not dependent on the applicant's profitability in the development of the project.

The approval of the requested exception will allow the property to be developed in full conformance and harmony with the Code while maintaining the general wellbeing and safety of the public.

On behalf of the applicant, I respectfully request the approval of this exception request.

Scott Sinner

**Scott Sinner Consulting, Inc.**

*Land Use Planning, Conservation Consulting*

February, 4, 2016

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FEB 04 2016
PLANNING DEPT.

Tracy Carter
City of Medford Planning Department
200 S Ivy
Medford, OR 97501

Re: LDS-16-002 / E-16-003

Tracy,

I received your letter dated February 3, 2016 deeming the referenced application incomplete. This letter serves as additional Findings of Fact addressing your item# 3 for Oversized Lots per MLDC 10.702(3).

> *(3) A new residential lot may exceed the maximum lot area only under the following circumstances:*
> *(a) When an existing residence and associated yard area, containing improvements and established landscaping, occupy a larger area; or,*
> *(b) When a portion of the lot is unbuildable for a reason beyond the control of the developer (i.e., due to creeks, oversized easements, etc.), the additional acreage, or fraction thereof, may not exceed the amount of unbuildable area.*

The subject lot 1 is currently developed with a single family dwelling. The existing and proposed development patterns (streets) and the setback requirements of the MLDC, do not allow the proposed lot 1 to be configured within the dimensional requirements of the code.

The proposed lot is consistent with MLDC 10.702 (3) (a) as stated above.

Please add these supplemental findings to the record.

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

CITY OF MEDFORD
EXHIBIT G
FILE # LDS-16-002/E-16-003

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# ROGUE VALLEY SEWER SERVICES

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

February 19, 2016

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

**Re: Kasey's Court Subdivision, LDS-16-002, Tax Lot 100, Map 38 2W 02AA**

ATTN: Tracy,

The existing house on Phase 1 is currently served by a connection to the sewer main on Orchard Home Court. The proposed development will not affect his service

The new lots created as part of Phase 2 can be served by extending the sewer main from Diamond Street as shown on the tentative plan. Sewer extension plans must be designed and constructed in accordance with RVSS standards.

Rogue Valley Sewer Services requests that approval of this project be subject to the following conditions:

1. Applicant must construct a sewer main extension to serve lots 2-6. This sewer must be designed and constructed in accordance with RVSS standards.
2. The sanitary sewer system must be accepted as a public system by RVSS prior to the issuance of any building permits.

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

Sincerely, Carl Tappert

Carl Tappert, PE
Manager

K:\DATA\AGENCIES\MEDFORD\PLANNG\LAND SUB\LDS-16-002_KASEY'S COURT.DOC

CITY OF MEDFORD
EXHIBIT # H
File # # LDS-16-002/E-16-003



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# Medford Fire Department

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


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## LAND DEVELOPMENT REPORT - PLANNING

**To:** City of Medford Public Works

**LD Meeting Date:** 03/02/2016

**From:** Greg Kleinberg

**Report Prepared:** 02/19/2016

**Applicant:** Suncrest Homes, L.L.C., Applicant (Scott Sinner Consulting, Inc., Agent)

**File #:** LDS - 16 - 2

**Associated File #'s:** E - - 3

**Site Name/Description:** Kasey Court Subdivision

Consideration of a request for tentative plat approval for Kasey Court Subdivision, a two phase, 6-lot residential subdivision with an exception to right of way dedication, on a 1.21 acre parcel located on the north side of Orchard Home Court, approximately 375 feet east of Orchard Home Drive, within a SFR-6 (Single-Family Residential - 6 units per acre) zoning district; Suncrest Homes, L.L.C., Applicant (Scott Sinner Consulting, Inc., Agent). Tracy Carter, Planner

| DESCRIPTION OF CORRECTIONS | REFERENCE | |
|---|---|---|

**Requirement MEDFORD CODE STREET DESIGN OPTIONS** — **MEDFORD** **10.430**

Section 10.430 of the Medford Code states the following:

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

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

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

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

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

If the clustered-offset driveway option is chosen and there are areas where driveways cannot fit this configuration, No Parking - Fire Lane signs may be required to ensure adequate Fire Department access.

**Requirement FIRE HYDRANTS** — **OFC** **508.5**

Fire hydrants with reflectors will be required for this project.

Hydrant locations shall be as follows: Approved as submitted.

# Medford Fire Department

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


## LAND DEVELOPMENT REPORT - PLANNING

**To:** City of Medford Public Works

**LD Meeting Date:** 03/02/2016

**From:** Greg Kleinberg

**Report Prepared:** 02/19/2016

**Applicant:** Suncrest Homes, L.L.C., Applicant (Scott Sinner Consulting, Inc., Agent)

**File #:** LDS - 16 - 2

**Associated File #'s:** E - - 3

**Site Name/Description:** Kasey Court Subdivision

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

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

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

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

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

**Tracy R. Carter**

**From:** MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us>
**Sent:** Tuesday, March 01, 2016 2:41 PM
**To:** Tracy R. Carter
**Subject:** LDS-16-002/E-16-003

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MAR 01 2016
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Tracy,

Thank you for sending agency notice of a consideration of a request for tentative plat approval for Kasey Court Subdivision, a two phase, 6-lot residential subdivision with an exception to right of way dedication, on a 1.21 acre parcel located on the north side of Orchard Home Court, approximately 375 feet east of Orchard Home Drive, within a SFR-6 (Single-Family Residential – 6 units per acre) zoning district. We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

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

CITY OF MEDFORD
EXHIBIT # 3
File # # LDS-16-002/E-16-003

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# STAFF MEMO

**To:** Tracy Carter

**From:** Jennifer Ingram, Address Technician

**Date:** 3/1/2016

**Subject:** LDS-16-002

1. The proposed street name Milton Lane is an acceptable street name. An additional street name is required where the proposed street makes a 90 degree change in direction.



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EXHIBIT # K
File # # LDS-16-002/E-16-003
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# Memo

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**To:** Tracy Carter, Planning Department

**From:** Mary Montague, Building Department

**CC:** Scott Sinner; Suncrest Homes, LLC

**Date:** March 2, 2016

**Re:** LDS-16-002/E-16-003; Kasey's Court Subdivision

---

**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 2014 ORSC with additional Oregon amendments to the 2011 ORSC; 2014 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.





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EXHIBIT # L
File # # LDS-16-002/E-16-003
29

Continuous Improvement Customer Service

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**CITY OF MEDFORD**

LD Date: 3/02/2016
File Numbers: LDS-16-002/E-16-003

# PUBLIC WORKS DEPARTMENT STAFF REPORT
## Kasey's Court Subdivision

**Project:** **Consideration of a request for tentative plat approval for Kasey Court Subdivision, a two phase, 6-lot residential subdivision with an exception to right-of-way dedication on a 1.21 acre parcel located on the north side of Orchard Home Court.**

**Location:** **Approximately 375 feet east of Orchard Home Drive, within a SFR-6 (Single-Family Residential – 6 units per acre) zoning district.**

**Applicant:** **Suncrest Homes, L.L.C., Applicant (Scott Sinner Consulting, Inc., Agent). Tracy Carter, Planner.**

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

## A. STREETS

### 1. Dedications

**Diamond Street** 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 Diamond Street frontage of this proposed subdivision to comply with the half width of right-of–way for a Major Collector Street, which is 37-feet. **The amount of right-of-way to be dedicated will vary. The Developer's surveyor shall verify the amount of additional right-of-way required.**

An **exception request** has been submitted, which includes a 3-foot reduction of the Diamond Street right-of-way width to reduce the planter strip from 10-feet to 7-feet for the Lot 4 frontage on the Diamond Street right-of-way. **Public Works has no objection to this exception. If the exception request is denied the Developer shall dedicate the additional right-of-way as noted above per MLDC 10.428(3).**



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ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
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FAX (541) 774-2552

CITY OF MEDFORD
EXHIBIT # M
File ## LDS-16-002/E-16-003



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The developer will receive S.S.D.C. (Street System Development Charge) credits for the public right-of-way dedication on **Diamond Street**, 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 Planning Commission. The City will then select an appraiser, and a cash deposit will be required as stated in Section 3.815.**

**Orchard Home Court** is classified as a Minor Residential Street with a required 55-foot right-of-way width as prescribed by MLDC 10.430. The current right-of-way width appears to be approximately 60'. No additional right-of-way will be required. The developer shall also provide a 10-foot wide Public Utility Easement (PUE) adjacent to the right-of-way lines, per MLDC, Section 10.471.

**Milton Lane (north/south)** is proposed as a Minor Residential Street with a right-of-way width of 55-feet, consistent with the standard prescribed by MLDC 10.430. Based on the Tentative Plat, it appears there is 12.5-feet of existing right-of-way west of centerline. However, a final plat has not been recorded or submitted for Orchard Court Subdivision and no right-of-way has been dedicated to date. Therefore, **the amount of additional right-of-way needed appears to be 40-feet (MLDC 10.451),** which will provide for a half plus 12-foot street improvement. If the final plat for Orchard Court Subdivision is recorded prior to the plat for this development, then, the **amount of additional right-of-way needed appears to be 15-feet. (MLDC 10.451).** The Developer's surveyor shall verify the amount of additional right-of-way required.

**Milton Lane (east/west)** is proposed as a Minor Residential Street with a right-of-way width of 55 feet, consistent with the standard prescribed by MLDC 10.430. The Developer shall dedicate adequate right-of-way for the knuckle to City of Medford standards with a minimum right-of-way radius of 45-feet.

A **15 foot corner radius** shall be provided at the right-of-way lines of all intersecting streets. (MLDC 10.445).

**Public Utility Easements**, 10-feet in width, shall be dedicated along 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**

**Diamond Street** along the frontage of this proposed development shall be improved to Major



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Collector Street Standards with a 44-foot wide curb-to-curb striped paved section, complete with curbs, gutters, street lights, 10-foot wide planter strips and 5-foot wide sidewalks per MLDC 10.428(3). The development to the north (i.e., Warren Park PH. 2 Subdivision) completed full improvements with the exception of sidewalk on the south side along the frontage of this development. Therefore, along this partially improved portion, the Developer shall improve the remaining sidewalk in conjunction with the other public improvements, prior to final plat approval.

As previously noted in section A.1 of this report, an **exception request** has been submitted. **Public Works has no objection to this exception**.

**Orchard Home Court** along the frontage of this subdivision shall be improved to Minor Residential Street Standards with a 28-foot wide paved section, (designed to the City of Medford Standards), complete with curbs, gutters, 5-foot wide sidewalks and 8-foot wide planter strips. The Developer shall improve the north half plus 12 feet south of the centerline.

**Milton Lane (north/south)** shall be improved to Minor Residential Street standards with 28-foot wide paved sections, complete with curbs, gutters, 8-foot wide park strips, 5-foot wide sidewalks and street lights in accordance with MLDC 10.430 (1). The development to the east (i.e., Orchard Court Subdivision) has not completed any improvements nor dedicated any right-of-way for any portion of Milton Lane. Therefore, the Developer shall improve the west half (14-feet) plus 12-feet east of the centerline. If the improvements for Orchard Court Subdivision are completed prior to the improvements for this development, then, the Developer shall only be required to improve the remaining west half to provide an 14-foot half street width. This shall include saw cutting the existing north edge of pavement back a minimum of 1-foot to ensure structural integrity and to provide cross slopes that meet current standards as required, or these improvements may be completed concurrent with the improvements to the east (i.e., Orchard Court Subdivision).

**Milton Lane (east/west)** shall be improved to Minor Residential Street standards with 28-foot wide paved section, complete with curbs, gutters, 8-foot wide park strips, 5-foot wide sidewalks and street lights in accordance with MLDC 10.430.

**Street Lights and Signing**

All street lights and signing for public streets shall be installed to City of Medford specifications.

The following street lighting and signing installations will be required:

Street Lighting - Developer Provided & Installed
A. 1 – 100W HPS Street Light

Traffic Signs and Devices - City Installed, paid by the Developer
A. 1 – Dead End Barricade
B. 1 – Dead End Sign



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If Milton Lane changes names at radius, then a street name sign will be needed.

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

**b. Pavement Moratoriums**

There is a pavement cutting moratorium currently in effect along Diamond St.

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.

**c. 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.

**d. Access to Public Street System**

**Diamond Street** is a Major Collector Street. Lots 4, 5 and 6 shall not have vehicular access to Diamond Street, per MLDC Section 10.383. All Lots in Phase 2 will take access off of Milton Lane as shown on Tentative Plat.

**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*



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*for public use, or*

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

Nexus to a legitimate government purpose

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

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

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

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

**Diamond Street** is classified as a major collector street per the adopted Circulation Plan. It is planned to be the primary connector between Columbus Ave and Orchard Home Dr. As a major collector, Diamond Street 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 street, it is eligible for street SDC credits for both the right-of-way and roadway improvements, per MMC, Section 3.815 (5). Street SDC's 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.

**Milton Lane and Orchard Home Court**: In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square foot of right-of-way per dwelling unit for dedications. It should be noted that Diamond is not part of the calculations because it is a collector street and subject to Street SDC credits for construction and right-of-way dedications. The proposed development has 6 dwelling units and will improve approximately 492 lineal feet of roadway which equates to 82 lineal feet per dwelling unit. Also the development will dedicate approximately 12,145 square feet of right-of-way which equates to approximately 2,024 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Orchard Court Subdivision just east of this development between



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Diamond St. and Orchard Home Court and consisted of 7 dwelling units. The previous development improved approximately 430 lineal feet of roadway and dedicated approximately 10,800 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 61 lineal feet of road per dwelling unit and approximately 1,543 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 57 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.

b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.

c. Dedication will provide access and transportation connections at urban level of service standards for this development. Each Lot in this development will have direct access to a public street with facilities that will allow for safe travel for vehicles, bicycles and pedestrians. There is also sufficient space for on-street parking. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.

d. Dedication of connecting streets will decrease emergency response times and provide emergency vehicles alternate choices in getting to an incident and reducing miles traveled.

e. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.

f. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements 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 adjacent developments to provide a transportation system that meets the needs for urban level services.

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.



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## B. SANITARY SEWERS

This site lies within the Rogue Valley Sanitary Sewer (RVSS) service area. Contact RVSS for availability and connection. A sanitary sewer lateral shall be constructed to each lot prior to approval of the Final Plat.

## C. STORM DRAINAGE

### 1. Hydrology

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

### 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 the construction of the controlled storm water release drainage system was constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to certificate of occupancy of the new building.

### 3. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision will be submitted with the public improvement plans for approval. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

### 4. Mains and Laterals

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

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



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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 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. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the Planning Commission's Final Order, together with all pertinent details and calculations. 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.



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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 two phases.

**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 P.U.E., or within sanitary sewer or storm drain easements require review and approval from the Engineering Division of Public Works. Walls shall require a separate permit from the Building Department and may also require certification by a professional engineer.

Where applicable, the Developer shall address all floodway, floodplain and riparian area issues with the proper Agencies and acquire all necessary permits for work within the floodway, floodplain or riparian areas.

**7. System Development Charges (SDC)**

Buildings in this development are subject to sewer treatment and street SDCs. 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



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### 8. Construction and Inspection

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

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: Doug Burroughs



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# SUMMARY CONDITIONS OF APPROVAL

**Kasey's Court Subdivision**

LDS-16-002/E-16-003

## A. Streets

### 1. Street Dedications to the Public:

- Dedicate additional right-of-way on Diamond Street.
- Dedicate additional right-of-way on Milton Lane (n/s).
- Dedicate full right-of-way on Milton Lane (e/w).
- Dedicate 10-foot public utility easements (PUE) unless otherwise approved through an exception.

### 2. Improvements:

**Public Streets**

- Construct south sidewalk of Diamond Street with planter as determined.
- Construct Orchard Home Court to Minor Residential Street standards.
- Construct Milton Lane to Minor Residential Street standards as determined.

**Lighting and Signing**

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

**Other**

- Provide pavement moratorium letters.
- Provide soil testing.
- No direct access to Lots 4, 5 or 6 from Diamond Street.

## B. Sanitary Sewer:

- Provide private laterals to each lot. Located in RVSS District.

## 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 and drafts of the final plat.

**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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BOARD OF WATER COMMISSIONERS

# Staff Memo

MEDFORD WATER COMMISSION

RECEIVED
MAR 02 2016
PLANNING DEPT.

**TO:** Planning Department, City of Medford

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

**SUBJECT:** LDS-16-002 & E-16-003

**PARCEL ID:** 382W02AA TL 100

**PROJECT:** Consideration of a request for tentative plat approval for Kasey Court Subdivision, a two phase, 6-lot residential subdivision with an exception to right of way dedication, on a 1.21 acre parcel located on the north side of Orchard Home Court, approximately 375 feet east of Orchard Home Drive, within a SFR-6 (Single-Family Residential – 6 units per acre) zoning district; Suncrest Homes, L.L.C., Applicant (Scott Sinner Consulting, Inc., Agent). Tracy Carter, Planner.

**DATE:** February 25, 2016

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 a new 8-inch water main is required in Milton Court. Applicant's civil engineer shall coordinate with MWC engineering department for location of required water main, along with water meter locations, and the proposed fire hydrant.

4. Existing water meter shall remain in service to existing home and shall be protected in place during construction activities.

**COMMENTS**

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

2. On-site water facility construction is required.(See Condition 3 above)

3. MWC-metered water service does exist to this property. There is an existing ¾" water meter located adjacent to the east side of the existing driveway to 1820 Orchard Home Court. (See Condition 4 above)

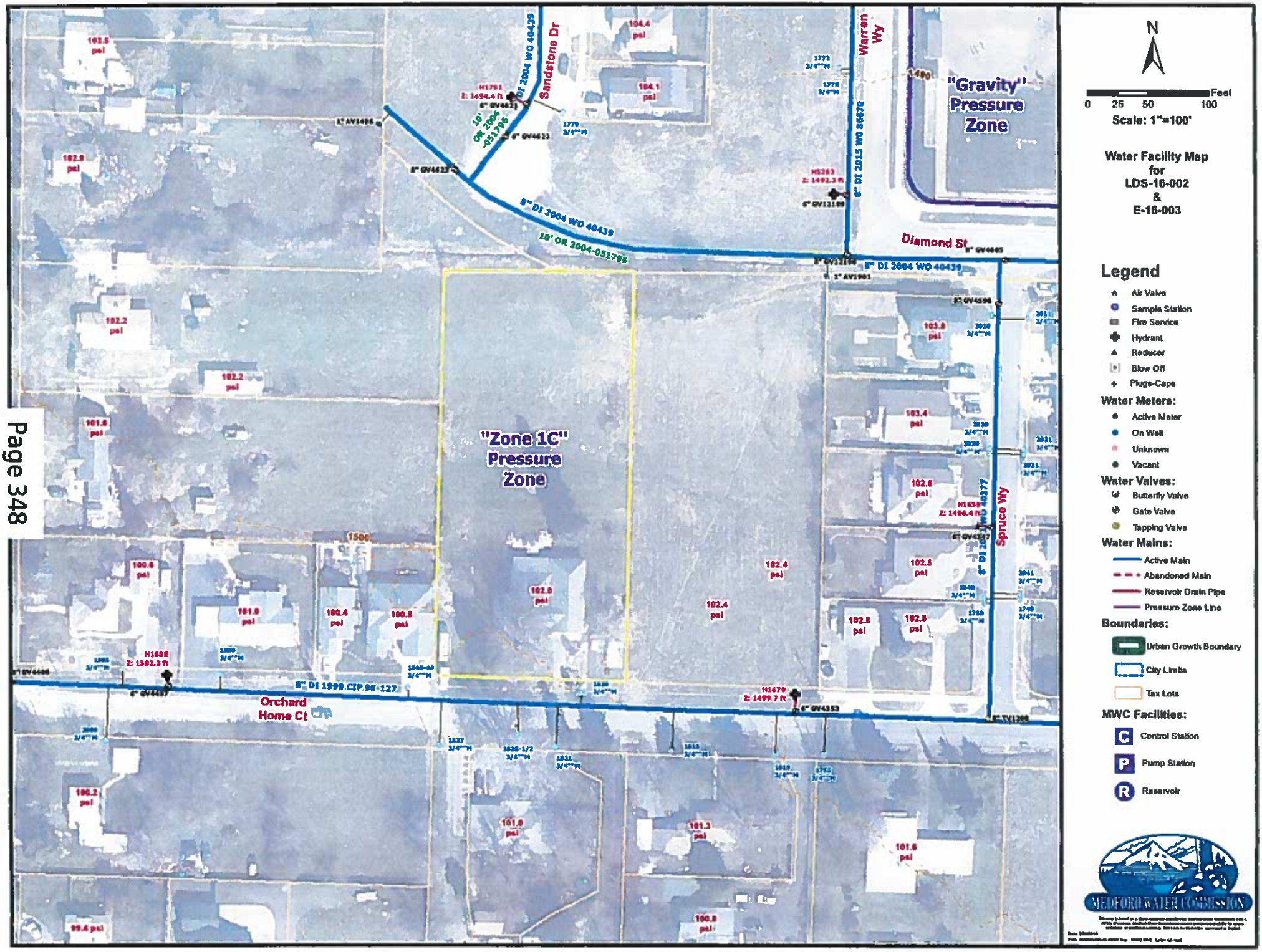
*Continued to next page*

*Continued from previous page*

4. Access to MWC water lines is available. There is an existing 8-inch water line in Orchard Home Court.

5. Static water pressure is expected to be between 100 and 105 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".

6. Applicant shall coordinate Water Facility Installation with "Orchard Court" Subdivision per MWC Staff Memo for LDS-14-112.


N
Feet
0 25 50 100
Scale: 1"=100'
Water Facility Map
for
LDS-16-002
&
E-16-003
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
MEDFORD WATER COMMISSION
"Gravity" Pressure Zone
"Zone 1C" Pressure Zone
Sandstone Dr
Warren Wy
Diamond St
Spruce Wy
Orchard Home Ct
8" DI 2004 WO 40439
10' OR 2004-051796
8" DI 1999 CIP 98-127

RECEIVED
2016

# DENSITY CALCULATION FORM

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

| | |
|---|---|
| File No. | LDS-16-002 & E-16-003 |
| Planner | Tracy Carter |
| Date | February 22, 2016 |

## GROSS ACREAGE

| | | |
|---|---|---|
| Tax Lot Numbers | | |
| 382W02AA TL 100 | 1.21 | AC |
| | | AC |
| | | AC |
| | | AC |
| | | AC |
| | | AC |
| xisting ROW to Centerline | 0.12 | AC |
| ross Acres | 1.33 | AC |
| ffective Acres (Gross - Subtracted) | 1.33 | |

## SUBTRACTED ACREAGE

| | | |
|---|---|---|
| Large Lots for Existing Development | - | AC |
| Reserved Acreage | - | AC |
| Other[1] | | |
| | - | AC |
| | | AC |
| | | AC |
| | | AC |
| | | AC |
| Subtracted Acres | - | AC |

## DENSITY RANGE

| | |
|---|---|
| Zoning District | SFR-6 |
| Density Range | |
| Minimum | 4.00 |
| Maximum | 6.00 |
| No. DU Proposed | 6.00 |
| No. DU Permitted | 7.00 |
| Minimum | 5.30 |
| Maximum | 7.96 |
| Percentage of Maximum | 75.41% |

## EXISTING R-O-W CALCULATION

| | LF | Width | SF | Acreage |
|---|---|---|---|---|
| Orchard Home Court | 136.83 | 30.00 | 4,104.90 | 0.09 |
| Diamond Street | 62.00 | 20.00 | 1,240.00 | 0.03 |
| (Street Name) | - | - | - | - |
| (Street Name) | - | - | - | - |
| | | | 5,344.90 | 0.12 |

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

CITY OF MEDFORD
EXHIBIT # O
File # # LDS-16-002/E-16-003

5/06

City of Medford

# Planning Department

Vicinity Map

File Number:
**LDS 16-002**
**E 16-003**

Project Name:

**Kasey's Court Subdivision**
**6 Lot Subdivision**

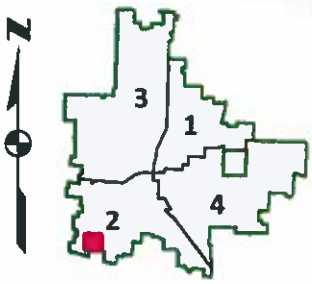
Map/Taxlot:

**382W02AA TL 100**

0 55 110 220 330 440 Feet

Subject Area
Medford Zoning
UGB
Tax Lots

Medford UGB with Wards




03/03/2016