

PLANNING COMMISSION AGENDA APRIL 25, 2019



Commission Members

David Culbertson
Joe Foley
Bill Mansfield
David McFadden
Mark McKechnie
E. J. McManus
Patrick Miranda
Jared Pulver
Jeff Thomas

Regular Planning Commission meetings
are held on the second and fourth
Thursdays of every month
Meetings begin at 5:30 PM

City of Medford
City Council Chambers
411 W. Eighth Street, Third Floor
Medford, OR 97501
541-774-2380



Planning Commission

Agenda

Public Hearing

April 25, 2019

5:30 PM

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

-
10. **Roll Call**
 20. **Consent Calendar/Written Communications (voice vote)**
 - 20.1 **LDS-19-008 / ZC-19-009 / E-19-010** Final Orders of a request for tentative plat approval for Delta Estates – Phases 6-9, a proposed 166-lot residential subdivision on two parcels totaling 31.64 acres; including a request for a change of zone for proposed Phases 6-8, totaling 22.64-acres, and an additional 0.14-acres of the adjacent Phase 5, from SFR-10 (Single Family Residential, ten dwelling units per gross acre) to SFR-6 (Single Family Residential, six dwelling units per gross acre); and a request for an Exception in order to allow a distance less than 200 feet between two intersections. The property is located east of Cheltenham Way and north of McLoughlin Drive in the SFR-10 zoning district (371W08 1103 & 1104). Applicant: Hayden Homes, LLC; Agent: CSA Planning Ltd; Planner: Dustin Severs.
 - 20.2 **ZC-19-020 / CP-19-021** Final Order for a minor General Land Use Plan (GLUP) amendment to reclassify two contiguous parcels totaling 1.57-acres, located at the southwest corner of Stewart Avenue and South Columbus Avenue, and currently containing nine dwelling units, from Urban Residential (UR) to Urban Medium Density Residential (UM); along with an associated request to rezone the parcels from SFR-10 (Single-Family Residential, ten dwelling units per gross acre) to MFR-15 (Multiple Family Residential, fifteen dwelling units per gross acre) (371W36BC TL 100 & 200). Applicant: Columbia Care Services, Inc.; Agent: Richard Stevens & Associates Inc.; Planner: Dustin Severs.
 - 20.3 **LDS-19-018** Final Order of tentative plat approval for the DeClans Landing Subdivision – a proposed 2-phased, 7-lot residential subdivision to be developed as townhouse lots, on a 1.12-acre parcel located at 738 N Ross Lane in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district (372W23DD1300). Applicant: Glen Clark; Agent: Scott Sinner Consulting, Inc.; Planner: Dustin Severs.
 30. **Minutes**
 - 30.1 Consideration for approval of minutes from the April 11, 2019, hearing.
 40. **Oral and Written Requests and Communications**

Comments will be limited to 3 minutes per individual or 5 minutes if representing an organization.
PLEASE SIGN IN.
 50. **Public Hearings**

Comments are limited to a total of 10 minutes for applicants and/or their representatives. You may

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

request a 5-minute rebuttal time. All others will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**

Continuance Request

- 50.1 **ZC-18-189** Consideration of a request for a zone change of a 1.89-acre parcel located at 4199 Rachel Way from SFR-00 (Single-Family Residential, one dwelling unit per lot) to SFR-4 (Single-Family Residential, four dwelling units per gross acre) (371W22400); Applicant: Jane Erin Griffin-Hagle; Planner: Dustin Severs. **The applicant has requested to continue this item to the Thursday, May 9, 2019 Planning Commission meeting.**

Old Business

- 50.2 **PUD-18-152** Consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File No. PUD-98-023, to consider changes to the PUD boundary of approximately 233-acres of property and to demonstrate that the 'Commercial Village' is able to develop without any vehicle trip stipulations, located east of Interstate 5 between Ellendale and La Loma Drives, within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre), SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre), SFR-10 (Single Family Residential – 6 to 10 dwelling units per gross acre), MFR-20 (Multiple Family Residential – 15 to 20 dwelling units per gross acre), MFR-30 (Multiple Family Residential - 20 to 30 dwelling units per gross acre) and C-C (Community Commercial) zoning districts. Applicant: Pacific Retirement Services; Agent: Richard Stevens & Associates; Planner: Steffen Roennfeldt.

New Business

- 50.3 **LDS-19-029** Consideration of a tentative plat for an 11 lot subdivision on approximately 2 acres within the SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district, located on the north side of Sunset Drive approximately 415 feet west of Thomas Road (372W35DC Tax Lot 3300). Applicant: Gary McFarlane and Timothy McFarlane; Agent: Neathamer Surveying Inc.; Planner: Liz Conner.

60. Reports

60.1 Site Plan and Architectural Commission

60.2 Transportation Commission

60.3 Planning Department

70. Messages and Papers from the Chair

80. Remarks from the City Attorney

90. Propositions and Remarks from the Commission

100. Adjournment

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

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF)
DELTA ESTATES SUBDIVISION PHASES 6-9 [LDS-19-008]) **ORDER**

ORDER granting approval of a request for tentative plat for *Delta Estates Subdivision Phases 6-9*, described as follows:

A proposed 166-lot residential subdivision on two parcels totaling 31.64 acres; including a request for a change of zone for proposed Phases 6-8, totaling 22.64-acres, and an additional 0.14-acres of the adjacent Phase 5, from SFR-10 (Single Family Residential, ten dwelling units per gross acre) to SFR-6 (Single Family Residential, six dwelling units per gross acre); and a request for an Exception in order to allow a distance less than 200 feet between two intersections. The property is located east of Cheltenham Way and north of McLoughlin Drive in the SFR-10 zoning district (371W08 1103 & 1104).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Section 10.202; and
2. The Medford Planning Commission has duly held a public hearing on the request for tentative plat for *Delta Estates Subdivision Phases 6-9*, as described above, with the public hearing a matter of record of the Planning Commission on April 11, 2019.
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 for *Delta Estates Subdivision Phases 6-9*, as described above and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for *Delta Estates Subdivision Phases 6-9*, stands approved per the Planning Commission Report dated April 11, 2019, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated April 11, 2019.

BASED UPON THE ABOVE, the Planning Commission determined that the tentative plat is in conformity with the provisions of law and Section 10.202(E) Land Division Criteria of the Land Development Code of the City of Medford.

Accepted and approved this 25th day of April, 2019.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-19-009 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY DELTA ESTATES SUBDIVISION PHASES 6-9) **ORDER**

ORDER granting approval of a request for a zone change for *Delta Estates Subdivision Phases 6-9*, described as follows:

A proposed 166-lot residential subdivision on two parcels totaling 31.64 acres; including a request for a change of zone for proposed Phases 6-8, totaling 22.64-acres, and an additional 0.14-acres of the adjacent Phase 5, from SFR-10 (Single Family Residential, ten dwelling units per gross acre) to SFR-6 (Single Family Residential, six dwelling units per gross acre); and a request for an Exception in order to allow a distance less than 200 feet between two intersections. The property is located east of Cheltenham Way and north of McLoughlin Drive in the SFR-10 zoning district.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning for *Delta Estates Subdivision Phases 6-9*, as describe above; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Planning Commission Report dated April 11, 2019, and the Findings contained therein – Exhibit “A,” and Legal Description – Exhibit “B” attached hereto and hereby incorporated by reference; now, therefore,

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

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

37 1W 08 Tax Lots 1103 & 1104

is hereby changed as described above.

Accepted and approved this 25th day of April, 2019.

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 APPROVAL OF AN EXCEPTION FOR
DELTA ESTATES SUBDIVISION PHASES 6-9

))
[E-19-010]

ORDER

ORDER granting approval for a request of an exception for *Delta Estates Subdivision Phases 6-9*, as described below:

A proposed 166-lot residential subdivision on two parcels totaling 31.64 acres; including a request for a change of zone for proposed Phases 6-8, totaling 22.64-acres, and an additional 0.14-acres of the adjacent Phase 5, from SFR-10 (Single Family Residential, ten dwelling units per gross acre) to SFR-6 (Single Family Residential, six dwelling units per gross acre); and a request for an Exception in order to allow a distance less than 200 feet between two intersections. The property is located east of Cheltenham Way and north of McLoughlin Drive in the SFR-10 zoning district (371W08 1103 & 1104).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.186(B); and
2. The Medford Planning Commission has duly held a public hearing on the exception for *Delta Estates Subdivision Phases 6-9*, as described above, with the public hearing a matter of record of the Planning Commission on April 11, 2019.
3. At the public hearing on said exception, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted exception approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the exception approval.

THEREFORE LET IT BE HEREBY ORDERED that the exception for *Delta Estates Subdivision Phases 6-9*, as described above, stands approved per the Planning Commission Report dated April 11, 2019, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for exception approval is hereafter supported by the findings referenced in the Planning Commission Report dated April 11, 2019.

BASED UPON THE ABOVE, the Planning Commission determined that the exception is in conformity with the provisions of law and Section 10.186(B) criteria for an exception of the Land Development Code of the City of Medford.

Accepted and approved this 25th day of April, 2019.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



PLANNING COMMISSION REPORT

for a type-III quasi-judicial decisions: Land Division, Zone Change & Exception

PROJECT Delta Estates – Phases 6-9
Applicant: Hayden Homes LLC.
Agent: CSA Planning

FILE NO. LDS-19-008 / ZC-19-009 / E-19-010

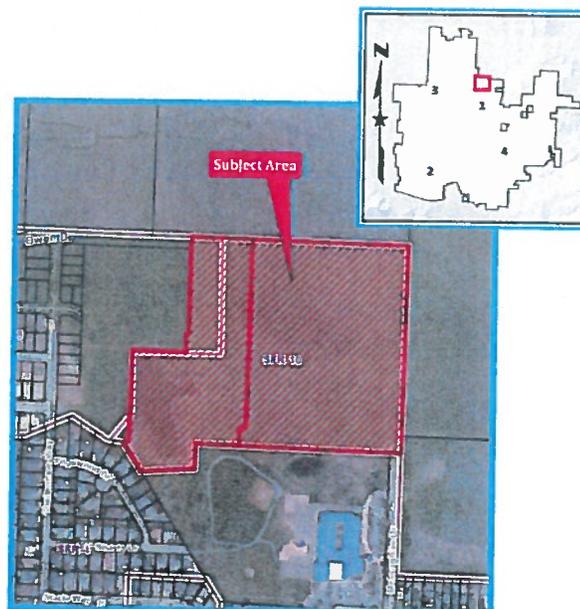
DATE April 11, 2019

BACKGROUND

Proposal

Consideration of a request for tentative plat approval for Delta Estates – Phases 6-9, a proposed 166-lot residential subdivision on two parcels totaling 31.64 acres, including a request for a change of zone for proposed Phases 6-8, totaling 22.64-acres, and an additional 0.14-acres of the adjacent Phase 5, from SFR-10 (Single Family Residential, ten dwelling units per gross acre) to SFR-6 (Single Family Residential, six dwelling units per gross acre); and a request for an Exception in order to allow a distance less than 200 feet between two intersections. The property is located east of Cheltenham Way and north of Mcloughlin Drive in the SFR-10 & SFR-6 zoning districts (371W08 1103 & 1104).

Vicinity Map



Subject Site Characteristics

Zoning: SFR-6 & SFR-10
GLUP: UR (Urban Residential)
Overlay(s): AC (Airport Area of Concern)
Use(s): Vacant

Surrounding Site Characteristics

North Zone: County EFU
Use(s): Agricultural land
South Zone: SFR-4
Use(s): Abraham Lincoln Elementary
East Zone: County EFU
Use(s): Agricultural land
West Zone: SFR-6
Use(s): Delta Estates Subdivision

Related Projects

ZC-10-078 Zone Change
PLA-17-072 Property Line Adjustment
LDP-18-023 3-lot partition

Applicable Criteria

MLDC 10.270: Land Division Criteria

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

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;*
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;*
- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the*

applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;
(4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;
(5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;
(6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

MLDC 10.204: Zone Change Criteria

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

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

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

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

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

- (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise*

improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

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

recordation, returned to the Planning Department, and may include, but are not limited to the following:

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

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

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

MLDC 10.186(B): Exception Criteria

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority having jurisdiction over the land use review 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

Corporate Names

Delta Waters Properties, LLC, is the owner of this property. The Oregon State Business Registry list their principal place of business as located at 1501 E. McAndrews Road, and James M. Root as its Registered Agent.

ISSUES AND ANALYSIS

Project Summary

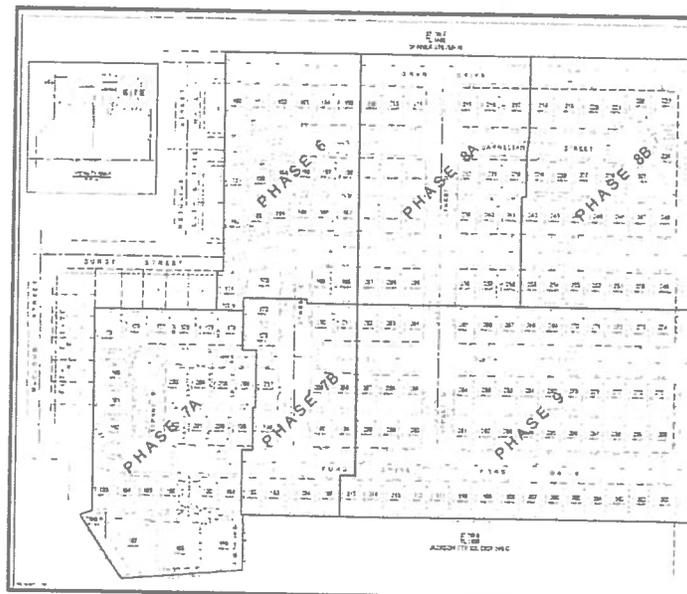
Site History

HISTORY – Delta Estates

FILE #	DATE	DESCRIPTION
LDP-13-086	February 5, 2016	Final plat approval for Delta Estates – Phase 1
LDP-13-086	March 1, 2018	Final plat approval for Delta Estates – Phase 2 & 3
LDP-18-023	May 10, 2018	Tentative Plat approval for a 3-lot partition, which included the subject site.
LDP-18-023	July 31, 2018	Final Plat approval of 3-lot partition, which included the subject site.
LDS-16-090	January 4, 2019	Final Plat approval of Delta Estates – Phases 4-5

The subject site, owned by Delta Waters LLC, consists of two contiguous parcels totaling 31.64 acres, located on the edge of City limits, and is part of the larger Delta Estates subdivision, which was first platted as a 3-lot partition in 2014 (LDP-13-086). The subject site was part of a 3-lot partition (LDP-18-023), receiving Final Plat approval in 2018, which gave the site its current configuration.

Current Proposal



The applicant is now requesting to develop an additional four phases – a total of 166 lots – on two vacant parcels as part of phases 6-9 of Delta Estates. As with the previous phases, Delta Estates Phases 6-9 are proposed to be developed with single-family homes.



The applicant also requests approval for a zone change from SFR-10 to SFR-6 for Phases 6-8 of the proposed subdivision, including a 0.14 portion of Phase 5, while Phase 9 will remain zoned SFR-10.

Finally, the applicant is requesting an Exception to allow a distance less than 200 feet between two proposed intersections identified on the tentative plat.

Pursuant to MLDC 10.114, the proposed 166-lot residential subdivision, zone change request, and the Exception request may be heard concurrently, and the Planning Commission is designated as the approving authority for all three land use reviews, as per MLDC 10.108(1).

Density

Density Table

SFR-10 (9.00 acres, Phase 9)	Allowed	Shown
Min. /Max. Density <i>6.0 to 10.0 dwelling units per gross acre</i>	54 min. / 90 max.	54 units

SFR-6 (22.64 acres, Phases 6-8)	Allowed	Shown
Min. /Max. Density <i>4.0 to 6.0 dwelling units per gross acre</i>	91 min. / 136 max.	112 units

As shown on the Density Table above, based on 31.64 acres of total land, the creation of 166 lots, as identified on the submitted tentative plat, falls within the minimum/maximum range permitted for the SFR-6 and SFR-10 zoning districts, respectively, as per MLDC 10.710.

Development Standards

Site Development Table

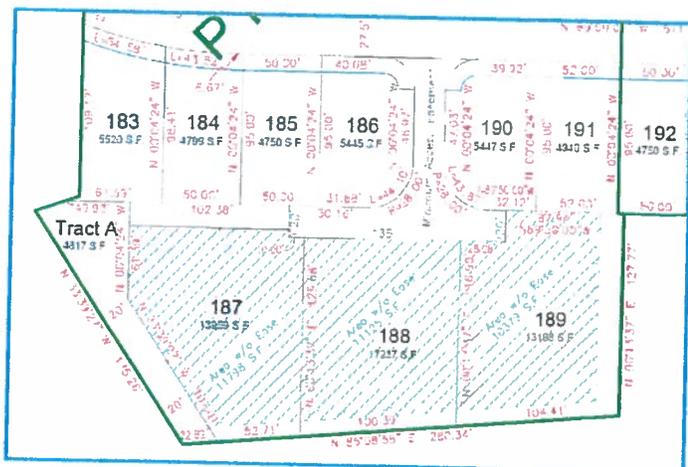
SFR-10 (Phase 9)	Lot Area	Min. lot Width (Interior)	Min. lot Width (Corner)	Min. lot Depth	Min. Lot Frontage
Required	3,600 to 8,125	40 feet	50 feet	90 feet	30 feet
Shown	4,750 to 6,185	50 feet (lowest)	60 feet (lowest)	95 feet (lowest)	50 feet (lowest)

SFR-6 (Phase 6-8)	Lot Area	Min. lot Width (Interior)	Min. lot Width (Corner)	Min. lot Depth	Min. Lot Frontage
Required	4,500 to 12,500	50 feet	60 feet	90 feet	30 feet
Shown	4,747 to 11,798	50 feet (lowest)	60 feet (lowest)	90 feet (lowest)	30 feet (lowest)

As shown in the Site Development Tables above, it can be found that the 166 lots shown on the tentative plat meet all the dimensional standards for both the SFR-6 and SFR-10 zoning districts as found in Article V of the Medford Land Development Code.

Oversized Lots

Lots 187-189 as shown on the submitted tentative plat exceed the maximum area permitted in the SFR-6 zoning district. However, per MLDC 10.702(3)(b), when a portion of a lot is unbuildable for a reason beyond the control of a developer, a new residential lot may exceed the maximum lot area, but the additional acreage, or fraction thereof, may not exceed the amount of unbuildable area. The applicant's supplemental Findings of Fact (Exhibit T)



states that there are City storm drain easements within the lots, which inhibit development, and the applicant's Unbuildable Area Map (Exhibit F) illustrates that the buildable area of each of the three lots do fall between the min/max area range for the underlying zone when the unbuildable areas are discounted.

Proposed Streets

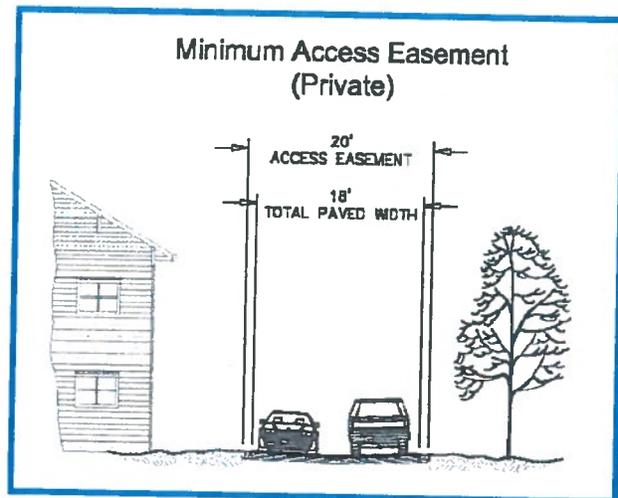
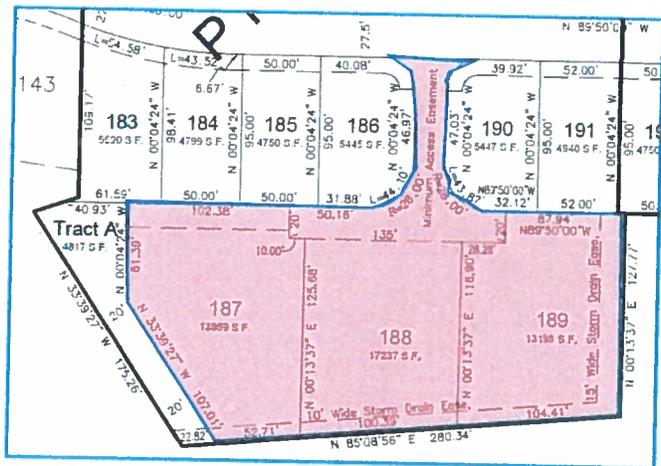
As identified on the submitted tentative plat, the applicant is proposing the construction of ten public streets with the development, including the extension of five existing streets: Owen drive, a Minor Arterial street; Ford Drive, a Minor Residential street; Durst Street, a Standard Residential street; Carnelian Street, a Minor Residential street; and Mcloughlin Drive, a Major Collector street. The applicant is also proposing the construction of five new streets, shown as Street A-D on the tentative plat, consisting of four Minor Residential streets and one Residential Lane (Street A).

Minimum Access Easement

The tentative plat identifies three lots (Lots 187-189) taking access from Ford Drive via a 20-foot wide Minimum Access Easement (MAE) provided by Lot 188 along the site's southwesterly boundary.

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

An easement containing a shared driveway having the sole function of providing direct access to immediately adjacent residentially zoned land, and upon which a minimum of two (2) and maximum of three (3) dwelling units (not including Accessory Dwelling Units-ADU's) take access. A minimum access easement must meet the minimum driveway turnaround standards in Section 10.746(11). Minimum access easements are permitted subject to Section 10.450. A minimum access easement does not have sidewalks or planter strips. No parking is permitted on a minimum access easement. A minimum access easement is considered a street for purposes of meeting lot frontage requirements, and for setback purposes. Therefore, a minimum access easement creates street side yards and corner lots. A minimum access easement does not create a through lot.



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

10.450 Cul-de-sacs, Minimum Access Easements, and Flag Lots.
(1) Cul-de-sacs, minimum access easements and flag lots shall only be permitted when the approving authority finds that any of the following conditions exist:
(a) One or more of the following conditions prevent a street connection: excess slope (15% or more), presence of a wetland or other body of water which cannot be bridged or crossed, existing development on adjacent property, presence of a freeway or railroad.
(b) It is not possible to create a street pattern which meets the design requirements for streets.
(c) An accessway is provided consistent with the standards for accessways in Section 10.464 through Section 10.466.

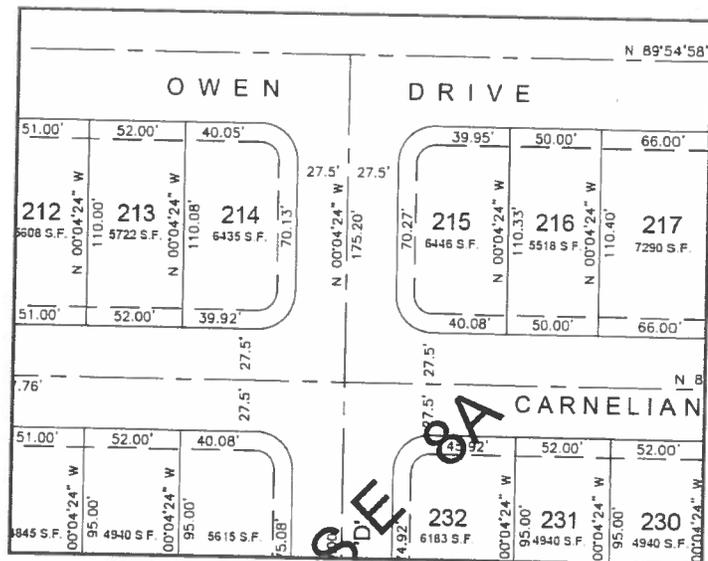
The applicant's supplemental Findings (Exhibit T) state the following:

The minimum access drive on the south part of the property for lots 187, 188, 189 is proposed based on the odd "property line jog" in this area. Existing development to the south precludes a street connection.

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

Exception Request

The applicant is requesting an Exception in order to allow a reduced intersection spacing on Street D between the intersections of Owen Drive and Carnelian Street.



Intersections are required to be offset by at least 200 feet as per the Street Circulation Design and Connectivity standards found in MLDC 10.426(D), cited below:

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.

It is the applicant's responsibility to effectively demonstrate in their submitted findings that there are circumstances unique to the physical characteristics of the site which do not apply elsewhere in the City, and which constitute an undue hardship on the owner.

The applicants submitted findings state, "The purpose of the 200-foot minimum intersection spacing standard is to avoid the creation of intersections that are off-set by too short a distance. Intersections that are off-set by too short a distance can create turning movement hazards. In the subject application, there is no potential for an off-set intersections because the street is a 'T' intersection so there will be no turning movement conflicts." The Findings go on to identify the reduced depth of the site as a condition that is unique to this portion or elsewhere in the City.

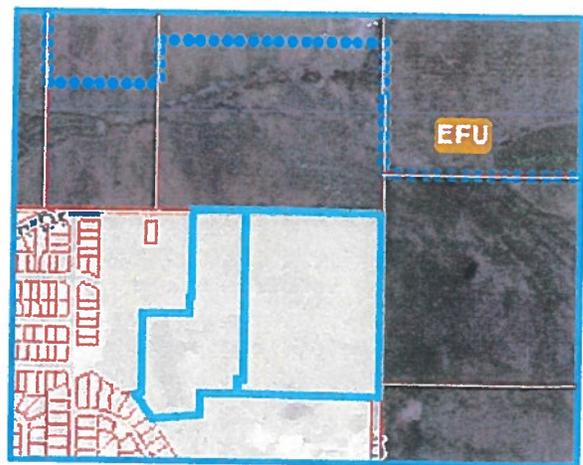
Staff recommends approval of the applicant's Exception request with the following conditions as included in the Public Works staff report:

- 1.) The final plat shall restrict driveways on Street 'D' between Owen and Carnelian Street.
- 2.) Street 'D' be built with a total paved width of 33-feet with five-and-a-half foot planter strips between Owen Drive and Carnelian Street, consistent with the design option (c) for Minor Residential streets per MLDC 10.430.

Agricultural Buffering

Per MLDC 10.801, land proposed for urban development which abuts and has a common lot line with other land which is zoned EFU requires agricultural buffering. The subject property shares a common lot line along both its easterly and northerly border with land located outside of the City, and zoned EFU. The applicant has submitted an Agricultural Impact Assessment (Exhibit N) as part of their application submittal, which determined that the abutting EFU lands are used primarily for passive agriculture.

Required mitigation for passive agriculture includes: a 6-foot fence or wall, a deed declaration regarding the adjoining passive agriculture, and measures to mitigate adverse impact of periodic natural run off and agricultural irrigation run off. These mitigation measures will be required to be completed prior to the issuance of building permits for vertical construction.



Traffic Impacts

At the time of zone change approval (ZC-10-078), the subject property was analyzed for transportation facility adequacy, which resulted in the applicant stipulating to a trip cap on the property based on the projected number of dwelling units constructed on the site in the future.

Per the staff report provided by Public Works, the subject property included six traffic related conditions. Conditions 1, 2 and 3 have been released, while condition 4 requires an all-way stop to be installed at the intersection of Delta Waters Road and Foothill Road. Per the report, Public Works has determined that an all way-stop is not warranted at this time; rather, a financial contribution in lieu of the improvements is preferred. Public Works recommends the following condition of approval:

Prior to final plat being approved for the 246th subdivision lot, the applicant shall pay Public Works \$10,000 for mitigation of the Delta Waters Road and Foothill Road intersection.

Wetlands

There is a designated wetland identified on the Local Wetland Inventory map which shows the subject lot partially impacted by the presence of a wetland. As required by ORS 227.350, staff forwarded the application to the Oregon Department of State lands (DSL) as a reviewing agency. The applicant's submitted Findings (Exhibit L) states their intent to mitigate offsite any small amount of remaining wetlands. The applicant will be required to comply with any requirements of Oregon Department of State Lands (DSL), prior to final plat approval.



Criteria Compliance (Zone Change)

GLUP/TSP Consistency

The General Land Use Plan (GLUP) designation for the subject site is UR (Urban Residential), and according to the General Land Use Plan Element of the *Comprehensive Plan*, the SFR-6 zoning district is a permitted zone within the UR GLUP designation.

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. A traffic Impact Analysis (TIA) is required when an application has the potential of generating more than 250 net Average Daily Trips (ADT) or the Public Works Department has concerns due to operations or accident history. There is currently a trip cap stipulation on the property based on the projected number of dwelling units constructed on the site in the future, which will ensure compliance with the TSP.

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

Locational Criteria

The subject zone change proposal requires an assessment of the locational criteria for the SFR-6 zoning district. The locational criteria for the SFR-6 zone as outlined in MLDC 10.204(b), reads as follows:

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

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

The locational criteria for the SFR-6 zoning district is not applicable to the subject request, as applicant's request to rezone the property from SFR-10 to SFR-6 will decrease density.

Facility Adequacy

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

The agency comments included in Exhibits O-Q, demonstrate that, with the imposition of the conditions of approval contained in Exhibit A, Category A facilities can be made to be adequate to serve the property at the time it is developed.

Facility Adequacy

Per the agency comments submitted to staff, (Exhibits O-Q), it can be found that there are adequate facilities to serve the future development of the site.

Other Agency Comments

Parks Department (Exhibit R)

In their submitted memo, the Parks Departments recommends that the developer continue with reduced planter strip and widened sidewalk along McLoughlin, and continue with standard Arterial cross-section that was implemented on Owen Drive farther west.

Parks also requires that the applicant submit landscaping and irrigation plans that are consistent with the Parks Department Landscape and Irrigation Specifications and the City approved Street Tree Lists. Plans must be approved by the Parks Department and Medford Water Commission prior to installation.

Rogue Valley International-Medford Airport (Exhibit S)

Rogue Valley International Airport requests an Avigation, Noise and Hazard Easement to be required as part of the permit process. In the 2010 LUBA decision on Michelle Barnes vs. City of Hillsboro and the Port of Portland, Nollan/Dolan findings are required to support the request (LUBA No. 2010-011). None were provided; therefore, a condition requiring compliance with the airport's request for an Avigation, Noise and Hazard Easement has not been included.

Committee Comments

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

DECISION

At the public hearing held on April 11, 2019, the Commission voted unanimously to approve the request, while adding a revised Public Works staff report into the record as Exhibit O-1.

The updated Public Works report (Exhibit O-1) involves a discrepancy between two different street classification standards found in the previous report. Owen Drive is classified as a Minor Arterial street in the newly adopted Transportation System Plan. The tentative plat reflects right-of-way widths more consistent for a Major Collector street. The Planning Commission gave their approval to have the discrepancy between the two different street classification standards be resolved between the City Engineer and the Applicant prior to completion of the public improvement plan review and/or final plat approval, whichever occurs first.

During the public hearing, a neighbor, Mr. Pearson (3501 Edgewood Drive), presented pictures of the wetlands on the subject property, which were shown on the overhead projectors. Photo copies of those pictures have been included into the recorded and added to this Commission Report as Exhibit Y.

It was also pointed out at the public hearing that the exhibit labels for Exhibits W and X were mismatched; those exhibit labels have been corrected with this Commission Report.

FINDINGS AND CONCLUSIONS

Land Division

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

Exception

Staff finds that the approval of the exception request is in harmony with the general purpose and intent of the SFR-6 zoning district, and will not be injurious to the general area or otherwise

detrimental to the health, safety, and general welfare or adjacent natural resources; will not permit the establishment of a use which is not permitted in the SFR-6 zoning district; the reduced depth of the site combined with the infill nature of the development constitutes a unique or unusual circumstance which applies to the site which does not apply elsewhere in the City, and would thereby result in an undue hardship on the owner; and the need for the exception is not the result of an illegal act.

Zone Change

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposal is consistent with the UR General Land Use Plan Map designation and the Transportation System Plan. The Commission can find that this criterion is met.
- With regard to Criterion 2, this criterion is not applicable.
- With regard to Criterion 3, the agency comments included as Exhibits O-Q, demonstrate that with the imposition of the condition of approval contained in Exhibit A, Category A facilities can be made to be adequate to serve the property at the time of issuance of a building permit for vertical construction. The Commission can find that this criterion is met.

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

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare a Final Order for approval of LDS-19-008, ZC-19-009 & E-19-010 per the Planning Commission Report dated April 11, 2019, including:

- Exhibits A through Y.
- Approval of the maximum timetable of five years for the platting of the development in phases, as per MLDC 10.202(D)(2).
- Approval of the proposed Minimum Access Easement to serve lots 187-189, as shown on the tentative plat.
- Adoption of the applicant's submitted Agricultural Impact Assessment (Exhibit N).
- Adoption of the applicant's stipulations as stated in the submitted *Findings of Fact and Conclusions of Law* (Exhibit L).

EXHIBITS

- A-1** Conditions of Approval (Revised), dated April 11, 2019.
- B** Tentative Plat, received March 28, 2019.
- C** Conceptual Grading & Drainage Plan (3 of 3), received March 28, 2019.
- D** Conceptual Utility Plan (3 of 3), received March 28, 2019.
- E** Cover sheet, received March 28, 2019.
- F** Unbuildable area map (lots 187-189), received March 28, 2019.
- G** Applicant's GLUP Map, received January 15, 2019.

- H Applicant’s Current Zoning Map, received January 15, 2019.
- I Applicant’s Proposed Zoning Map, received January 15, 2019.
- J Applicant’s Assessor’s Map, received January 15, 2019.
- K Applicant’s Adopted Circulation Map, received January 15, 2019.
- L Applicant’s Findings of Fact, received January 15, 2019.
- M Applicant’s Demonstration of Compliance Findings, received January 15, 2019.
- N Applicant’s Agricultural Impact Assessment, received January 15, 2019.
- O-2 Public Works Staff Report (Revised), received April 11, 2019.**
- P Medford Water Commission memo & associated map, received February 27, 2019.
- Q Medford Fire Department Report, received February 27, 2019.
- R Parks Department report, received February 27, 2019.
- S Rogue Valley International-Medford Airport email, received February 21, 2019
- T Applicant’s supplemental Findings of Fact, received March 28, 2019.
- U Oregon Department of Land Conservation and Development email, received March 11, 2019.
- V Applicant’s memo concerning DLCD comments, dated March 12, 2019.
- W Department of State Lands (DSL) Wetland Use Notification Response, received March 22, 2019.**
- X Address Technician memo, February 27, 2019.**
- Y Pictures presented at Public hearing by neighbor, Mr. Pierson (3501 Edgewood Drive), April 11, 2019.**
Vicinity map

MEDFORD PLANNING COMMISSION

Mark McKechnie, Chair

PLANNING COMMISSION AGENDA:

MARCH 28, 2019
APRIL 11, 2019
APRIL 25, 2019

EXHIBIT A-1

Delta Estates – Phases 6-9
LDS-19-008 / ZC-19-009 / E-19-010
Conditions of Approval
April 11, 2019

DISCRETIONARY CONDITIONS

1. The Commission accepts the applicant's stipulations as stated in the submitted *Findings of Fact and Conclusions of Law* (Exhibit L), and applies them as conditions except as modified.
2. Prior to final plat being approved for the 246th subdivision lot, the applicant shall pay Public Works \$10,000 for mitigation of the Delta Waters Road and Foothill Road intersection.

CODE REQUIRED CONDITIONS

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

3. **Comply with all requirements of the Medford Public Works Department (Exhibit O-2)**
4. Comply with all conditions stipulated by the Medford Water Commission (Exhibit P).
5. Comply with all requirements of the Medford Fire Department (Exhibit Q).
6. Comply with all requirements of the Medford Parks Department (Exhibit R).
7. Comply with all requirements of the City Address Technician (Exhibit X).
8. Comply with all requirement of the Oregon Department of State Lands (Exhibit W).
9. Submit to staff a deed declaration, pursuant to MLDC 10.801(D)(2)(c), and recorded in the Official Records of Jackson County, prior to final plat approval for the applicable phases of the development.



Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 2/27/2019

Revised Date: 4/10/2019

Commission Update: 4/15/2019

File Numbers: LDS-19-008/ZC-19-009/E-19-010

Reference: ZC-16-089, LDS-16-090/E-16-091, ZC-10-078

PUBLIC WORKS DEPARTMENT STAFF REPORT Delta Estates Subdivision Phase 6 – 9

Project: Consideration of a request for tentative plat approval for Delta Estates – Phases 6-9, a proposed 166-lot residential subdivision on two parcels totaling 31.64 acres; including a request for a change of zone for proposed Phases 6-8, totaling 22.64-acres, and an additional 0.14-acres of the adjacent Phase 5, from SFR-10 (Single Family Residential, ten dwelling units per gross acre) to SFR-6 (Single Family Residential, six dwelling units per gross acre); and a request for an Exception in order to allow a distance less than 200 feet between two intersections.

Location: The property is located east of Cheltenham Way and north of McLoughlin Drive in the SFR-10 zoning district (371W08 1103 & 1104).

Applicant: Applicant, Hayden Homes, LLC; Agent, CSA Planning Ltd; Planner, Dustin Severs.

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

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

A. STREETS

1. Dedications

McLoughlin Drive (from the north terminus of McLoughlin Drive, north to future intersection with Owen Drive) is classified as a Major Collector street within the Medford Land Development Code (MLDC) 10.428. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width (37-feet) of right-of-way plus 13-feet or more as needed to provide for the proposed street as shown on the tentative plat. The proposed centerline alignment at the southerly end of this street shall transition to the existing right-of-way in accordance with AASHTO standards.

Owen Drive (from Metolius Street east to future intersection with McLoughlin Drive) is classified as a ~~Major Collector~~ Major Collector street within the MLDC, Section 10.428. The Developer shall dedicate for public right-of-way, sufficient width of land along this portion of Owen Drive to comply with the width needed to construct the full improvements except the planter strip and sidewalk to the north side. This area shall include any additional width necessary to accommodate any cut or fill slopes. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

Commission Update: Owen Drive is classified as a Minor Arterial street in the newly adopted Transportation System Plan. The tentative plat reflects right-of-way widths more consistent for a Major Collector street. The Planning Commission has given their approval to have the discrepancy between the two different street classification standards be resolved between the City Engineer and the Applicant prior to completion of the public improvement plan review and/or final plat approval, whichever occurs first.

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

Durst Street (from Metolius Street, to the future intersection with McLoughlin Drive) is proposed as a Standard Residential street within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the full width of right-of-way, which is 63-feet.

Streets "A" (from Street "C" heading east to the McLoughlin Drive), **"B", "C" & "D", Carnelian Street and Ford Drive** are proposed as Minor Residential streets within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the respective frontages to comply with the full width of right-of-way, which is 55-feet. The proposed cul-de-

sac at the east terminus of Carnelian Street shall be dedicated per MLDC 10.450, and have a minimum 45-foot radius.

One **exception request** has been submitted for the Planning Commissions consideration. The exception is to allow the reduced intersection spacing on Street "D" between the intersections of Owen Drive and Carnelian Street. See comments under "Access and Circulation" below.

Street "A" (from Street "B", east to intersection with Street "C") is proposed as a Residential Lane within the MLDC 10.430(3). The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the full width of right-of-way, which is 33-feet.

The **Minimum Access Drive** shall be private and constructed in accordance with MLDC Section 10.430A(1) and have a minimum width of 20-feet. **NOTE: The access to Lots 187, 188, and 189 shall be a private Minimum Access Easement in conformance with MLDC 10.430A.**

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

Streets, as shown on the Tentative Plat, in which any portion terminates to a boundary line of the Development shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee simple, as a non-access reserve strip to the City of Medford. Upon approved dedication of the extension of said streets, the one-foot reserve strip shall automatically be dedicated to the public use as part of said street without any further action by the City of Medford (MLDC 10.439).

Public Utility Easements, 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

McLoughlin Drive (from the north terminus of the existing improvements on McLoughlin Drive, north to future intersection with Owen Drive) shall be improved to Major Collector street standards in accordance with MLDC 10.428. The Developer shall improve the west half plus 8-foot east of the centerline, as requested, as it is practical to require additional dedication and

improvements from the adjacent property as it is within the Urban Growth Boundary and is undeveloped. This includes the portion where McLoughlin Drive is not improved along the northeast corner of 371W08-1400.

Owen Drive (from Metolius Street east to future intersection with McLoughlin Drive) shall be improved to Major Collector street standards, along the frontage of this development, in accordance with MLDC 10.428. The developer shall improve the south half plus the north 22-feet including the curb & gutter. This shall provide the full paved section curb to curb and the south planter and sidewalk.

Commission Update: Owen Drive is classified as a Minor Arterial street in the newly adopted Transportation System Plan. The tentative plat reflects right-of-way widths more consistent for a Major Collector street. The Planning Commission has given their approval to have the discrepancy between the two different street classification standards be resolved between the City Engineer and the Applicant prior to completion of the public improvement plan review and/or final plat approval, whichever occurs first.

The developer shall receive Street System Development Charge credits for the public improvements on McLoughlin Drive and Owen Drive per the value established by the Medford Municipal Code, Section 3.815.

Durst Street (from Metolius Street, to the future intersection with McLoughlin Drive) shall be improved to Standard Residential street standards, along the frontage of this development, in accordance with MLDC 10.430.

Streets "A" (from Street "C" heading east to the McLoughlin Drive), **"B", "C" & "D", Carnelian Street and Ford Drive** shall be improved to Minor Residential street standards, along the respective frontages of this development, in accordance with MLDC 10.430. The proposed cul-de-sac at the east terminus of Carnelian Street shall be constructed in accordance with MLDC 10.450.

Street "A" (from Street "B" heading east to intersection with Street "C") shall be constructed to Residential Lane standards, in accordance with MLDC 10.430.

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

b. Street Lights and Signing

The developer shall provide and install in compliance with Section 10.495 of the Medford

Municipal Code (MMC). Based on the preliminary plan submitted, the following number of street lights and signage will be required:

Street Lighting – Developer Provided & Installed:

- A. 11 – Type C-250 (LED)
- B. 31 – Type R-100 (LED)
- C. 1 – Base Mounted Cabinet (BMC)

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

- D. 2 – Dead End Barricades
- E. 1 – Dead End Sign
- F. 4 – Stop Signs
- G. 4 – Speed Signs
- H. 14 – Street Name Signs
- I. 4 – Two-Direction Large Arrow Signs (W1-7)

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

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

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

c. Pavement Moratoriums

No moratoriums are in effect along the frontage of this development except from the streets just constructed with Phase 4 & 5.

The developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any Public Street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City’s street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent

moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

d. Soils Report

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

e. Access and Circulation

The proposed block perimeter length that includes Ford Drive, Cheltenham Way, Delta Waters Road, and McLoughlin Drive exceeds the maximum allowed per MLDC 10.426. The applicant has provided an accessway from Ford Drive to the school between lots 193 and 194. The accessway shall be dedicated as public right-of-way and built in conformance with MLDC 10.464 through 10.466, unless noted otherwise. Since this accessway will also be used for stormdrain maintenance access it shall be a minimum 15-foot wide with a 12-foot paved section to accommodate large maintenance vehicles.

The accessway between the cul-de-sac at the east end of Carnelian Street and McLoughlin Drive shall be dedicated as public right-of-way and built in conformance with MLDC 10.464 through 10.466, unless noted otherwise. If the west end of this accessway is to be used for access to lot 223 then it may be up to 20-foot wide on the westerly end only and then transition to be 12-foot wide at McLoughlin Drive. The access shall be paved to accommodate large maintenance vehicles. Pavement width may vary but shall not be less than 10-feet.

Driveway access shall comply with MLDC 10.550. No lots shall take access to Owen Drive or McLoughlin Drive.

A maximum of eight (8) dwelling units may take access from the residential lane portion of Street 'A'.

Regarding the exception request, Public Works recommends approval of the exception with two conditions:

1. The final plat shall note that driveway access to lots 214 and 215 shall be limited to only take access from Carnelian Street.
2. Street 'D' be built with a total paved width of 33-feet with five-and-a-half foot planter strips between Owen Drive and Carnelian Street, consistent with design option (c) for Minor Residential streets per MLDC 10.430.

ZC-10-078 for the subject property included 6 traffic related conditions from Public Works. Conditions 1, 2, and 3 have been released. Condition 4 reads, "Prior to the vertical construction of more than 246 SFR units or the generation of 2,355 daily trips, improvements shall be made to the intersection of Delta Waters Road & Foothill Road to include an all way stop and advanced flashing beacons on Foothill Road warning of this condition." The applicant has stated that they would be willing to make a financial contribution equal to the cost of these improvements that could be applied to the future intersection mitigation identified in the Transportation System Plan (TSP) if that is Public Works' preference. Public Works has analyzed crash history and intersection volumes and determined that an all-way-stop is not warranted at this time. Therefore, Public Works' preference is for the financial contribution in lieu of the improvements being made. This will allow Public Works to put the money toward the future full intersection improvement. Public Works estimates the cost of the conditioned improvements at \$10,000. Public Works recommends the following condition be placed on the development: Prior to the final plat being approved for the 246th subdivision lot, the applicant shall pay Public Works \$10,000 for the mitigation of the Delta Waters Road and Foothill Road intersection.

All other conditions of ZC-10-078 shall remain in effect for future phases of the subdivision.

a. Easements

All public sanitary sewer or storm drain mains shall be located in paved public streets or within easements. A 12-foot wide paved access shall be provided to any public manholes which are not constructed within the street section, unless noted otherwise.

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

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

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

that the exaction will not result in a taking of private property for public use, or

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

1. Nexus to a legitimate government purpose

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

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

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

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

McLoughlin Drive and Owen Drive are classified as a Major Collector streets per the adopted Circulation Plan. McLoughlin Drive is the primary connector between Owen Drive and Delta Water Road. Owen Drive is the primary connector between future McLoughlin Drive and Torrent Street. As a Major Collectors, McLoughlin Drive and Owen Drive 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 SDCs 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.

Street "A", Street "B", Street "C", Street "D", Ford Drive, Durst Street, Carnelian Street: In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square foot of right-of-way per dwelling unit for dedications. The proposed development has 165 dwelling units and will improve approximately 6,135 lineal feet of roadway which equates to 37 lineal feet per dwelling unit. Also the development will dedicate approximately 338,145 square feet of right-of-way which equates to

approximately 2,049 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Heights at Hondeleau which is just north of this site and consisting of 21 dwelling units. The previous development improved approximately 1,017 lineal feet of roadway and dedicated approximately 25,136 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 48 lineal feet of road per dwelling unit and approximately 1,197 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 165 new Lots within the City of Medford and increase vehicular traffic by approximately 1,567 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development. There is also sufficient space for on-street parking.
- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood.
- c. Dedication will provide access and transportation connections at urban level of service standards for this development. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.
- d. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.

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

B. SANITARY SEWERS

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

Public sanitary sewer mains shall be extended on their courses to the exterior boundaries of this subdivision, such that future development can extend service without having to excavate back into the improvements provided by this subdivision.

The developer shall be eligible to receive a credit for the construction of oversized public

sanitary sewer mains greater than 8 inches in diameter in accordance with MMC 3.835(2).

C. STORM DRAINAGE

1. Hydrology

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

2. Stormwater Detention and Water Quality Treatment

This development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual per MLDC, Section 10.481. For developments over five acres, Section 10.486 requires that the development set a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment. **The Developer needs to show that they are providing 2% open space with this development, or that the overall Delta Estates development meets the 2%.**

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

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

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

3. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision will be submitted with the public improvement plans for approval. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

4. Mains and Laterals

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

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

A storm drain lateral shall be constructed to each tax lot prior to approval of the Final Plat.

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.

6. Erosion Control

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

D. SURVEY MONUMENTATION

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

Final Plat shall include reserve acreage of the non-platted portions of the parent parcel(s). For example, phase 6 plated including the "reserve acreage" of area to be known as phase 7 (remainder of parcel 2 partition plat P-24-2018), if phases 6 and 7 are not mapped together as "Delta Estates phases 6&7".

Final Plat shall provide resolved centerline south of project to assure proper mathematical and

physical alignment of the road.

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

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

2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

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

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

3. Phasing

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

4. Draft of Final Plat

The developer shall submit 2 copies of the preliminary draft of the final plat at the same time the public improvement plans (3 copies) are submitted. Neither lot number nor lot line changes shall be allowed on the plat after that time, unless approved by the City and all utility companies.

5. Easements

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

6. Permits

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

Concrete or block walls built within a PUE, or within sanitary sewer or storm drain easements require review and approval from the Engineering Division of Public Works. Walls shall require a separate permit from the Building Department and may also require certification by a professional engineer.

7. System Development Charges (SDCs)

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

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: Jodi K Cope

Reviewed by: Doug Burroughs

Revised by: Karl MacNair & Doug Burroughs

Commission Update by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Delta Estates Subdivision Phase 6 – 9 (TLs 1103 & 1104)

LDS-19-008/ZC-19-009/E-19-010

A. Streets

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

- Dedicate right-of-way on **McLoughlin Drive** and **Owen Drive**.
- Dedicate full width right-of-way on Streets "**A**", "**B**", "**C**" & "**D**", **Carnelian Street**, **Durst Street** and **Ford Drive** as required.
- Dedicate 10-foot public utility easements (PUE).

2. **Improvements:**

Public Streets

- Improve **Owen Drive** to Minor Arterial street standards, unless otherwise noted.
- Improve **McLoughlin Drive** to Major Collector street standards.
- Construct **Durst Street** to Standard Residential street standards.
- Construct Streets "**A**" (from Street "**C**" heading east to the **McLoughlin Drive**), "**B**", "**C**" & "**D**", **Carnelian Street** and **Ford Drive** to Minor Residential street standards, including the Cul-de-sac.
- Construct Street "**A**" (from Street "**B**" heading east to intersection with Street "**C**") full width, to Residential Lane standards.

Lighting and Signing

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

Access and Circulation

- Comply with Access and Circulation Conditions outlined above.

Other

- Provide pavement moratorium letters.
- Provide soils report.

B. Sanitary Sewer:

- Provide a private lateral to each lot.

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 DSL signoff.
- 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.
- = City Code requirement.
- = Discretionary recommendations/comments.

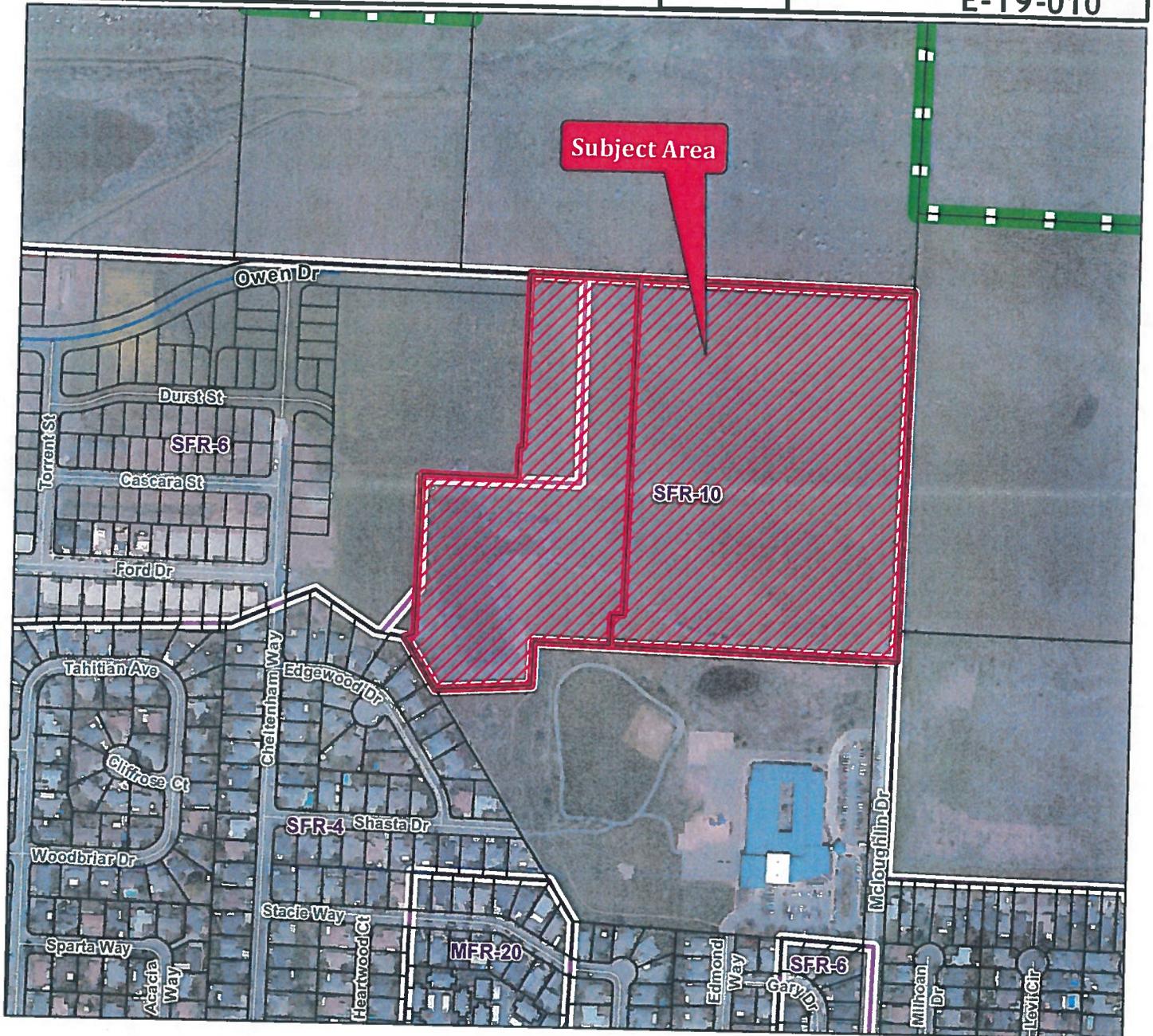
The above summary is for convenience only and does not supersede or negate the full report in any way. If there is any discrepancy between the above list and the full report, the full report shall govern. Refer to the full report for details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection.



CITY OF MEDFORD
EXHIBIT # Y. (10F2)
file # LD-14-008 2C-14-009
E-14-010



CITY OF MEDFORD
EXHIBIT # Y. (2 of 2)
LD5-14-008 2C-A-009
E-19-010

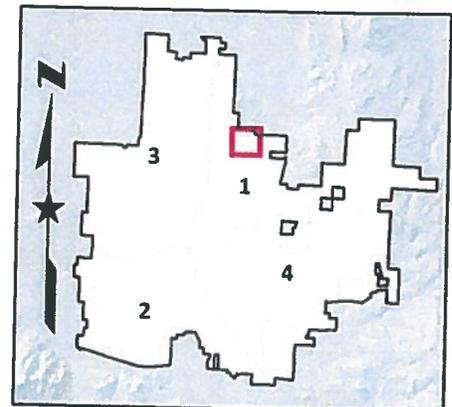


Project Name:
Delta Estates
Phase 6-9

Map/Taxlot:
371W08 TL 1103-1104

Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots



02/04/2019

Exhibit "B"

Legal description of the area to be re-zoned from SFR-10 to SFR-6,

RECEIVED

JAN 15 2019

PLANNING DEPT.

Located in the southeast quarter Section 8, Township 37 South, Range 1 West, Willamette Meridian, in the City of Medford, Jackson County, Oregon and more particularly described as follows:

All of Parcel 2, P-24-2018 and filed as survey 22598, Jackson County Surveyor's office.

ALSO:

Beginning at the northwest corner of Parcel 3, P-24-2018 and filed as survey 22598, Jackson County Surveyor's office; thence South 89°54'58" East, 802.45 feet to the northeast corner of said Parcel 3; thence South 00°15'02" East, along the east line of said Parcel 3, 615.07 feet; thence North 89°50'00" West, 154.36 feet; thence North 00°04'24" West, 38.00 feet; thence North 89°50'00" West, 650.00 feet to a point on the west line of said Parcel 3; thence North 00

ALSO:
Beginning at the northwest corner of Parcel 3, P-24-2018 and filed as survey 22598, Jackson County Surveyor's office; thence 04'24" West, 575.93 feet to the northwest corner of said Parcel 3 and the point of beginning.

ALSO:

Beginning at the southeast corner of Parcel 1, P-24-2018 and filed as survey 22598, Jackson County Surveyor's office; thence South 71°16'07" West, along the southerly line of said Parcel 1, 29.89 feet; thence North 82°16'23" West, 86.69 feet; thence leaving said southerly line North 50°47'23" East, 147.68 feet to a point on the east line of said Parcel 1; thence South 00°00'50" West, along the easterly line of said Parcel 1, 95.23 feet to the southeast corner of said Parcel 1 and the point of beginning.

The area to which this description applies contains 22.78± Acres.



Renews: December 31, 2020

Prepared January 4, 2019 JRP

CITY OF MEDFORD
EXHIBIT # LDS-19-008/ZC-
19-009/E-19-010
FILE #

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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-19-020 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY COLUMBIA CARE SERVICES, INC.) **ORDER**

ORDER granting approval of a request for a zone change for *Columbia Care Services, Inc.*, described as follows:

Request for a minor General Land Use Plan (GLUP) amendment to reclassify two contiguous parcels totaling 1.57-acres, located at the southwest corner of Stewart Avenue and South Columbus Avenue, and currently containing nine dwelling units, from Urban Residential (UR) to Urban Medium Density Residential (UM); along with an associated request to rezone the parcels from SFR-10 (Single-Family Residential, ten dwelling units per gross acre) to MFR-15 (Multiple Family Residential, fifteen dwelling units per gross acre).

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning for *Columbia Care Services, Inc.*, as describe above; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Planning Commission Report dated April 11, 2019, and the Findings contained therein – Exhibit “A,” and Legal Description – Exhibit “B” attached hereto and hereby incorporated by reference; now, therefore,

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

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

37 1W 36BC Tax Lots 100 & 200)

is hereby changed as described above.

Accepted and approved this 25th day of April, 2019.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

PLANNING COMMISSION REPORT

for a type-III & type-IV quasi-judicial decision: Minor GLUP Amendment & Zone Change

PROJECT Columbia Care
Applicant: Columbia Care Services, Inc.
Agent: Richard Stevens & Associates

FILE NO. CP-19-021 / ZC-19-020

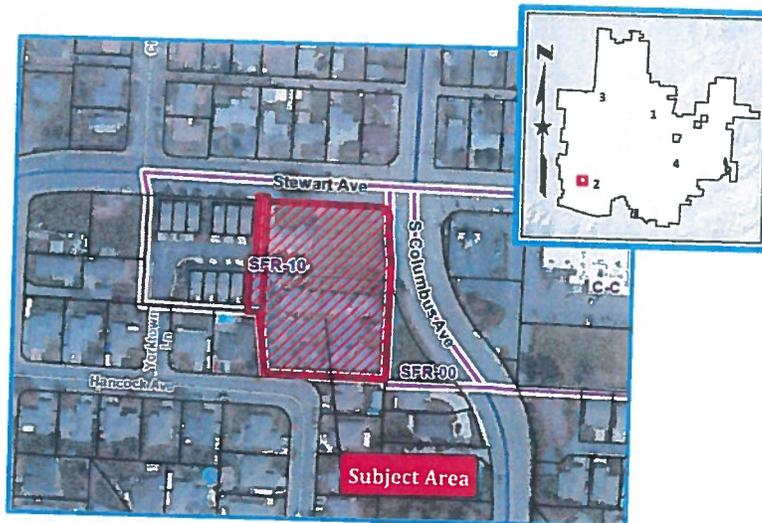
DATE April 11, 2019

BACKGROUND

Proposal

Request for a minor General Land Use Plan (GLUP) amendment to reclassify two contiguous parcels totaling 1.57 acres, located at the southwest corner of Stewart Avenue and South Columbus Avenue, and currently containing nine dwelling units, from Urban Residential (UR) to Urban Medium Density Residential (UM); along with an associated request to rezone the parcels from SFR-10 (Single-Family Residential, ten dwelling units per gross acre) to MFR-15 (Multiple Family Residential, fifteen dwelling units per gross acre) (371W36BC TL 100 & 200).

Vicinity Map



Subject Site Characteristics

Zoning: SFR-10
GLUP: UR (Urban Residential)
Overlay(s): None
Use(s): Multiple family residential

Surrounding Site Characteristics

North Zone: SFR-6 (Single-Family Residential, six dwelling units per gross acre)
Use(s): Single-Family residential

South Zone: SFR-6
Use(s): Single-Family residential

East Zone: C-C (Community Commercial) & SFR-00
Use(s): Dutch Bros

West Zone: SFR-10 & SFR-6
Use(s): Single-Family residential

Related Projects

None

Applicable Criteria

Minor Comprehensive Plan Amendment

For the applicable criteria, the Medford Municipal Code Section 10.184(1) redirects to the criteria in the "Review and Amendments" chapter of the Comprehensive Plan. The applicable criteria in this action are those for map amendments, and are based on the following:

1. *A significant change in one or more Goal, Policy, or Implementation Strategy.*
2. *Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.*
3. *The orderly and economic provision of key public facilities.*
4. *Maximum efficiency of land uses within the current urbanizable area.*
5. *Environmental, energy, economic, and social consequences.*
6. *Compatibility of the proposed change with other elements of the City Comprehensive Plan.*
7. *All applicable Statewide Planning Goals.*

Medford Land Development Code §10.204, Zone Change Criteria

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

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

- (3) *It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.*
 - (a) *Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.*
 - (b) *Adequate streets and street capacity must be provided in one (1) of the following ways:*
 - (i) *Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or*
 - (ii) *Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or*
 - (iii) *If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one (1) of the following occurs:*
 - (a) *the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or*
 - (b) *when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if*

constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.

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

Authority

The Planning Commission is designated as the approving authority for Type-III land use actions involving zone changes. The subject application also includes a Type-IV quasi-judicial Comprehensive Plan Amendment. The Planning Commission is authorized to act as an advisory agency, forwarding a recommendation to City Council for proposed amendments to the Comprehensive Plan under Medford Municipal Code Sections 10.102–122, 10.165, and 10.185.

ISSUES AND ANALYSIS

Project Summary

The subject site currently contains nine dwelling units – seven single-family units and one duplex – which are legal non-conforming residences built during the 1950s. Contingent on approval of their requests for a change to the site’s GLUP designation and underlying zoning classification, it is the applicant’s intent to remove the existing single-family home located at 1319 Stewart Avenue, and construct a 12-unit apartment building along with one duplex building, as shown on the applicant’s preliminary existing/proposed site plan (Exhibit G).

In order to develop the property with multi-family units, the applicant will need to gain approval to change the property’s GLUP designation to UM, while also gaining approval for the rezoning of the property to the MFR-15 zoning district, which is a permitted zone in the UM GLUP. Both requests have been submitted for concurrent review.

The Planning Commission is designated as the approving authority for the Type-III zone change request, while additionally serving as an advisory body for the Type-IV quasi-judicial GLUP change request, forwarding a recommendation to the City Council. The approval of the proposed change of zone will be contingent on subsequent approval of the proposed GLUP amendment by City Council.

Traffic Analysis

MLDC 10.461(3) requires a Traffic Impact Analysis (TIA) to be conducted to evaluate development impacts to the transportation system if a proposed application has the potential of generating more than 250 net average daily trips (ADT) or the Public Works Department has concerns due to operations or accident history.

Per the staff report submitted by Public Works (Exhibit H), the proposed zone change to MFR-15 does not meet the requirements for a TIA.

Other Agency Comments

Rogue Valley Sewer Services (RVSS) (Exhibit J)

The subject property is within the RVSS service area. According to the memo submitted by RVSS, there is an 8-inch sewer main along the southern property line of tax lot 100, and there is adequate system capacity for the proposed zone change.

Facility Adequacy

Per the agency comments submitted to staff (Exhibits H-J), including the Rogue Valley Sewer Services (RVSS), it can be found that adequate facilities are available or can and will be made available to serve the future development of the site.

Committee Comments

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

FINDINGS AND CONCLUSIONS

Comprehensive Plan Amendment

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

Findings

While the Goals, Policy, or implementation Strategy identified in the City's Comprehensive Plan have not formally changed, the City has completed an Urban Growth Boundary amendment to accommodate future land need, which has been formally adopted by the State, and the analysis done through that process has provided information demonstrating a slight surplus in the number of acres available for Urban Residential (UR) development. The change of the subject property's GLUP designation from UR to UM will help balance the supply of UR designated land with that of UM designated land within the City.

Conclusions

The proposed change is consistent with pertinent Comprehensive Plan policies and implementation strategies that seek to provide an adequate supply of residential land.

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

Findings

The Housing Element of the Comprehensive Plan indicates the City will need 15,050 dwelling units to accommodate the projected population growth. This equates to approximately 753 new dwelling units per year. In addition, the City has committed, through adoption of the Regional Plan, to meet a residential density of 6.6 dwelling units per gross acre City-wide until 2035 and increasing that density to 7.6 dwelling units per acre between the years 2036-2060. These commitments are best met through a range of housing types across different residential zoning districts. The conversion of UR GLUP to the UM GLUP provides an opportunity to help meet target density requirements City-wide, increase housing supply, and locate higher densities in locations that have adequate or available public infrastructure and are located near existing services and amenities to accommodate the residents they serve.

Conclusions

The conversion of UR GLUP to the UM GLUP provides an opportunity to help meet target density requirements City-wide, increase housing supply, and locate higher densities in locations that have adequate or available public infrastructure and are located near existing services and amenities to accommodate the residents they serve.

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

Findings

Per the agency comments submitted to staff, it can be found that adequate facilities are available or can and will be made available to serve the future development of the site.

Conclusions

Sufficient facilities exist or can and will be made available to accommodate the proposed classification change.

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

Findings

The subject site is fronted by two Major Arterial streets. A change to the UM GLUP will be more suitable for the subject site given the higher density allowed in the zoning district permitted in the UM GLUP designation (MFR-15) and the higher reliance on public transit for tenants living in multiple-family units. Locating higher densities in areas that have adequate or available public infrastructure, and which are located near existing services and amenities to accommodate the residents they serve, maximizes the efficiency of land uses within the current urbanizable area.

Conclusions

A change to the UM GLUP will be more suitable for the subject site given the higher density allowed in the zoning district permitted in the UM GLUP designation (MFR-15) and the higher reliance on public transit for tenants living in multiple-family units. Locating higher densities in areas that have adequate or available public infrastructure, and which are located near existing services and amenities to accommodate the residents they serve, maximizes the efficiency of land uses within the current urbanizable area.

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

Findings

Environmental: The subject area is already within the UGB, and thus has already met tests concerning environmental impacts; a change of designation does not affect suitability for urbanization.

Energy: A designation change to UM would not pose any discernable energy consequences, as the site is located within the UGB, and thus has already met tests concerning environmental impacts; change of designation does not affect suitability for urbanization.

Economic: The proposed change of designation will allow for the development of multiple-family dwelling units, which often require staff to operate, thereby providing the potential for additional employment opportunities.

Social: The surrounding area of the subject site is a mix of residential and commercial uses. The proposed change to the subject site is not anticipated to have a negative social consequence as the surrounding area is already a mix of commercial and residential uses.

Conclusions

Environmental: No discernable environmental consequences would result with the proposed change of designation.

Energy: No discernable energy consequences would result with the proposed change of designation.

Economic: The proposed change of designation will allow for the development of multiple-family dwelling units, which often require staff to operate, thereby providing the potential for additional employment opportunities.

Social: No discernable social consequences would result with the proposed change of designation.

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

Findings

Economic Element

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

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

Conclusions

Not applicable

7. *All applicable Statewide Planning Goals.*

Goal 1 – Citizen Involvement

Findings

Goal 1 requires the City to have a citizen involvement program that sets the procedures by which affected citizens will be involved in the land use decision process, including participation in the quasi-judicial revision of the Comprehensive Plan. The City of Medford has an established citizen-involvement program consistent with Goal 1 that includes public review of proposed Comprehensive Plan amendments by the Planning Commission and City Council.

Conclusions

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

Goal 2 – Land Use Planning

Findings

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

Conclusions

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

Goal 3 – Agricultural Lands

Not Applicable.

Goal 4 – Forest Lands

Not Applicable.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces

Not Applicable.

Goal 6 – Air, Water and Land Resources Quality

Findings

There are no streams on the property that would be impacted. The land in question is not classified as a resource in terms of agriculture because it is classified as urbanizable.

Conclusion

The proposed change will have no discernable effect on the production of pollutants. There are no water or land resource quality impacts.

Goal 7 – Areas Subject to Natural Hazards

Not Applicable.

Goal 8 – Recreation

Not Applicable.

Goal 9 – Economic Development

Not Applicable

Goal 10 – Housing

Findings

Goal 10 requires that *“plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density.”* The General Land Use Plan Element of the Comprehensive Plan state that the UM permits medium density urban residential uses, including townhouses, duplexes, apartments mobile home parks, and group quarters. The zoning district permitted in this designation is MFR-15. The site’s current UR designation, however, allows only for single-family residential zoning districts, which allow less density and fewer housing types. A designation change to UM will allow for residential development at a higher density, and with a greater flexibility of housing types, than its current UR designation permits.

Conclusion

The proposed designation change will expand the City’s existing housing stock, and allow for residential development at higher densities and with a greater flexibility of housing types.

Goal 11 – Public Facilities and Services

Findings

Refer to findings under Criterion 3 above.

Conclusion

Refer to conclusions under Criterion 3 above.

Goal 12 – Transportation

Findings

The *Transportation Planning Rule* (OAR 660-012) requires cities to have plans to accommodate anticipated transportation system needs. A traffic impact analysis is not required for the subject site as part of the zone change procedure.

Conclusion

The City requires traffic studies to be conducted when it is anticipated that a development has the potential of generating more than 250 net average daily trips (ADT) or the Public Works Department has concerns due to operations or accident history, at which time City staff will ensure that the anticipated transportation system needs are addressed. It has been determined that a traffic impact analysis will not be required for the subject site as part of the zone change procedure.

Goal 13 – Energy Conservation

Not Applicable.

Goal 14 – Urbanization

Not Applicable.

Goals 15 - 19 are not applicable.

Zone Change

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposal is consistent with the UM General Land Use Plan Map designation and the Transportation System Plan. The Commission can find that this criterion is met.
- With regard to Criterion 2, there are no locational criteria for a change of zone to MFR-15. The Commission can find that this criterion is met.
- With regard to Criterion 3, the agency comments included as Exhibits H-J, demonstrate that Category A facilities can be made to be adequate to serve the property at the time of issuance of a building permit for vertical construction. The Commission can find that this criterion is met.

DECISION

At the public hearing held on April 11, 2019, the Planning Commission voted unanimously to approve the zone change request, while also forwarding a favorable recommendation to City Council for approval of the proposed Comprehensive Plan amendment. Two exhibits were added into the record at the public hearing: a joint letter received from the Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO) requesting that staff include in their findings an analysis showing the net amount of needed housing as compared to the City's Housing Need Analysis and the Buildable Lands Inventory, in order to ensure that Goal 10 is being adequately addressed; and a memo from the Planning Director, which addressed the concerns expressed in the letter received from HLA and FHCO.

The letter received from HLA and FHCO has been included in this Commission Report as Exhibit K, and the memo from the Planning Director has been included as Exhibit L.

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare the Final Order for approval of ZC-19-020 per the Planning Commission Report dated April 11, 2019, including Exhibits A through L; and, based on the Findings and Conclusions that all the approval criteria are met or not applicable, forwarded a favorable recommendation to City Council for approval of CP-19-021.

EXHIBITS

- A Conditions of Approval, drafted April 4, 2019.
- B Applicant's findings of fact (GLUP), received February 1, 2019.
- C Applicant's findings of fact (zoning), received February 1, 2019
- D Applicant's vicinity map, received February 1, 2019.
- E Applicant's GLUP map, received February 1, 2019.
- F Applicants' zoning map, received February 1, 2019.
- G Preliminary existing/proposed site plan, received February 1, 2019.
- H Public Works staff report, received April 3, 2019.
- I Medford Water Commission memo, received March 13, 2019.
- J Rogue Valley Sewer Services (RVSS) memo, received February 8, 2019.
- K Joint letter received from HLA and FHCO regarding staff's Goal 10 (Housing) findings, received April 8, 2019.
- L Planning Director's memo addressing Goal 10 findings, drafted April 11, 2019.
Vicinity map

MEDFORD PLANNING COMMISSION

Mark McKechnie, Chair

PLANNING COMMISSION AGENDA:

APRIL 11, 2019
APRIL 25, 2019



April 8, 2019

City of Medford Planning Commission
200 South Ivy Street, Lausmann Annex, Room 240
Medford, Oregon 97501

Re: Minor GLUP Amendment & Zone Change – File No. CP-19-021/ZC-19-020

Dear Commissioners:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians. FHCO's interests relate to a jurisdiction's obligation to affirmatively further fair housing. Please include these comments in the record for the above-referenced proposed amendment.

As you know, and as reflected in the staff report, all amendments to the City's Comprehensive Plan must comply with the Statewide Planning Goals. ORS 197.175(2)(a). When a decision is made affecting the residential land supply, the City must refer to its Housing Needs Analysis (HNA) and Buildable Land Inventory (BLI) in order to show that an adequate number of needed housing units (both housing type and affordability level) will be supported by the residential land supply after enactment of the proposed change.

The staff report for the proposed amendment finds that, "A designation change to UM will allow for residential development at a higher density, and with a greater flexibility of housing types, than its current UR designation permits" and thus in is keeping with Goal 10. However, the report must include reference to the City's HNA and BLI so the City may be sure that increasing housing density results in the correct increase for the type of housing needs identified in the HNA and to allow for the City to track its ability to meet its identified housing goals. Goal 10 findings must demonstrate that the amendment's effects do not leave the City with less than adequate residential land supplies in the types, locations, and affordability ranges affected. *See*



Mulford v. Town of Lakeview, 36 Or LUBA 715, 731 (1999) (rezoning residential land for industrial uses); *Gresham v. Fairview*, 3 Or LUBA 219 (same); see also, *Home Builders Assn. of Lane Cty. v. City of Eugene*, 41 Or LUBA 370, 422 (2002) (subjecting Goal 10 inventories to tree and waterway protection zones of indefinite quantities and locations). Only with a complete analysis showing the net amount of needed housing as compared to the HNA and BLI can housing advocates and planners understand whether the City is achieving its goals through code amendments. In this case, the City should address Goal 10 through findings that address the number of units as provided by the HNA and BLI, in addition to its findings on increased density and housing types.

HLA and FHCO urge the Commission to defer adoption of the proposed amendment until Goal 10 findings have been clarified. Thank you for your consideration. Please provide written notice of your decision to, FHCO, c/o Louise Dix, at 1221 SW Yamhill Street, #305, Portland, OR 97205 and HLA, c/o Jennifer Bragar, at 121 SW Morrison Street, Suite 1850, Portland, OR 97204. Please feel free to email Louise Dix at ldix@fhco.org or reach her by phone at (541) 951-0667.

Thank you for your consideration.

A handwritten signature in cursive script that reads "Louise Dix".

Louise Dix
AFFH Specialist
Fair Housing Council of Oregon

A handwritten signature in cursive script that reads "Jennifer Bragar".

Jennifer Bragar
President
Housing Land Advocates

cc: Kevin Young (kevin.young@state.or.us)



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

MEMORANDUM

Subject: Letter from Fair Housing Oregon, dated April 8, 2019

To: Planning Commission

From: Matt Brinkley, Planning Director

Date: April 10, 2019

Attachments: None

The Planning Department received a letter addressed to the City of Medford Planning Commission from Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO), dated April 8, 2019. This letter has been entered in the record as Exhibit "K". It expresses concerns regarding Goal 10 findings made in the staff report and implies, without any substantial findings of its own, that the findings do not adequately address Goal 10 requirements. The letter erroneously concludes based on two inapplicable legal precedents that the Commission should "defer adoption of the proposed amendment until Goal 10 findings have been clarified."

The City's comprehensive plan is a high-level, dynamic community planning instrument that provides a broad foundation for implementing policy and regulations. It is not static and changes of a relatively minor nature can be presumed to be reasonable and beneficial because human habitation itself is not static. Incremental change and refinement is an unavoidable activity and local communities should be afforded the flexibility to make such adjustments relatively easily.

The City of Medford last adopted its Comprehensive Plan Housing Element in 2010. This document, which has a 20-year planning horizon, did identify needed housing by category pursuant to ORS 197.296(3)(b) as well as estimated land needed for residential development within its three residential General Land Use Plan map (or GLUP) designations. Currently, 10,815 acres of land within the City's Urban Growth Boundary are designated for Urban Residential—the City's lowest density comprehensive plan designation. There are 229 acres of Urban Medium designated land within the City's UGB. The proposed comprehensive plan amendment would result in a loss of 1.57 net acres (2.08 acres gross) of UR land and an equivalent gain of UM land, representing a loss of 0.01% of total UR land and 0.01% gain of UM land. The proposed comprehensive plan amendment and subsequent request for zone change are nominal relative to the total area designated by the comprehensive plan for residential development as well as the total areas designated by the comprehensive plan for each residential GLUP designation. Such a minor change to the comprehensive plan designation and zoning for the subject property does not warrant extensive Goal 10 analysis,

Page 1 of 3

because a change at such a small scale does not appreciably affect the City's overall inventory of residential land and its capacity to accommodate residential development at various levels of household income and development densities.

The authors of the letter fail to provide any analysis of their own explaining how the proposed comprehensive plan amendment and requested zone change would negatively affect the City's ability to adequately address the housing needs of its current and future residents. Quite the opposite: the proposed change would result in the potential to increase the number of dwelling units from approximately 7.5 dwelling units (at average planned densities for UR development) to 20 dwelling units (at average planned densities for UM). While it is true that these dwellings would be realized through different building types than those found in the current GLUP map designation and zone (duplexes and other middle density multifamily structures would replace single-family detached structures), FHCO and HLA do not explain why such an action would prevent the City providing adequate housing at a citywide scale. The UM GLUP designation is needed housing, as defined by ORS 197.307(1), and the proposed amendment would allow for the development of more housing. Therefore, the proposal allows for development of more needed housing. In addition, as the staff report very clearly explains, there was a "6-acre surplus of UR land" included in the City's recently amended Urban Growth Boundary. The loss of 1.57 acres of UR land (roughly 2.07 acres gross) is more than accounted for by this surplus.

The authors of the letter also fail to comprehend the nature and function of the estimates of residential land need and the Buildable Lands Inventory. Pursuant to OAR 660-024-0040(1), the estimate of needed residential land is a "rough" estimate and should not be assumed are expected to be precise to the degree considered by this application (see Housing Needs Analysis Table 32, "Rough Comparison of Housing Affordability and Supply of Dwellings, 2008"). The administrative rule, in fact, allows for a reasonable margin of error or deviation. The Buildable Lands Inventory is, likewise, an estimate of capacity to develop various types of urban land uses. The methodology recommended by the State of Oregon and utilized by the City of Medford and most communities makes many assumptions and, as such, involves a significant degree of imprecision. The proposal contemplated by CP 19-021 represents only miniscule fraction of Medford's total urbanizable land mass.

The City monitors land use actions that affect density and annually reports its findings to the Department of Land Conservation and Development. Over the past 3 years, 471.95 acres of UR have been developed (site plans creating new units and land divisions) and 0 acres of UM have been developed. It must also be noted four zoning districts are permitted in the UR GLUP designation plus a holding zone. By contrast, the UM GLUP designation only permits one zoning district. Additionally, the acres of land within the Urban Growth Boundary with the UR GLUP designation far exceeds the existing UM GLUP making it difficult to compare. As is true throughout the State, single family detached homes remain the predominant housing type. At the same time, development of middle and higher density housing lags behind construction of single-family housing.

Finally, the two precedents relied upon by the FHCO and HLA are misplaced in the context of this proposal. The precedents address the conversion of residential land to a non-residential use, which could reasonably be expected to reduce the availability of land planned for residential use which could, under certain conditions, reduce overall housing inventory. The second case identified by the FHCO and HLA addresses the broad application of a regulation that could have the effect of reducing residential buildable land. The proposal before you is in no way analogous to the factual issues considered by either case. This proposal does not reduce the inventory of land that can be developed for residential purposes. Rather, it allows for different types of residential development. And this proposal does not implement a land use regulation that would broadly and indiscriminately reduce the development potential of residential lands.

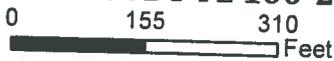


Project Name:

**Columbia Care
 Comprehensive Plan &
 Zone Change**

Map/Taxlot:

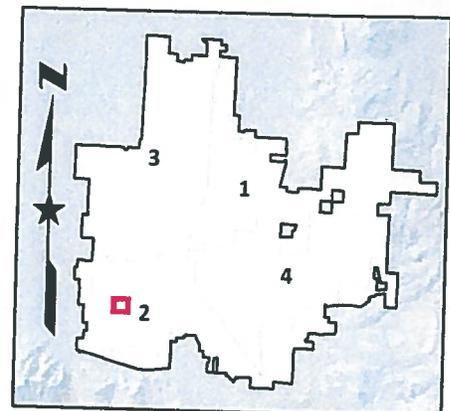
372W36BC TL 100-200



Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots

02/13/2019



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

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF
DECLANS LANDING SUBDIVISION

[LDS-19-018]

)
) **ORDER**

ORDER granting approval of a request for tentative plat for *DeClans Landing Subdivision*, described as follows:

A proposed 2-phased, 7-lot residential subdivision to be developed as townhouse lots, on a 1.12-acre parcel located at 738 N Ross Lane in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district (372W23DD1300).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Section 10.202; and
2. The Medford Planning Commission has duly held a public hearing on the request for tentative plat for *DeClans Landing Subdivision*, as described above, with the public hearing a matter of record of the Planning Commission on April 11, 2019.
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 for *DeClans Landing Subdivision*, as described above 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 *DeClans Landing Subdivision*, stands approved per the Planning Commission Staff Report dated April 4, 2019, 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 Staff Report dated April 4, 2019.

BASED UPON THE ABOVE, the Planning Commission determined that the tentative plat is in conformity with the provisions of law and Section 10.202(E) Land Division Criteria of the Land Development Code of the City of Medford.

Accepted and approved this 25th day of April, 2019.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



Planning Commission

Minutes

From Public Hearing on **April 11, 2019**

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

Commissioners Present

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

Staff Present

Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Doug Burroughs, Development Services Manager
Karl MacNair, Transportation Manager
Greg Kleinberg, Fire Marshal
Terri Richards, Recording Secretary
Dustin Severs, Planner III

Commissioners Absent

Patrick Miranda, Excused Absence

10. Roll Call

20. Consent Calendar/Written Communications.

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

20.2 LDP-18-172 / ZC-18-173 / E-19-030 Final Orders of a request for tentative plat approval of a proposed three-lot partition on a 0.52-acre parcel located at 1485 Kings Highway within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district and a request for a zone change from SFR-4 to SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) and a request for an Exception to allow for 5 parcels to receive access from a Minimum Access Easement (372W36DA801). Applicant/Agent: Larry Denn Construction; Planner: Steffen Roennfeldt.

20.3 CUP-19-017 Final Order for a Conditional Use Permit (CUP) in order to operate a multi-purpose neighborhood center, consisting of programs providing mentoring for youth and their families, at an existing building located at 1241 West 8th Street in the MFR-20 (Multi-Family Residential, twenty dwelling units per gross acre) zoning district (372W25CA11200). Applicant: Youth 71 Five Ministries; Planner: Dustin Severs.

Motion: The Planning Commission adopted the consent calendar as submitted.

Moved by: Commissioner Foley

Seconded by: Commissioner McFadden

Voice Vote: Motion passed, 8-0.

30. Minutes

30.1 The minutes for March 28, 2019, were approved as submitted.

40. Oral and Written Requests and Communications. None.

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

50. Public Hearings – Continuance Request

50.1 ZC-18-189 Consideration of a request for a zone change of a 1.89-acre parcel located at 4199 Rachel Way from SFR-00 (Single-Family Residential, one dwelling unit per lot) to SFR-4 (Single-Family Residential, four dwelling units per gross acre) (371W22400); Applicant: Jane Erin Griffin-Hagle; Planner: Dustin Severs. **The applicant has requested to continue this item to the Thursday, April 25, 2019 Planning Commission meeting.**

Chair McKechnie stated that if there are members in the audience that have come to testify on this agenda item and cannot attend the Thursday, April 25, 2019, Planning Commission hearing, please come forward and the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on April 25th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued ZC-18-189, per the applicant's request, to the Thursday, April 25, 2019 Planning Commission meeting.

Moved by: Commissioner Foley

Seconded by: Commissioner Pulver

Voice Vote: Motion passed, 8-0.

Old Business

50.2 LDS-19-008 / ZC-19-009 / E-19-010 Consideration of a request for tentative plat approval for Delta Estates – Phases 6-9, a proposed 166-lot residential subdivision on two parcels totaling 31.64 acres; including a request for a change of zone for proposed Phases 6-8, totaling 22.64-acres, and an additional 0.14-acres of the adjacent Phase 5, from SFR-10 (Single Family Residential, ten dwelling units per gross acre) to SFR-6 (Single Family

Residential, six dwelling units per gross acre); and a request for an Exception in order to allow a distance less than 200 feet between two intersections. The property is located east of Cheltenham Way and north of McLoughlin Drive in the SFR-10 zoning district (371W08 1103 & 1104). Applicant: Hayden Homes, LLC; Agent: CSA Planning Ltd; Planner: Dustin Severs.

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

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

Dustin Severs, Planner III reported that the Land Division approval criteria can be found in the Medford Land Development Code Section 10.202(E). The Zone Change approval criteria can be found in the Medford Land Development Code Section 10.204. The Exception approval criteria can be found in the Medford Land Development Code Section 10.186(B). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Severs gave a staff report. Staff received a revised staff report from Public Works. The revision is that the dedication of McLoughlin Drive was originally half plus twelve. They reduced it down to half plus eight. The revised staff report will be submitted into the record as Exhibit O-1. A mistake was made on the Land Division criteria. It was listed that criterion was inapplicable. It is not inapplicable because it does about EFU land. The commission report will read: *"Staff finds the subdivision plat consistent with the Comprehensive Plan and all applicable design standards set forth in Article IV and V. Furthermore, the subdivision will not prevent development of the remainder of the property under the same ownership or of adjoining land; bears a name (Delta Estates), which has been reviewed and approved by the City's Address Technician, the plat includes the creation of streets, which are laid out to be consistent with existing and planned streets of the adjoining properties. Criterion 5 is inapplicable; and the mitigation measures outlined in the applicant's Agricultural Impact Assessment will ensure that an unmitigated land use conflict will not be caused between the land division and the adjoining agricultural lands within the EFU zoning district."*

Chair McKechnie asked, why the residential lane and what is the difference between a residential lane and street? Mr. Severs respond that a residential lane can serve up to eight lots. A residential lane is 33 feet with parking on one side only. A paved standard residential street is 36 feet with parking on both sides.

The public hearing was opened.

a. Jay Harland, CSA Planning Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504. Mr. Harland addressed Chair McKechnie's question stating that for a residential

lane there is parking on one side. The paved width is the same as a minor residential street.

Mr. Harland reserved rebuttal time.

b. Brett Pearson, 3051 Edgewood Drive, Medford, Oregon, 97504. Phase 4 was designated wetland with a large pond. It is his understanding that the pond was removed by Hayden Homes LLC. He called EPA to inquire if it was legal. He addressed CSA Planning Ltd. several years ago and asked them to cut out pond area to save it for ecological significance for the community. Mr. Pearson showed a photograph of egrets on the land.

Mr. Mitton asked, is Mr. Pearson talking about the wetlands with Phase 4? Mr. Pearson confirmed the question. Only Phases 6 through 9 are before the Planning Commission this evening. Mr. Pearson stated he is talking about Phase 7.

Mr. Pearson continued showing photographs of trees and bushes where the egrets used to be. He also showed photographs of some of the construction equipment trying to eliminate the pond.

Mr. Harland addressed Mr. Pearson's concern stating that this is not a locally significant wetland. The map in the Comprehensive Plan identifies it as an irrigation pond. There is no water source for the wetland.

Doug Burroughs, Development Services Manager clarified that several months ago Owen Drive was classified as a major collector street. In December the new Transportation System Plan was adopted which changed its classification to a minor arterial street. There is approximately a four foot difference in the right-of-way and pavement width. The applicant's application reflects the road as a major collector. The Public Works staff report calls it a major collector which matches what is west of the property. There is a difference and the code would require that it be built to a minor arterial standard. It could impact the applicant's site by several feet on the south side of Owen Drive. There are other ways they could deal with it by reducing planter strips from ten feet to eight feet, keeping the same right-of-way widths. He will let the applicant address his preference. Public Works will be changing their staff report to reflect it as a minor arterial street and what those requirements would be.

Chair McKechnie asked, is that reflected in the revised Public Works report the Commissioners received earlier? Mr. Burroughs reported it is not. The revised report deals with McLoughlin Drive. Originally, McLoughlin Drive would require half plus twelve improvement unless requested otherwise. The applicant has requested to do half plus eight. That is why Public Works changed their staff report. Mr. Burroughs is talking about Owen Drive.

Commissioner McFadden asked, are the improvements required on Owen Drive half plus twelve? Mr. Burroughs responded that the applicant is doing the full width of Owen Drive on the south side with curb, gutter and sidewalk. North side is full pavement up to and including the curb but no sidewalk.

Vice Chair asked, what is happening with Owen Drive from Springbrook? Mr. Burroughs reported that currently nothing is happening. The City will end up extending.

Karl MacNair, Transportation Manager reported that stretch of Owen Drive is in the twenty year plan. It is a Tier One project in the Transportation System Plan. It is identified as a short term project which should be in the first five years of the plan.

Mr. Harland reported that they are trapped in a little bit of a transition with the new Transportation System Plan (TSP). They do not have the new street standard codes for the new TSP and to the west of the project was built as a major collector. There are several different ways to deal with this under the code. Public Works and the applicant will work it out to make sense with SDC credits and planter strip widths for that section.

Commissioner McFadden asked, besides the open spaces and the newly developed park at Kennedy school and the park around Lincoln school, are those the nearest parklands to the project at the current time? Mr. Harland is not aware of any other parklands in this part of the City at this point.

Mr. Mitton reported that as mentioned before these are not locally significant wetlands.

Mr. Pearson asked by what standard because if that pond or wetland was not significant he cannot name one in Medford that was. He does not think the applicant should be rewarded by approving their zone.

Mr. Mitton was saying that locally significant wetlands, not as a value judgement but as a legal term, that there are certain wetlands that have been classified for City purposes as locally significant wetlands. As the staff report notes on page 57 of the agenda packet that the Oregon Department of State Lands is aware of this application. They have the ability to put in conditions and the developer has to meet those conditions. This is not a situation where this Commission has direct control over it like it would for wetlands that have been designated in the City's Comprehensive Plan as locally significant wetlands.

Vice Chair Foley pointed out that on the Conditions of Approval, Exhibits W and X are transposed. Mr. Severs will state and correct that in the Commission Report.

Commissioner Thomas asked, in addressing Mr. Pearson's concern does the Planning Commission have the ability to take that into consideration with their decision? Mr.

Mitton reported it is not one of the criteria that is before the Planning Commission. It is not the same framework if it was deemed locally significant.

Commissioner Thomas asked, Is it between the developer and the State? Mr. Mitton replied they would have to meet any conditions the State puts in place. This Commission is not in a position to require redesign of that phase if the State is supportive of the plan.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Orders for approval of LDS-19-008, ZC-19-009 and E-19-010 per the staff report dated April 4, 2019, including:

- Exhibits A through X and replacing Exhibit O with Exhibit O-2; and
- Approval of the maximum timetable of five years for the platting of the development in phases; and
- Approval of the proposed Minimum Access Easement to serve lots 187-189, as shown on the tentative plat.
- Adoption of the applicant's submitted Agricultural Impact Assessment (Exhibit N).
- Adoption of the applicant's stipulation as stated in the submitted *Findings of Fact and Conclusions of Law* (Exhibit L).
- The applicant and Public Works will resolve the issues regarding the classification and build out of Owen Drive.

Moved by: Commissioner Foley

Seconded by: Commissioner McManus

Voice Vote: Motion passed, 8-0.

New Business

50.3 CP-19-021 / ZC-19-020 Request for a minor General Land Use Plan (GLUP) amendment to reclassify two contiguous parcels totaling 1.57-acres, located at the southwest corner of Stewart Avenue and South Columbus Avenue, and currently containing nine dwelling units, from Urban Residential (UR) to Urban Medium Density Residential (UM); along with an associated request to rezone the parcels from SFR-10 (Single-Family Residential, ten dwelling units per gross acre) to MFR-15 (Multiple Family Residential, fifteen dwelling units per gross acre) (371W36BC TL 100 & 200). Applicant: Columbia Care Services, Inc.; Agent: Richard Stevens & Associates Inc.; Planner: Dustin Severs.

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

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

Dustin Severs, Planner III reported staff received a letter jointly submitted by the Fair Housing Council of Oregon and the Housing Land Advocates. They expressed concerns with the staff's findings for Goal 10. Staff included a letter in response from the Planning Director which addressed the concerns they had. They wanted staff to "beef up" findings that addresses Buildable Land Inventory and the Housing Need Analysis. The letter from the Fair Housing Council of Oregon and the Housing Land Advocates will be submitted into the record as Exhibit K. The Planning Director's response letter will be submitted into the record Exhibit L. The Minor Comprehensive Plan Amendment approval criteria can be found in the Medford Land Development Code Section 10.222. The Zone Change approval criteria can be found in the Medford Land Development Code Section 10.204. The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Severs gave a staff report.

The public hearing was opened.

a. Clark Stevens, Richard Stevens & Associates, Inc., P. O. Box 4368, Medford, Oregon, 97501. Mr. Stevens addressed the Fair Housing letter stating that the intent of the future residents of this site is for low income housing for predominately veterans and behavioral disability. The applicant believes they will be providing adequate housing for a needed population within the City.

Vice Chair Foley asked, how are the facilities being accessed? Mr. Stevens reported from Stewart Avenue.

Commissioner McFadden asked, who owns the property to the east? Mr. Stevens stated it is owned by the City of Medford.

Commissioner McFadden asked, has the applicant considered talking to the City of Medford about purchasing the property? Mr. Stevens reported there have been discussions during the Land Development meeting whether the applicant would be interested in purchasing the property. The City has made improvements to that intersection and Columbus Avenue.

Commissioner McFadden asked, is this a fence free community? Mr. Stevens replied yes.

Commissioner McFadden asked, how would Mr. Stevens describe the necessary parking spaces? Mr. Stevens stated that this population does not necessarily need what the code requires. With this development the applicant will go with the parking count due to the

fact there are other residents on this site and visitor parking. When they redevelop the other site they will recalculate parking standards for the demand and needs.

Mr. Stevens reserved rebuttal time.

b. Anthony Martinez, 1224 W. Stewart Avenue, Medford, Oregon, 97501. Mr. Martinez has concerns with Dutch Brothers drive-thru where the vehicle lights shine in his front window. They put external speakers that are on eighteen hours a day that faces his front door. He has contacted City of Medford Code Enforcement approximately five times to have the speaker removed. Dutch Brothers did not get a permit for the speaker and have them blaring. They have removed the speaker. Dutch Brothers has a lot of traffic.

Chair McKechnie commented that Mr. Martinez needs to speak about the housing proposal before the Planning Commission this evening not Dutch Brothers. If he could tie the two together that would be helpful. Mr. Martinez replied that he is trying to tie it all together.

Mr. Martinez continued to talk about Dutch Brothers installing parking lights around the entire property that are on all night that lights up his property. It is annoying.

Mr. Martinez is concerned about the addition of residential units basically under his front window. It will create more traffic.

There is a bus stop directly out his front door. The bus stop has been a problem for years with trash in his yard. He was able to have RVTD put a refuse receptacle in front of his property that helped for a while.

He does not know how the applicant can say the residents of the units will not have vehicles. He is sure it will increase the traffic. It will increase foot traffic. Increase the bus stop traffic. He is concerned that it will devalue his property. High density residential units is too much for the subject property since there is one right next door to that to the west that was recently built.

Chair McKechnie commented that Mr. Martinez has issues with Dutch Brothers that have not been helpful. There are regulations in the development code that prohibit parking lot lights from shining on adjacent properties. He has reasonable concern that he needs to take up with the Planning Department and RVTD.

Commissioner McFadden reported that Mr. Martinez may want to discuss his concerns with his City Council representative because he works for RVTD. He may get some relief.

Mr. Stevens reiterated that the net increase in average daily trips from SFR-10, MFR-15 and multiple family projects is five to six trips per day. Single family has 9.57 trips per

unit. There is a significant reduction in trips with the style of housing the applicant is proposing.

Mr. Martinez will have another opportunity to voice his concerns with the Site Plan and Architectural Commission.

Commissioner McManus asked, will the memo that was provided in response to the Fair Housing Council of Oregon be submitted to the City Council? Mr. Severs replied yes.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of ZC-19-020 per the staff report dated April 4, 2019, including Exhibits A through L; and, based on the findings and conclusions that all the approval criteria are met or not applicable, forwards a favorable recommendation to the City Council for approval of CP-19-021

Moved by: Commissioner Foley

Seconded by: Commissioner Pulver

Voice Vote: Motion passed, 8-0.

50.4 DCA-18-179 A Development Code Amendment to update the standards related to level-of-service, modify the roadway cross sections, and incorporate legacy street standards to reflect changes adopted in the 2018-2038 Transportation System Plan. Applicant: City of Medford; Planner: Carla Paladino.

Carla Paladino, Principal Planner stated that the Development Code Amendment approval criteria can be found in the Medford Land Development Code Section 10.218. The applicable criteria were addressed in the staff report and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Paladino gave a staff report. Ms. Paladino reported that staff received a letter from Harlan Bittner that will be entered into the record as Exhibit G. Also, a letter was received from Siskiyou Velo (Gary Shaff) that will be submitted into the record as Exhibit H. Both letters were emailed to the Planning Commission. The comments are fourfold. Three are the same in both letters and one additional one from Mr. Shaff. The comments include: Require criteria when separated facilities are not installed; still safe: Add definition for bike lane: Under legacy streets, eliminate bike facility if substandard (less than 5 feet excluding the drain pan): Reduce speed limit on streets with on-road bike facilities to 25 MPH. Public Works and Ms. Paladino have reviewed the letters. They will be forwarded to the City Council. There are no changes staff is proposing at this point to the Planning Commission.

The public hearing was opened.

a. Scott Sinner, Scott Sinner Consulting, Inc., 4401 San Juan Drive, Suite G, Medford, Oregon, 97504. Mr. Sinner is in favor of the legacy street amendment where a standard applies to new streets only. Developers were having to reconstruct existing streets. This will help a lot of that. He is also in favor of the minimum access standards that are in this amendment that differentiate a minor and major minimum access easement. It is a great infill strategy that developers can work on to achieve a safe convenient access for smaller lots.

Vice Chair Foley asked, are the letters going to be forwarded to the City Council and not included in the Planning Commission's recommendation? Ms. Paladino responded that staff will forward the letters as information for the City Council. Staff does not propose any changes to the amendment at this point. Staff is not going to make changes to the text that the letters suggested.

The public hearing was closed.

Motion: The Planning Commission, based on the findings and conclusions that all the applicable criteria are satisfied, forwards a favorable recommendation for approval of DCA-18-179 to the City Council per the staff report dated April 4, 2019, including Exhibits A through H with modifications identified on pages 211, 213, 220, 224, 239, 240 and 243 of the agenda packet.

Moved by: Commissioner Foley

Seconded by: Commissioner McFadden

Commissioner Pulver discussed the Exception language. If it is an Exception what criteria is being used? His concern is how the criteria are complied with. It seems subjective.

Vice Chair Foley commented that an Exception does not come into play until after the City Engineer has made a recommendation.

Commissioner Pulver's concern is how will they win a potential dispute with an applicant? It is a tricky topic.

Chair McKechnie commented that it gives flexibility.

Commissioner Pulver is for flexibility. The terms are ambiguous.

Mr. Mitton reported that the terms are subjective in that they are not numerically quantifiable. Staff does use subjective criteria. Subjective criteria are reasonably applicable when stating it will not increase safety hazards, increase delay, equal or higher quality. They are not so vague where they are unenforceable. The Exception criteria are subjective when talking about whether something is unique in the City. As drafted on

page 211 of the agenda packet gives road maps that if push came to shove could be defended on any decision made under it.

Commissioner Pulver asked, what happens if there is a disagreement between the applicant and City Engineer? Mr. Mitton stated that it is tasked to the Commission on deciding who made their facts better.

Vice Chair Foley likes two of the proposals that the bike people came up with but he is glad they are not forwarding those on as a recommendation. A bike lane definition is not bad. It is not a bad idea if they cannot do a good bike lane to not be included at all. Those are two things he would definitely like the City Council to consider.

Mr. MacNair responded to Vice Chair Foley's comments stating that staff did discuss the letters. He has concerns with their specific bike lane definition. Oregon State law already has a definition. The letters will be forwarded to the City Council. The Planning Commission can still make a recommendation regarding the letters.

Roll Call Vote: Motion passed, 8-0.

50.5 LDS-19-018 Consideration of tentative plat approval for the DeClans Landing Subdivision – a proposed 2-phased, 7-lot residential subdivision to be developed as townhouse lots, on a 1.12-acre parcel located at 738 N Ross Lane in the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district (372W23DD1300). Applicant: Glen Clark; Agent: Scott Sinner Consulting, Inc.; Planner: Dustin Severs.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Chair McKechnie disclosed that Scott Sinner is his neighbor but it would not affect his decision.

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

Dustin Severs, Planner III stated that the Land Division approval criteria can be found in the Medford Land Development Code Section 10.202(E). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Severs gave a staff report.

Vice Chair Foley asked, what is the difference between a private driveway and a minimum access? Mr. Severs reported that a minimum access is where there is no street frontage. These lots have street frontage.

The public hearing was opened.

a. Scott Sinner, Scott Sinner Consulting, Inc., 4401 San Juan Drive, Suite G, Medford, Oregon, 97504. Mr. Sinner reported that the private alley shared driveway is news to him and is supportive of it. This will be a phased subdivision with the extended time period.

It seems to Commissioner McFadden that this plan could be extended to the next street to the south easily. Mr. Sinner stated that the frontage buildings are developed at or near urban density with the single family dwellings south of the site. There is a good circulation plan in place.

Chair McKechnie is assuming the existing house with the driveway on Ross Lane will end up taking access off the private driveway. Mr. Sinner replied that is correct.

Mr. Sinner reserved rebuttal time.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of LDS-19-018 per the staff report dated April 4, 2019, including the maximum timetable of five years for the platting of the development in phases, Exhibits A through I.

Moved by: Commissioner Foley

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 8-0.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural met on Friday, April 5, 2019. They approved three townhouses located at 1026 West 10th Street; a rental car facility located northeast of the Biddle Road and Old Biddle Ramp intersection; and a standalone Starbucks to replace an existing 4,800 square foot building at 2372 W. Main Street.

60.2 Transportation Commission

Commissioner Pulver reported that the Transportation Commission met Wednesday, March 27, 2019 and deferred the report to Mr. MacNair. Mr. MacNair reported they discussed the budget that took up most of the meeting. The Transportation Commission forwarded a favorable recommendation on the proposed two year Public Works project budget and gave guidance on where to look first for cutting items from the budget. They also discussed the amendment that was before the Planning Commission this evening.

60.3 Planning Department

Kelly Evans, Assistant Planning Director reported that the next Planning Commission study session is scheduled for Monday, April 22, 2019. Discussion will be on housekeeping amendments focused on housing issues.

There is business scheduled for Thursday, April 25, 2019, Thursday, May 9, 2019, Thursday, May 23, 2019, Thursday, June 13, 2019 and Thursday, June 27, 2019.

There is training Tuesday, April 23, 2019. John Morgan from the Chinook Institute will have Commissioner training at 3:00 p.m. in Council Chambers. Ms. Evans encouraged the Planning Commission to attend.

There has been no Planning business before the City Council.

This is budget season and Ms. Evans would like to take a photograph of the Planning Commission before they leave this evening. Staff likes to include photographs of the Commissioners in their budget presentation.

Commissioner McManus stated that at a prior City Council study session the priorities were set of possibly updating the 2050 Plan. He was trying to interpret City Council's direction to staff. Ms. Evans reported that the Leadership Team for the City is working on helping the City Council refine their priorities. They are helping them prioritize updating the 2050 Plan. Make it a plan that can be implemented and incorporated in the Comprehensive Plan.

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 7:35 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Richards
Recording Secretary

Mark McKechnie
Planning Commission Chair

Approved: April 25, 2018



City of Medford

Planning Department

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STAFF REPORT – CONTINUANCE REQUEST

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

Project Hagle Zone Change
Applicant: Jane Erin Griffin-Hagle

File no. ZC-18-189

To Planning Commission

From Dustin Severs, Planner III

Reviewer Kelly Evans, Assistant Director

Date April 18, 2019

for April 25, 2019 hearing

BACKGROUND

Proposal

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



Request

The applicant has requested that the item be continued to May 9, 2019, in order to provide additional time to complete a sewer study to support the zone change request.

EXHIBITS

Vicinity Map

COMMISSION AGENDA:

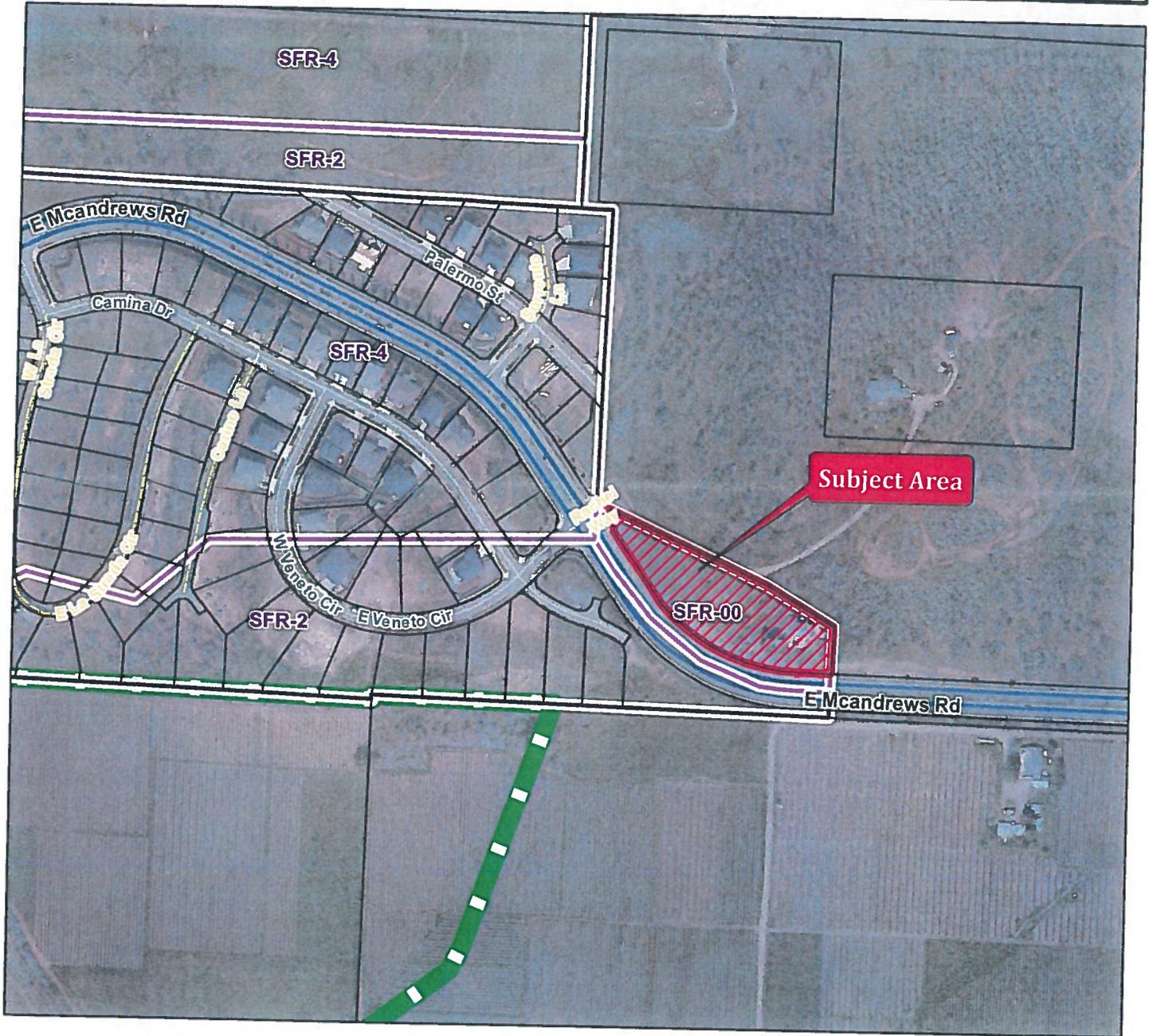
FEBRUARY 14, 2019

MARCH 14, 2019

MARCH 28, 2019

April 11, 2019

April 25, 2019



Project Name:

**Griffin-Hagle
 Zone Change**

Map/Taxlot:

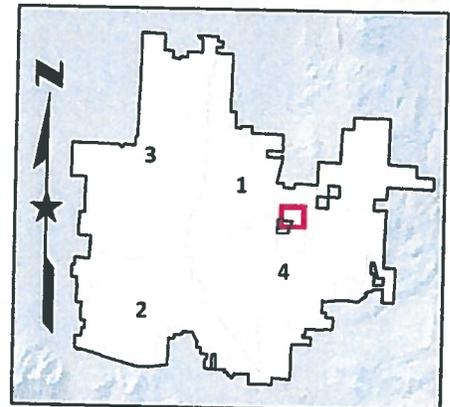
371W22 TL 400



Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots

12/19/18





City of Medford

Planning Department

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REVISED STAFF REPORT

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

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

File no. PUD-18-152

To Planning Commission *for 04/25/2019 hearing*

From Steffen Roennfeldt, Planner III

Reviewer Kelly Evans, Assistant Planning Director *h.*

Date April 18, 2019

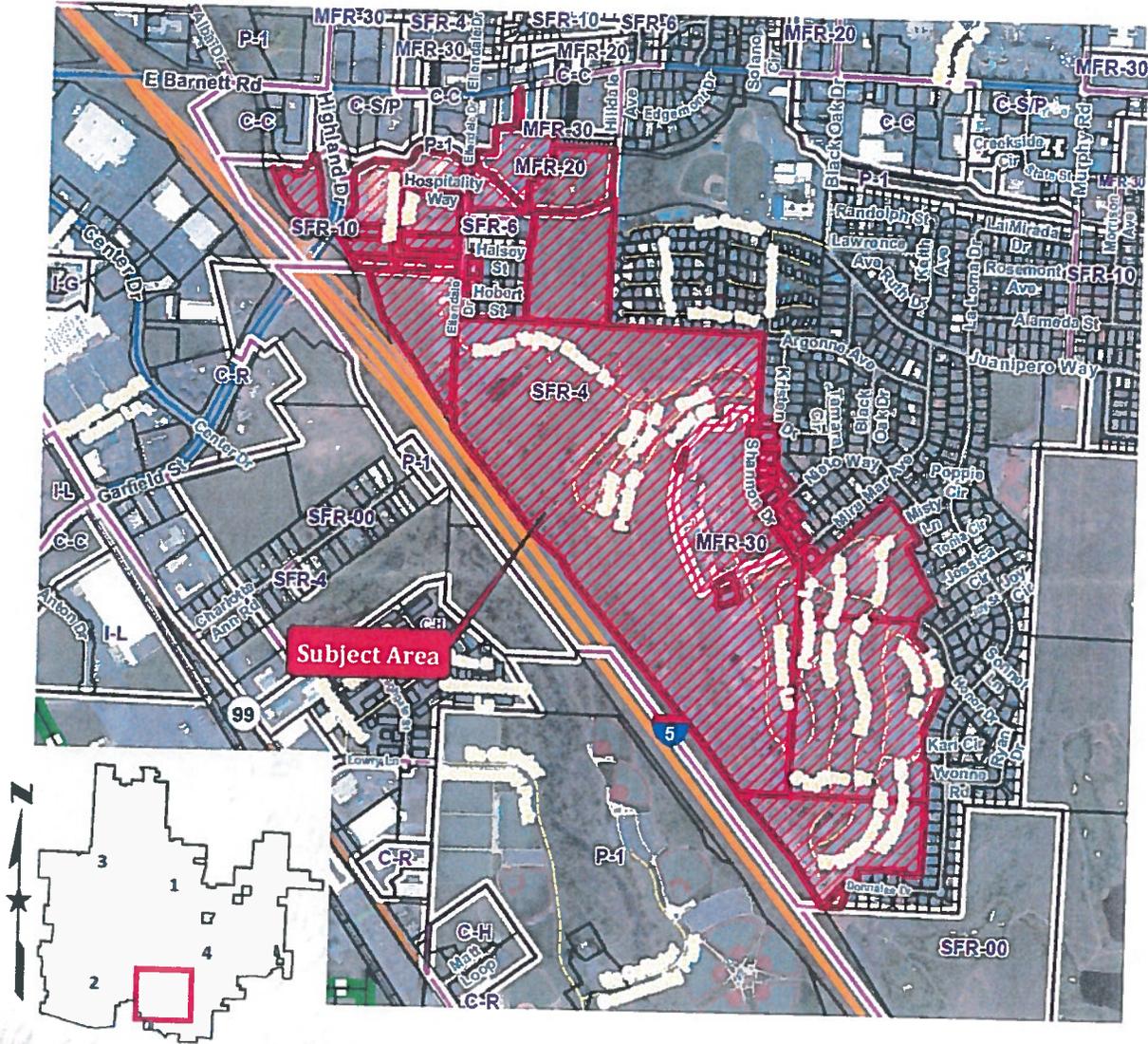
BACKGROUND

Proposal

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

Space intentionally left blank

Vicinity Map



Subject Site Characteristics

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

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

Surrounding Site Characteristics

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

Related Projects

Land Use Applications

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

Site Plan and Architectural Review Applications

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

Street Renaming

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

Applicable Criteria

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

(A) Revision of a Preliminary or Final PUD Plan

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

(1) Applicant for Revision; Filing Materials; Procedures

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

(2) Consolidated Procedure.

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

(3) Burden of Proof; Criteria for Revisions

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

(4) De Minimis Revisions

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

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

(B) Termination of a PUD.

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

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

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

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

(D) Approval Criteria for Preliminary PUD Plan

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

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

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

Corporate Names

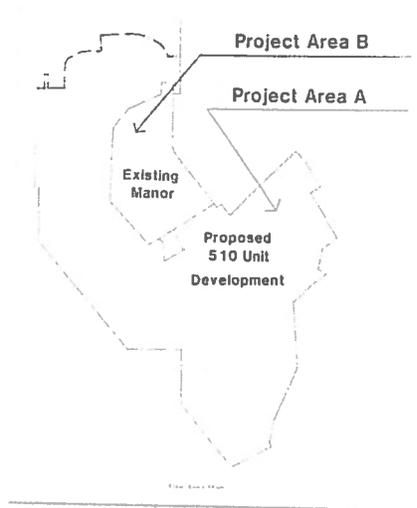
Steven R. Rinkle is the Registered Agent for Pacific Retirement Services, Inc. according to the Oregon Secretary of State Business Registry. Larry Boeck is listed as the President and Doug Spani is listed as the Secretary.

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

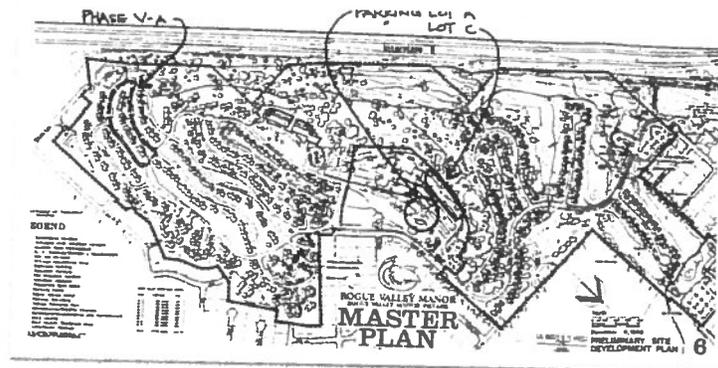
ISSUES AND ANALYSIS

Background

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



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

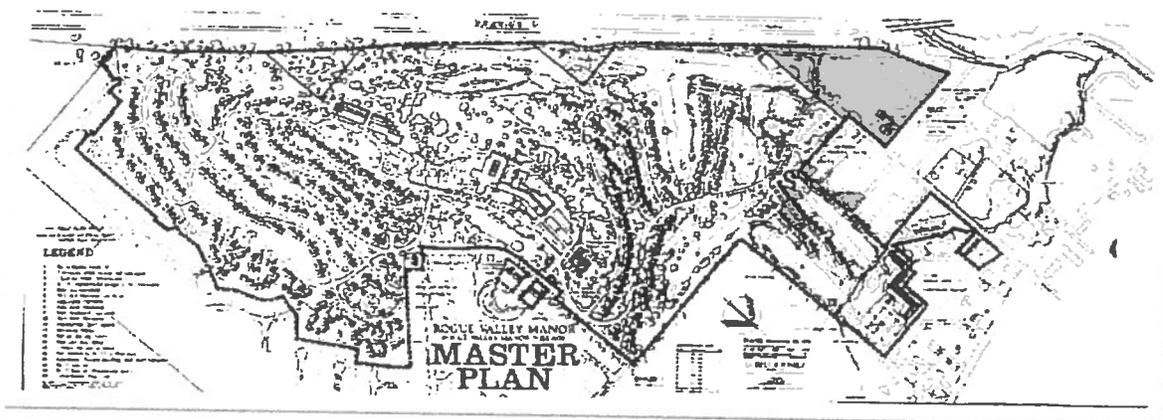


In July 1991, a minor revision was approved by the Planning Director to allow a 12,000 square foot expansion to the congregate dining facility.

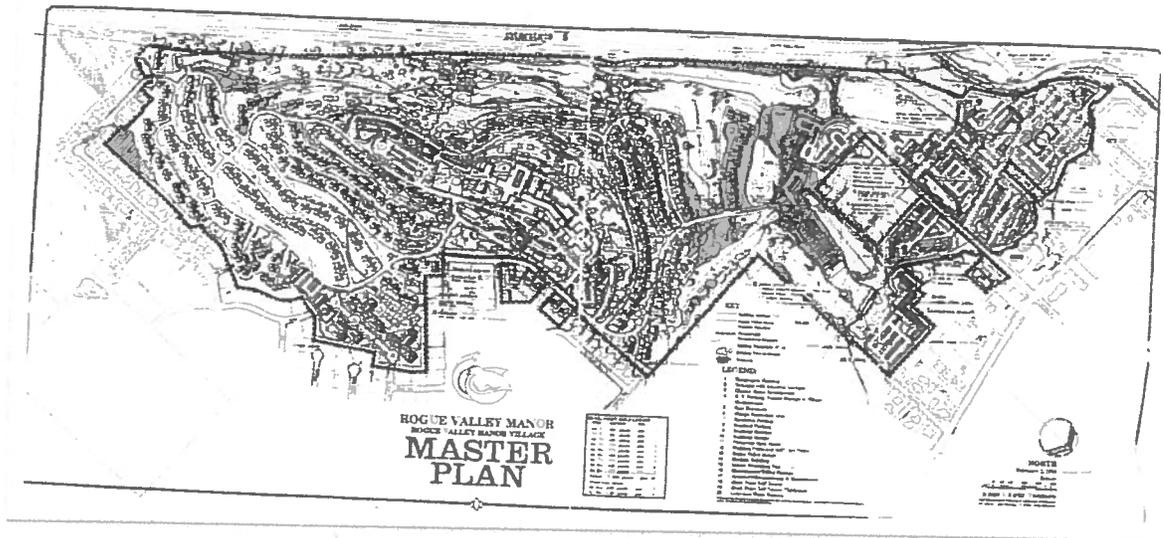
On April 28, 1994, the Planning Commission approved a revision to the PUD which increased the project area to 213.3 acres and 1,096 dwelling units.

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

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



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



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

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

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

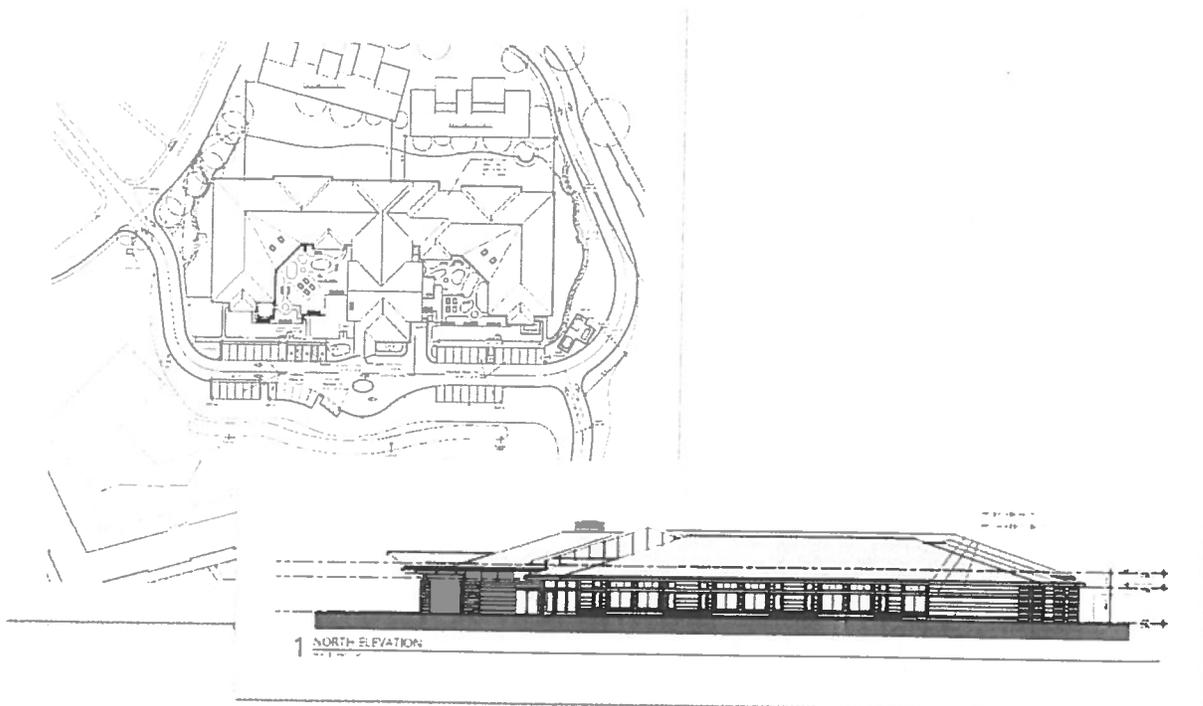
PUD-08-086: The four main objectives of this request for minor PUD amendment include (1) the reduction of acreage in the overall size of the PUD and reduction by one phase. The Oregon Department of Transportation purchased approximately 4.3 acres of property within Phase 21 for the Highland Drive Overpass.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

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

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

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

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



Planned Unit Development

Purpose and Intent

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

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

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

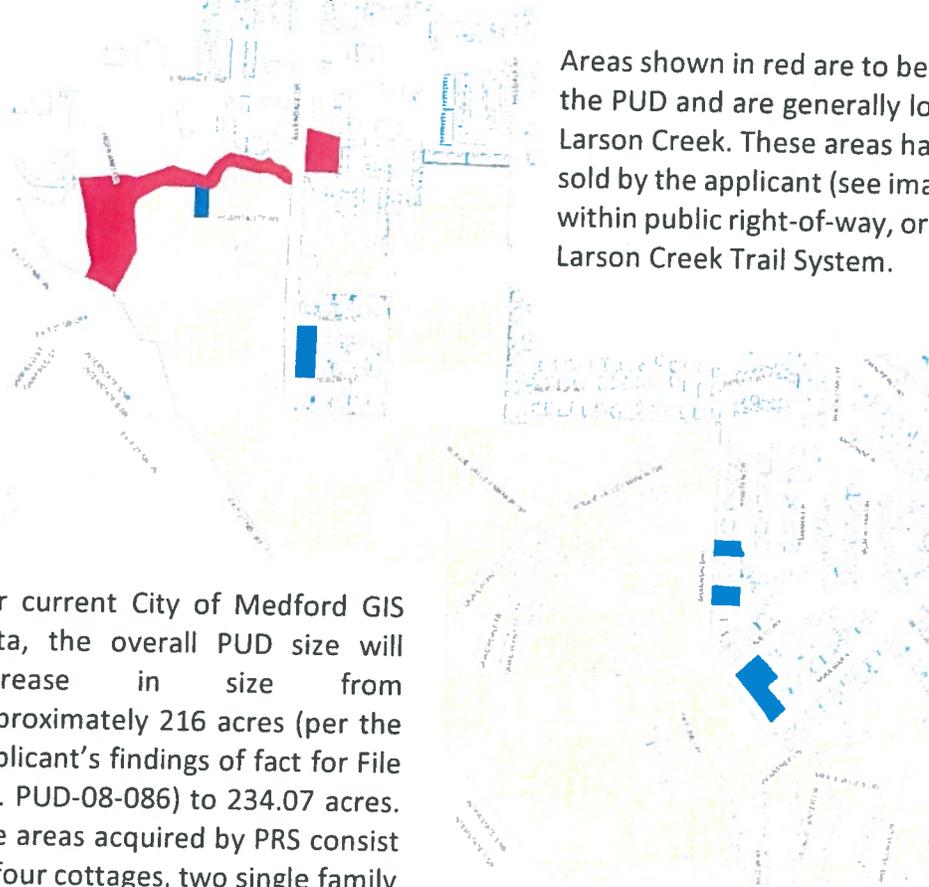
All land uses for the Rogue Valley Manor PUD have already been approved by the Planning Commission and there are no changes requested to these approved uses as part of this application. There are also no land divisions, new structures, or architectural plans proposed.

The Planning Commission opened the public hearing for this application on March 14, 2019 and, by request from the applicant, kept the record opened and continued the hearing to April 28, 2019.

PUD Boundary Amendment

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

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



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

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

Trip Cap Removal

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

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

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

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

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

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

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

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



Barnett Road and Highland Drive Intersection

- Development of the Step 3 Land Uses shall not generate more than 192 p.m. peak hour trips until the intersection of Highland Drive and Barnett Road is mitigated to the Level of Service (LOS) target identified in MLDC 10.462. This condition may be removed if Medford's standards for determination of Category 'A' facilities for public streets changes in a way that allows this project to be considered reasonably likely to be funded by the end of the planning horizon.
- Development of the Step 3 Land Uses shall not generate more than 192 p.m. peak hour trips until the intersection of Highland Drive and Keene Way/Barneburg is mitigated to the Level of Service (LOS) targets identified in MLDC 10.462. An acceptable mitigation is for the developer to pay a 4.5% proportionate share toward construction of a roundabout. Public Works estimates the proportionate share of a roundabout at approximately \$100,000.



Highland Drive and Keene Drive and Barneburg Road intersection

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

The Oregon Department of Transportation also reviewed the TIA submitted by the applicant. At the time this staff report was prepared, the ODOT was still reviewing the TIA and was working with the applicant to develop proposed transportation system improvements that will accommodate the proposed development. A condition of approval was added to provide for an opportunity for ODOT and the applicant to complete traffic analysis and identify appropriate mitigation. The condition reads:

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

After the first Planning Commission meeting, the applicant and ODOT held several meetings to discuss the previously submitted letter from ODOT (Exhibit O) and possible traffic mitigation measures. At the time this staff report was completed, staff had not received a revised document from ODOT. This document is expected to be distributed to the Commissioners prior to the hearing on April 25, 2019.

Tom Harris, 740 Hilldale Avenue, Medford, Oregon, 97504, spoke in support of staff's recommendation of retaining the current traffic cap for the commercial village until mitigation measures are completed. He said that there is a long term health consideration that he has. It is exacerbated when traffic is slowed at rush hours. He also has concerns with the carbon monoxide emissions.

Freeway Overlay Sign

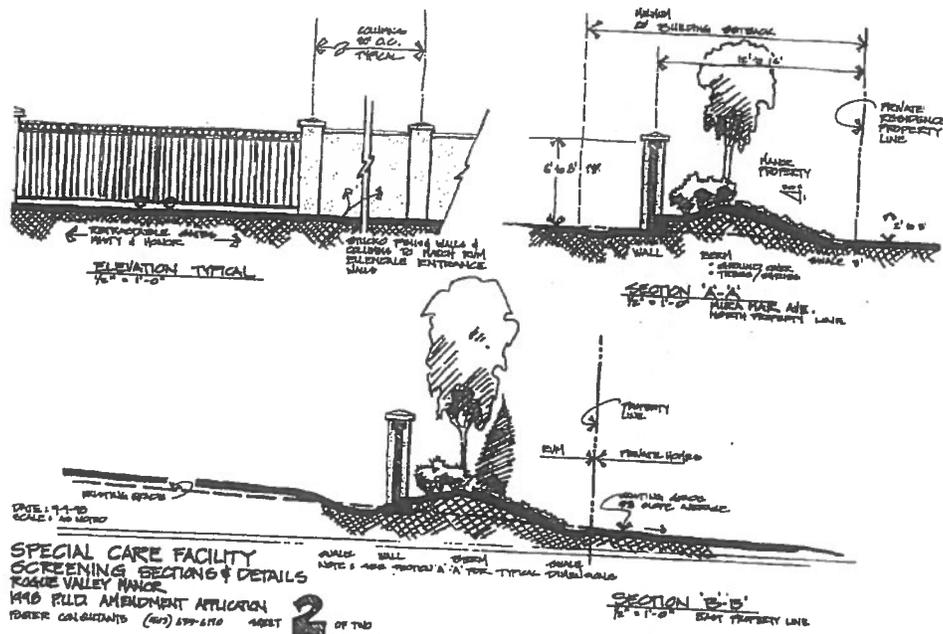
Approval of this request will allow the applicant to install a sign within the Commercial Village (see Areas R through X on 2018 PUD Master Plan (Exhibit D)), consistent with the Freeway Overlay District provisions per Section 10.1710. Approval will allow the applicant to install the sign anywhere within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

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

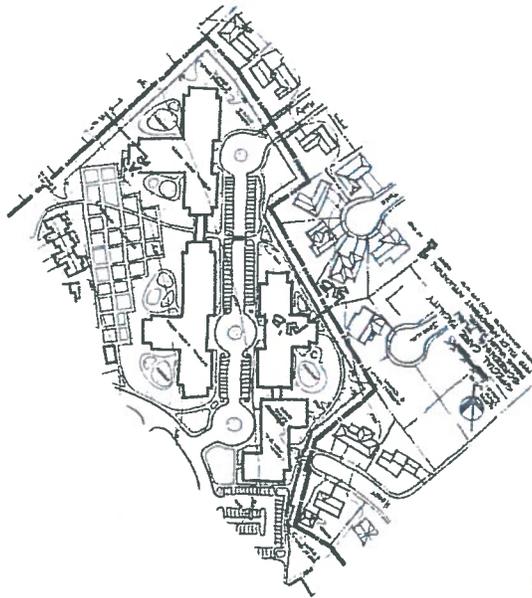
It is staff's recommendation to accept the applicant's proposal and to amend the existing condition of approval by adding the following language: "One sign, consistent with the Freeway Overlay District sign standards as outlined in Section 10.1710(1)(b) shall be allowed to be install within an area that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

Modification to Condition #13

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



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



Planning Commission approval required the Alzheimer's' Unit/Special Care Facility to be single story in height and located no closer than 99 feet from the exterior boundary of the PUD in order to mitigate anticipated adverse impacts to adjoining properties. The Planning Commission also accepted the applicant's proposal to buffer the area with a landscaped berm and wall as shown above. The setback was ultimately reduced to 50 feet by the City Council on appeal.

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

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

Modification to Condition #15

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

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

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

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

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

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

Project Compliance with Relevant Section of the Land Development Code

Housing Density

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

Residential Density Calculation

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

Acreage Limitation

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

Committee Comments

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

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

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

- Correct the applicant's finding on page 8 of Exhibit G to read:
 'The City of Medford finds that the TIA submitted for increase of the vehicle trip cap from 192 p.m. peak hour trips to 486 p.m. peak hour trips is acceptable with fulfillment of the conditions proposed by Public Works (Exhibit J) and ODOT (Exhibit O).'

RECOMMENDED ACTION

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

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

EXHIBITS

- A-1** Revised Conditions of Approval, dated April 18, 2019
- B** Assessor Maps, received October 11, 2018
- C** Zoning Map, received October 11, 2018
- D** PUD Masterplan 2018, received October 11, 2018

- E PUD Boundary Amendments, received October 11, 2018
- F Project Narrative, received October 11, 2018
- G Applicant's Findings of Fact, received October 11, 2018
- H Comparison from 1998 approved plan with the 2018 Master Plan, received October 11, 2018
- I Additional Assessor Information, received October 11, 2018
- J Public Works Staff Report, revised March 7, 2019
- K Medford Water Commission Staff Memo, dated December 19, 2018
- L Medford Fire Land Development Report, dated December 19, 2018
- M Building Department Memo, dated December 18, 2018
- N Jackson County Roads Memo, dated December 11, 2018
- O Letter and Memorandum from ODOT, received March 7, 2019
- P Traffic Impact Analysis Executive Summary, received February 20, 2019
- Q Potential Freeway Overlay Area Map, dated March 4, 2019
- R Neighborhood Meeting Attendance Report, received October 11, 2018
- S Resolution 1998-249, appeal decision and approval of PUD-98-023, including PUD conditions of approval, dated November 5, 1998
- T Supplemental Information explaining three-step process, dated June 25, 1998
- U Minutes from March 14, 2019 Planning Commission meeting**
- V Revised Traffic Impact Analysis, received April 17, 2019**
Vicinity map

PLANNING COMMISSION AGENDA:

MARCH 14, 2019
APRIL 28, 2019

EXHIBIT A-1

Rogue Valley Manor
PUD-18-152
Conditions of Approval
April 18, 2019

DISCRETIONARY CONDITIONS

1. Condition #6 of PUD-98-023 is amended to read the following:
Signage for nonresidential uses shall be subject to Site Plan and Architectural Commission review. One sign, consistent with the Freeway Overlay District sign standards as outlined in Section 10.1710(1)(b) shall be allowed to be installed within an area that is located within the Freeway Overlay District per 10.365 and as shown in Exhibit Q. The installation of a Freeway sign will require approval of a sign permit; Site Plan and Architectural Review Commission (SPAC) approval is not required.
2. Condition #13 of PUD-98-023 is amended to read the following:
The Alzheimer's' Clinic/Skilled Nursing Facility shall be screened from the adjoining neighborhood. A buffer wall, as proposed in Exhibit 'Z2', is not required. The remaining screening provisions per Exhibit 'Z2' shall remain in effect.
3. Condition #15 of PUD-98-023 is amended to read the following:
All HVAC (heating ventilation and air-conditioning) equipment for all buildings shall be concealed from view per MLDC 10.782, or placed within the interior of the building, except the requirement for HVAC equipment placement on the ground or building interior is not applicable to individual hotel rooms within Phase 21, west of Ellendale Drive, consistent with the MLDC.

CODE CONDITIONS

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

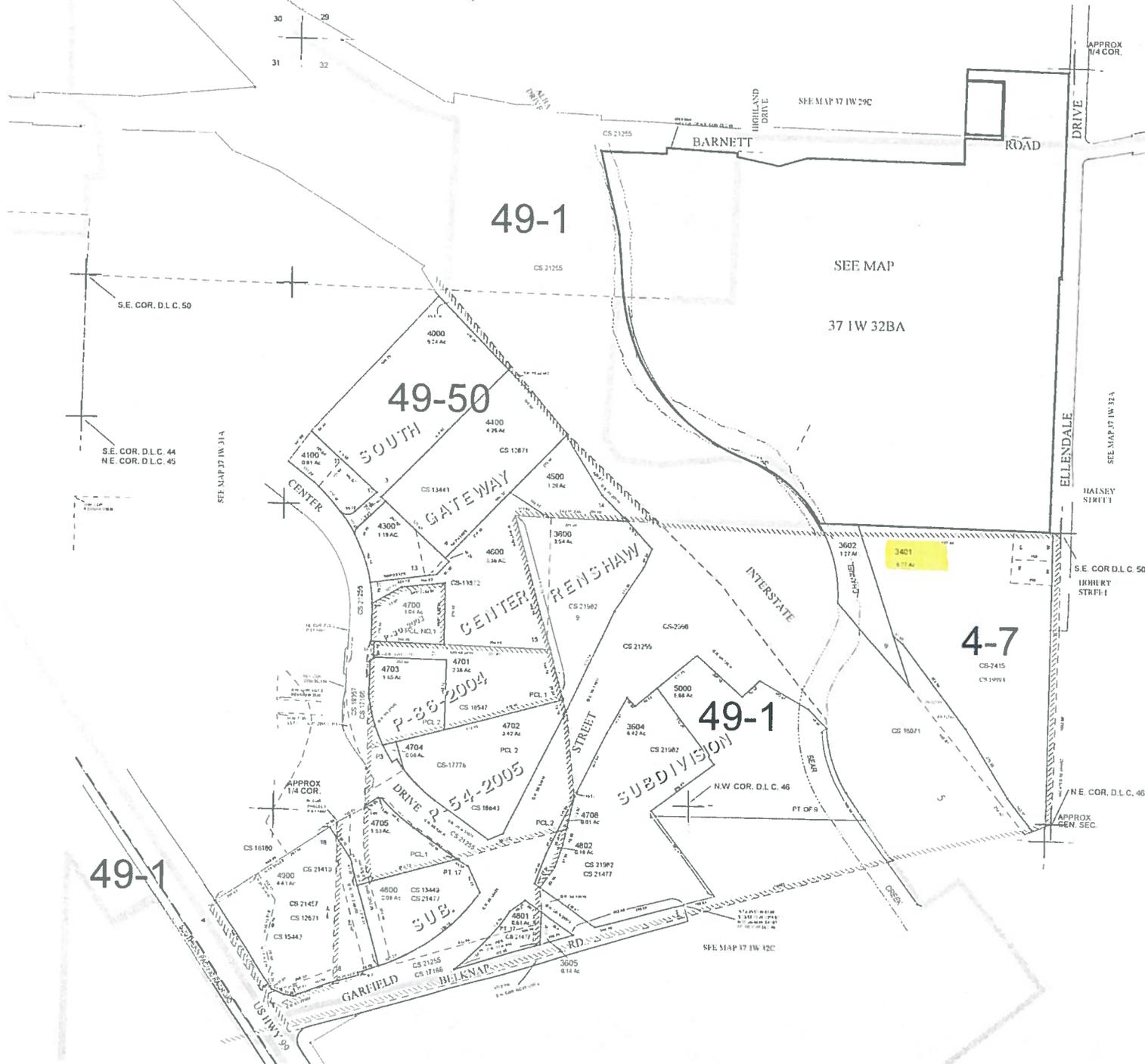
FOR ASSESSMENT AND TAXATION ONLY

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

371W32BA
MEDFORD



- CANCELLED TAX LOT NUMBERS
- 1100
 - 1400 ADDED TO 1100
 - 1500 KILLED TO ROAD
 - 2000
 - 2100
 - 2200
 - 2400
 - 2702
 - 2800
 - 2801
 - 2900
 - 2901
 - 3000
 - 3100
 - 3101
 - 3102
 - 3103
 - 400
 - 400
 - 900

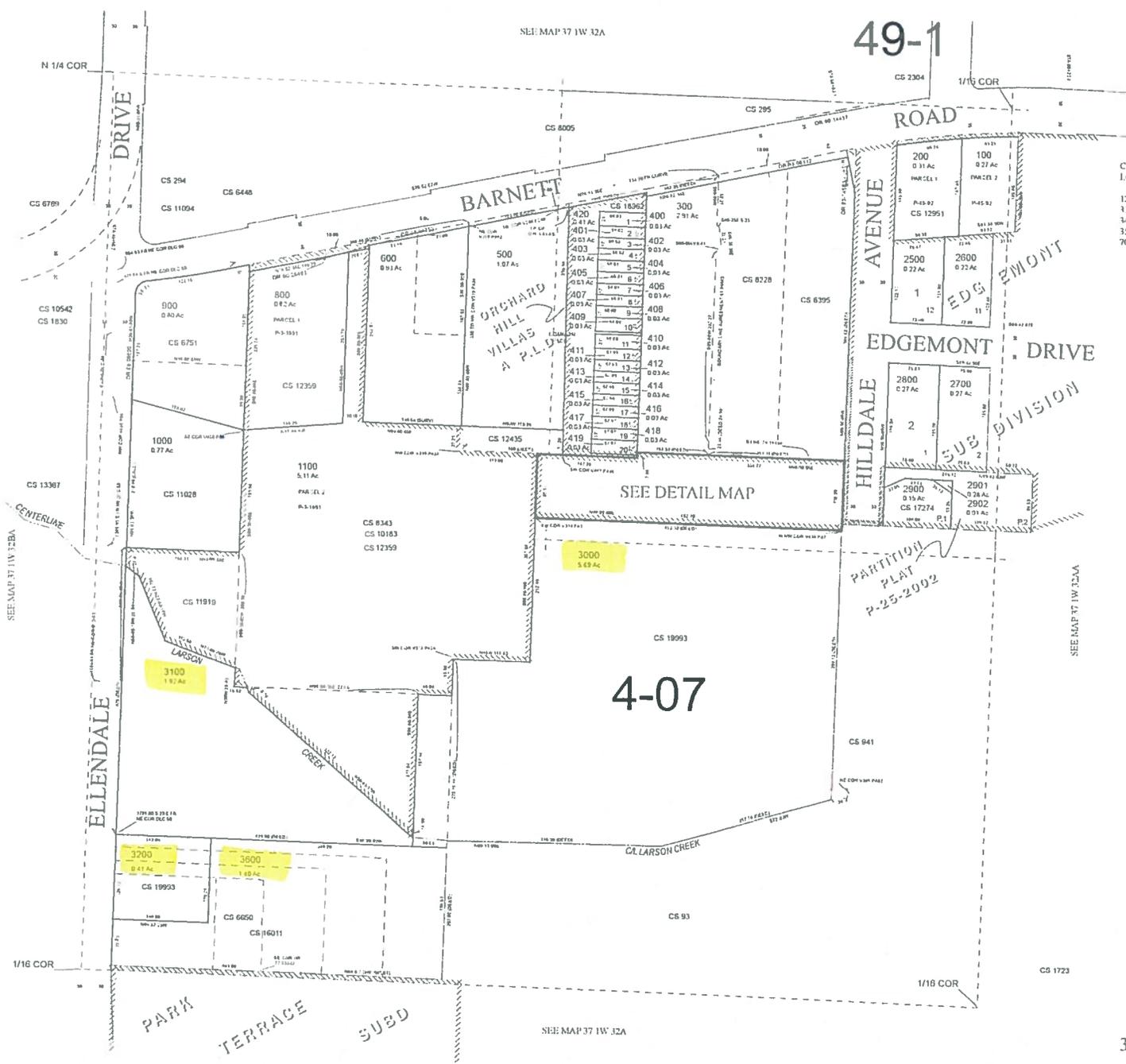


CANCELLED TAX LOT NUMBERS
 3901 ADDED TO 3601
 3400 ADDED TO 3601
 3500 ADDED TO 3400
 3601 ADDED TO 3401
 3601 ADDED TO 3601
 3900 REMAPPED TO 371W31A-4100
 3901 ADDED TO 371W31A-1500
 3200 ADDED TO 4100
 4706 ADDED TO 371W31A-1101
 4707 ADDED TO 371W31A-1101

FOR ASSESSMENT AND TAXATION ONLY

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

37 1W 32AB
MEDFORD



49-1

CANCELLED TAX LOT NUMBERS
1200-2400 ON DETAIL MAP
3300 ADDED TO 3200
3400 ADDED TO 3600
3500 ADDED TO 3600
700 ADDED TO 600

4-07

SEE DETAIL MAP

PARTITION PLAT
P-25-2002

37 1W 32AB
MEDFORD

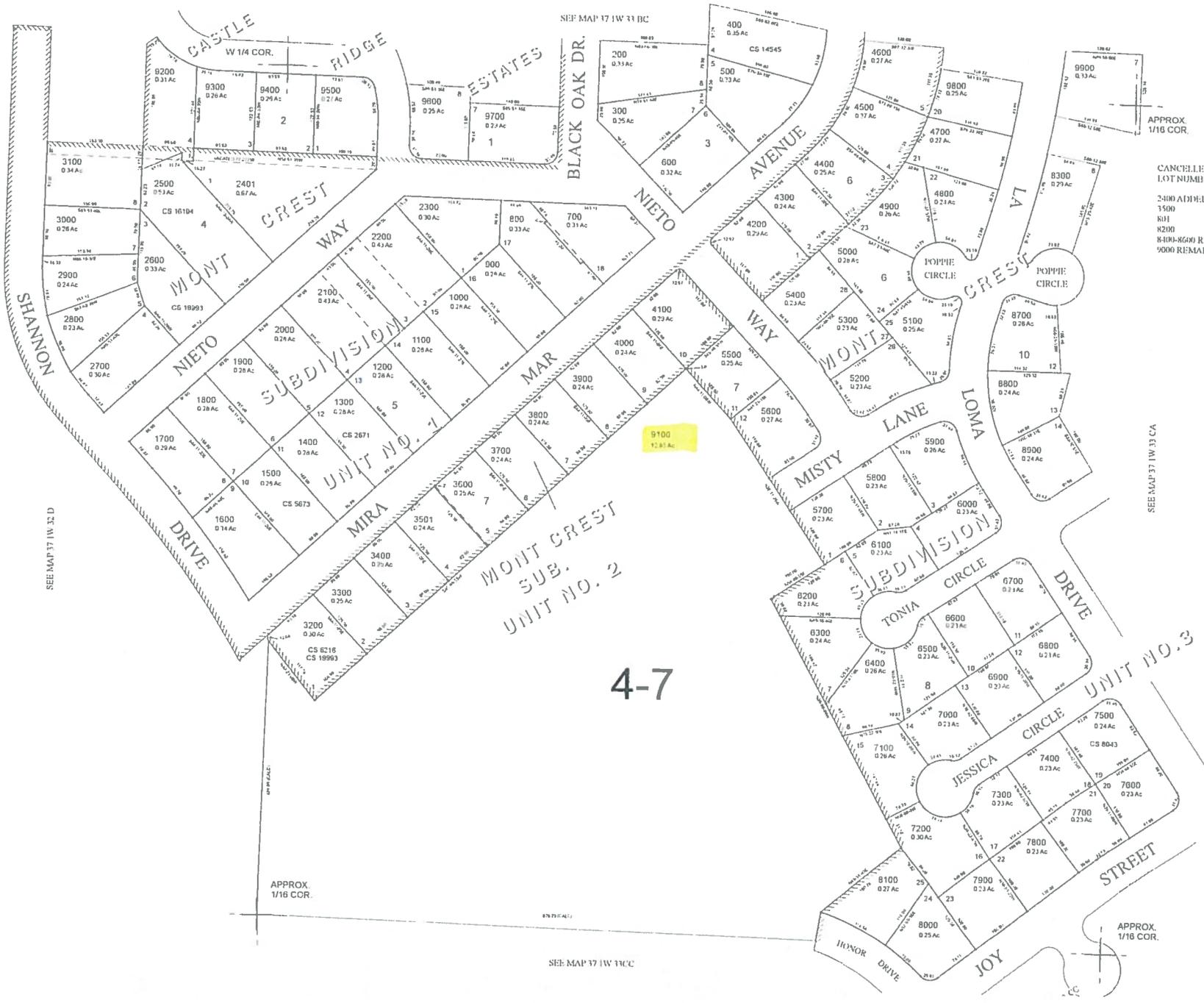
NEW MAP JANUARY 01 1995
REV JANUARY 19 2006

FOR ASSESSMENT AND TAXATION ONLY

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

37 1W 33CB
MEDFORD

Page 106



APPROX. 1/16 COR.

CANCELLED TAX LOT NUMBERS
 2400 ADDED TO 371W33CB 10300
 1500
 811
 8200
 8400-8500 REMAPPED TO 371W33CA
 9000 REMAPPED TO 371W33CA

SEE MAP 37 1W 33 CA

SEE MAP 37 1W 33 D

APPROX. 1/16 COR.

SEE MAP 37 1W 33 C

APPROX. 1/16 COR.

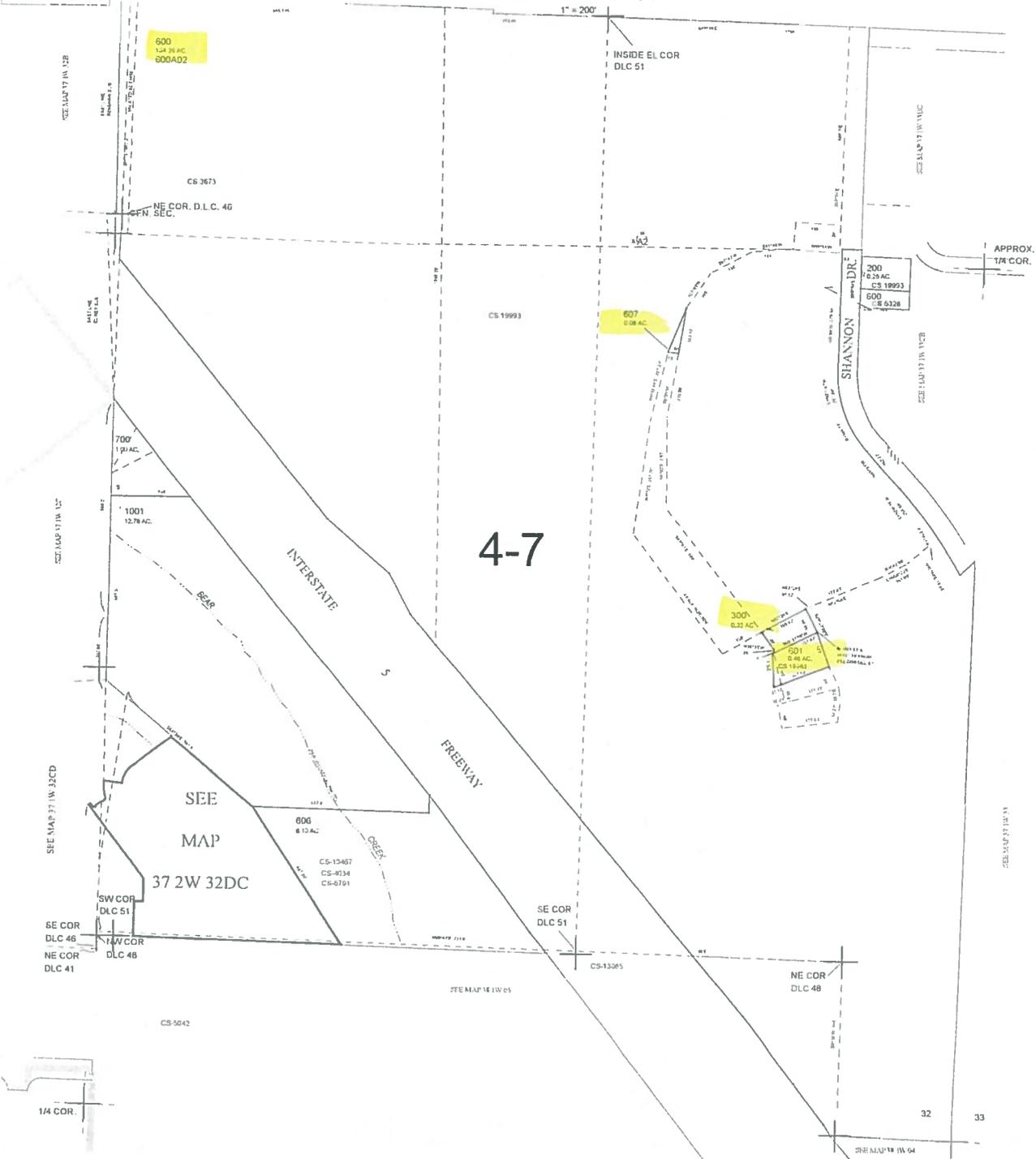
37 1W 33CB
MEDFORD
NEW MAP MARCH 30, 2010

4-7

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

37 1W 32D
& INDEX
MEDFORD

FOR ASSESSMENT AND
TAXATION ONLY



- CANCELLED TAX
LOT NUMBERS
- 106-145
 - 1060
 - 1100 ADDED TO 1101
 - 1101 ADDED TO 471W32CD-100
 - 1102
 - 1102 REMAPPED TO 371W32C-5800
 - 1103
 - 1104
 - 1105
 - 1105
 - 1106
 - 1107
 - 1108
 - 1109
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 - 1116
 - 201
 - 400
 - 601A1
 - 602-604
 - 608

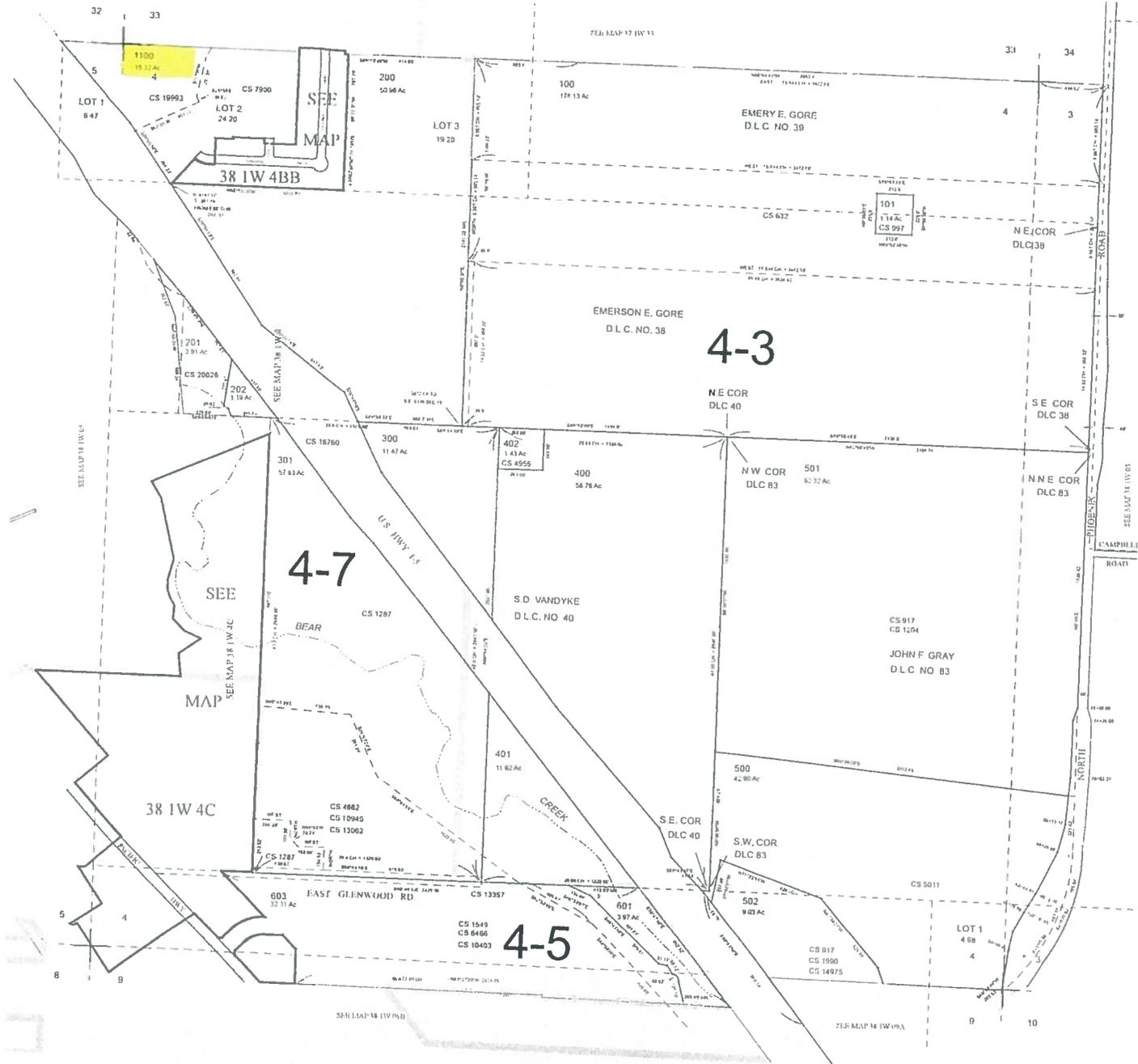
37 1W 32D
& INDEX
MEDFORD

IDOR CONVERSION SEPTEMBER 21 1999
REV APRIL 24 2014

FOR ASSESSMENT AND TAXATION ONLY

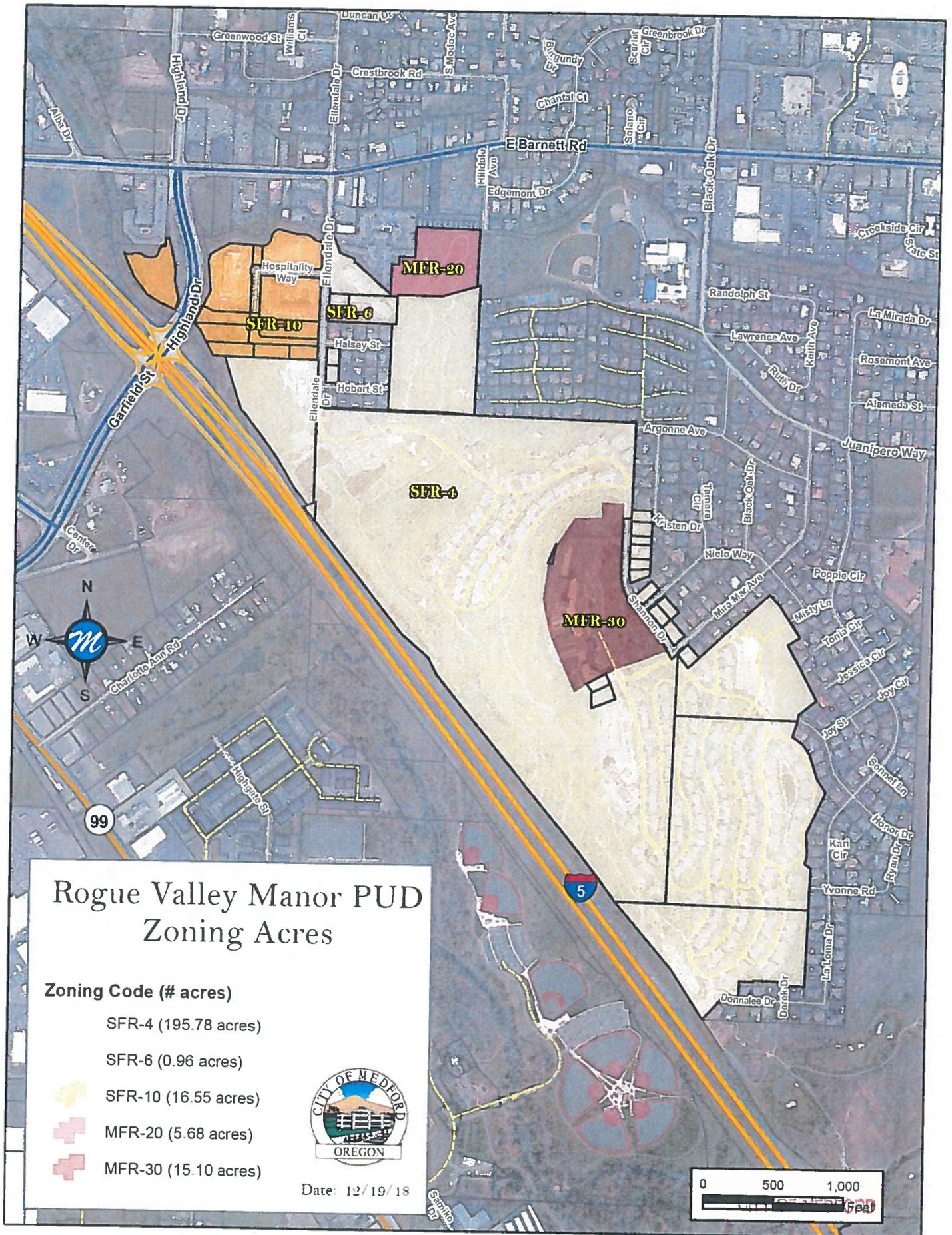
SECTION 4, T.38S., R.1W., W.M.
JACKSON COUNTY
1" = 400'

38 1W 04
& INDEX
MEDFORD



CANCELLED TAX LOT NUMBERS

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



Manor PUD Amendment



Legend

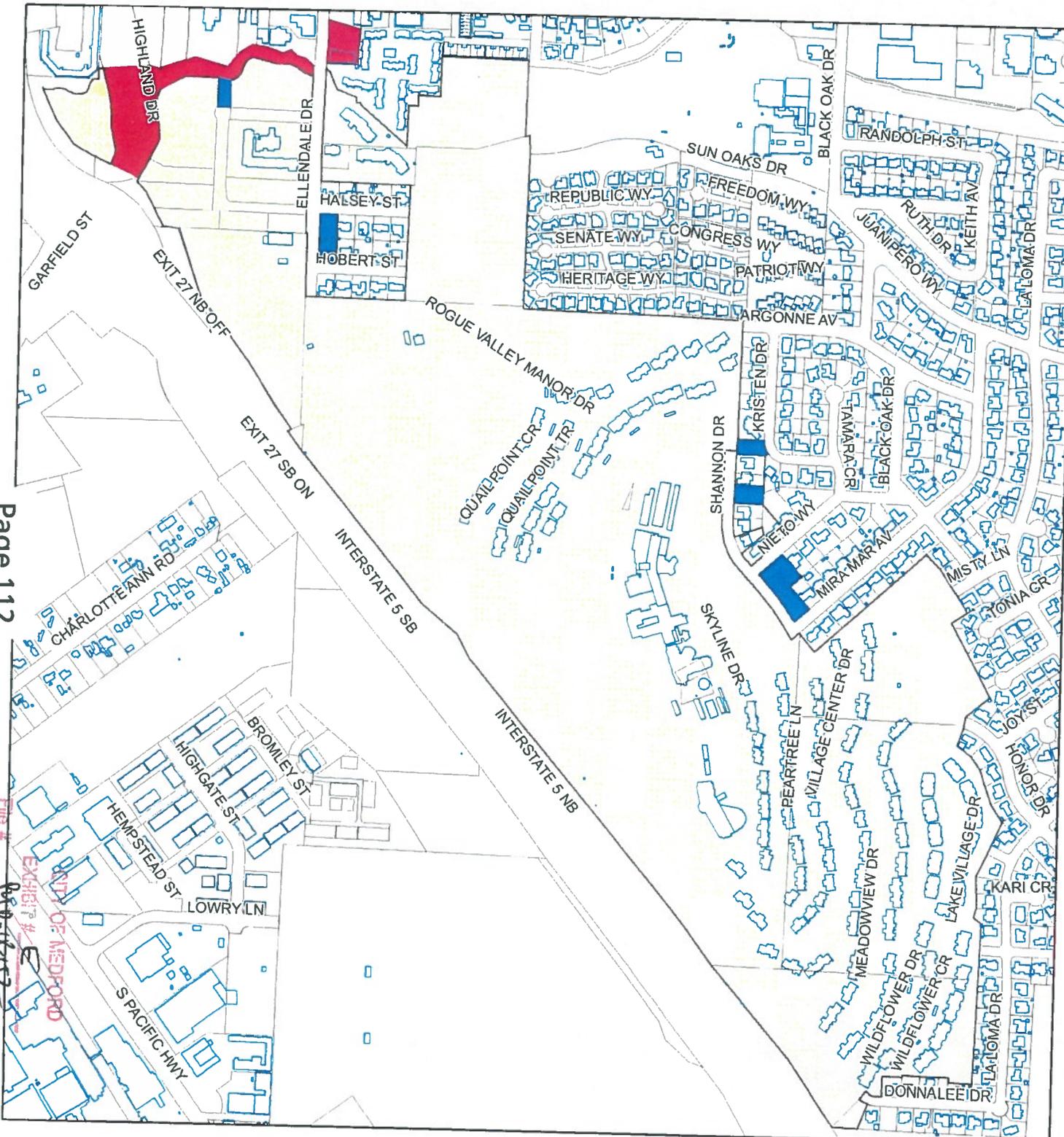
-  Manor PUD
-  Remove from PUD
-  Add to PUD
-  Tax Lots
-  Building Footprints

0 350 700
Feet

1 inch = 700 feet

This map is based on a digital database compiled by Jackson County GIS from a variety of sources, and may include RSA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.

12-5-18



RECEIVED

DEC 05 2018

PLANNING DEPT.

Manor PUD Amendment



Legend

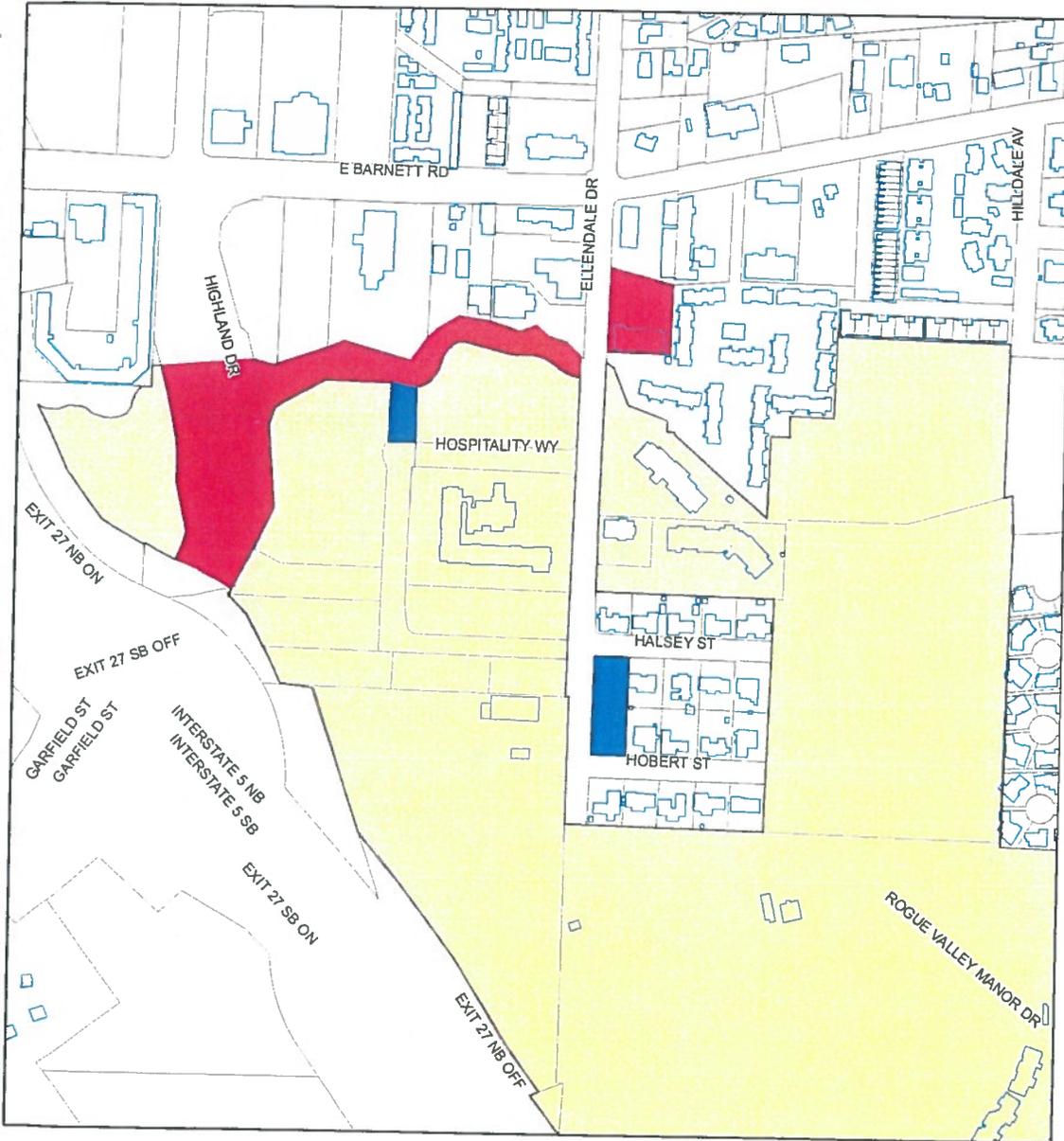
- Manor PUD
- Remove from PUD
- Add to PUD
- Tax Lots
- Building Footprints

0 175 350
Feet

1 inch = 350 feet



This map is based on a digital database compiled by Jackson County GIS from a variety of sources, and may include RSA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.
12-5-18



RECEIVED
DEC 05 2018
PLANNING DEPT.

Manor PUD Amendment



Legend

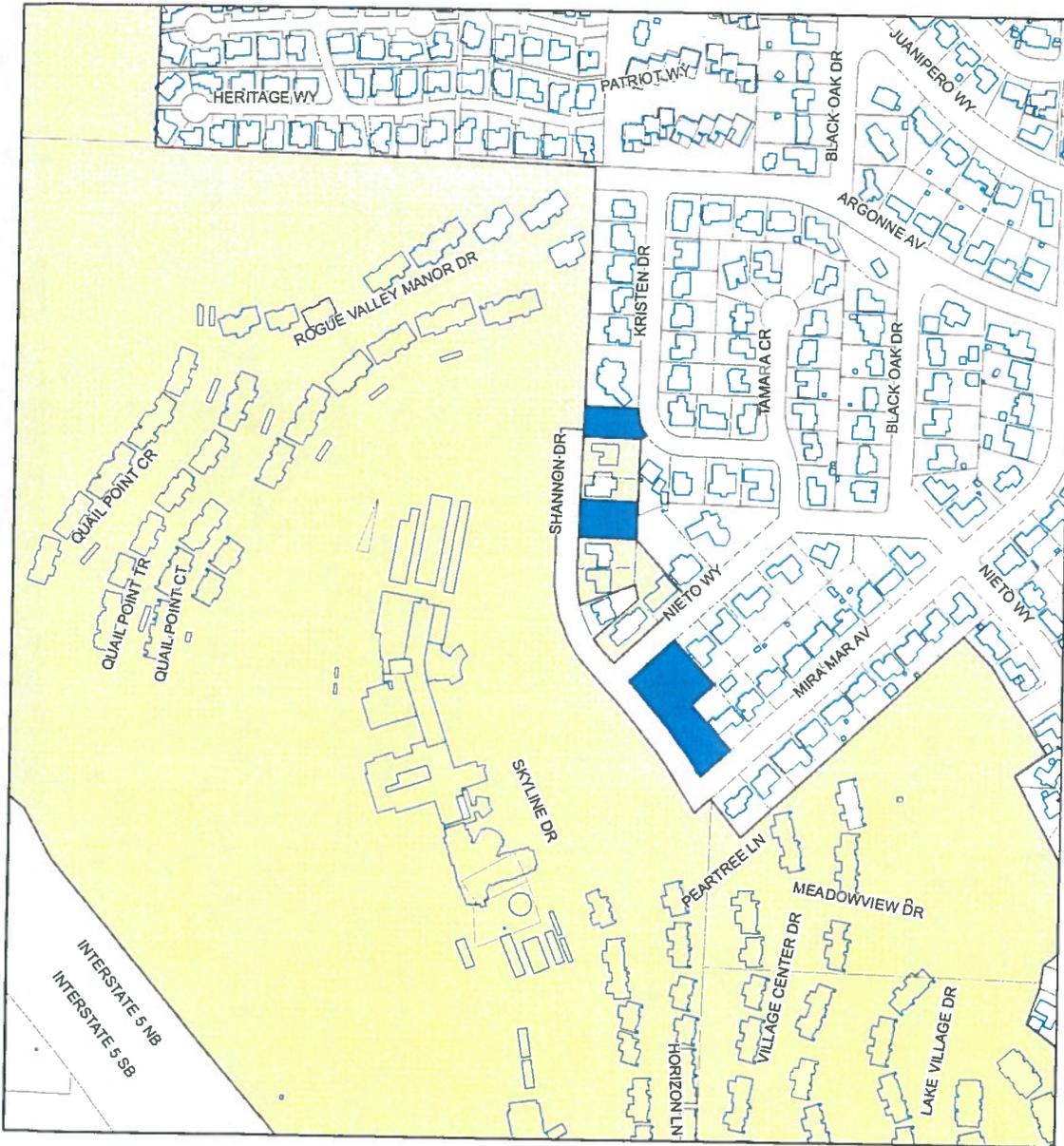
- Manor PUD
- Add to PUD
- Tax Lots
- Building Footprints

0 175 350
Feet

1 inch = 350 feet



This map is based on a digital database compiled by Jackson County GIS from a variety of sources, and may include RSA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.
12-5-18



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Rogue Valley Manor PUD **Project Narrative**

The applicant, Rogue Valley Manor, is proposing a revision to the approved PUD Plan for File No. PUD 98-23. The calculated acreage for the project is approximately 233.2 acres. The various uses within each project area is provided on the 2018 RV Manor PUD Master Plan with the area for each specific use identified. The PUD boundary is also modified with the exclusion of property located at 965 Ellendale Drive that is no longer in the Rogue Valley Manor ownership. In addition, the area transferred to the City of Medford for the Larson Creek pedestrian/bike trail in segment 1 is to be excluded from the PUD boundary. This is provided to update the official master site plan of record with the City of Medford.

As shown on the attached 2018 PUD Master Plan, there are no changes to the total number of dwelling units or approved structures and uses with the approved PUD Plan; however, there are changes to their location within the PUD project area boundaries. There are no changes to the Commercial Village proposed uses.

One of the main goals is to demonstrate that the Commercial Village is able to develop without any vehicle trip stipulations. The 1998 review and trip cap condition was due to the "Barnett Road Interchange" and the lack of capacity for the local street system. The completion of the new South Medford Interchange and the applicant's transfer of land for Highland Avenue as part of the new South Medford Interchange construction provided street connectivity while providing a safer and more efficient street system. The applicant is requesting the trip cap stipulation to be removed based on the submitted Traffic Impact Analysis for the commercial uses within the Commercial Village.

The original rationale to develop this area as a PUD was to provide for mixed land uses with different housing types that includes multifamily structures, cottages, skilled nursing / memory care facility, commercial uses, open space golf course and private streets within a thoughtfully planned neighborhood. The planned uses for Rogue Valley Manor PUD were addressed with the 1998 review and approval and there are no changes with the planned uses. The purpose of this application is to revise the exterior boundary of the PUD to reflect the ownership changes and to amend the location of the approved uses within the project area. The Quail Point Golf Course is existing as a developed open space feature that is held in the ownership of Rogue Valley Manor.

There are three new modifications from the Code being requested by the applicant: 1) The applicant desires to acquire a modification to the Code for a sign within the Commercial Village, consistent with the Freeway Overlay District provisions. Although the underlying zone is not commercial, the uses within the Commercial Village

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are allowed and permitted within the commercial zones for the City of Medford. The Commercial Village was allowed in 1998 well within the 20% allocation of area and uses within the project area. A portion of the Commercial Village, adjacent to the I-5 corridor, is within the boundaries of the Freeway Overlay District. This sign will be located and provided within this identified boundary with the future development and available to all users within the Commercial Village. 2) Modification to Condition #13 in PUD-98-23 relating to a fence/wall 6-8 feet in height for screening purposes adjacent to the Memory Care and Skilled Nursing Facilities. The applicant and neighboring property owners desire to have this condition removed, due to shading and resulting mass effect. The remaining screening provisions are still proposed. 3) Modification to Condition #15 regarding the HVAC equipment to be located on the ground. The applicant desires to have the option to locate the HVAC equipment on the roof of the structures which will still be screened from view. This is proposed due to the efficiency of the new HVAC systems that results in energy savings and costs savings with the greater efficiency.

The development areas are broken down into specific projects (A-Z) that can also be considered as phasing for the Preliminary PUD Plan revision. There is no sequential order of phasing or development for the future improvements with the RV Manor PUD. There is no time schedule for the development of the remaining vacant lands or remaining uses. The need for demand for specific types of housing and/or uses will be provided when warranted.

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OCT 11 2018

PLANNING DEPT.

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

IN THE MATTER OF AN APPLICATION FOR)
AN AMENDMENT/REVISION FOR ROGUE)
VALLEY MANOR PLANNED UNIT DEVELOP-))
MENT LOCATED EAST OF INTERSTATE- 5)
AND SOUTH OF ELLENDALE ROAD AND)
MIRA MAR AVENUE; LOCATED AT 1200)
MIRA MAR AVENUE; PACIFIC RETIREMENT)
SERVICE/ROGUE VALLEY MANOR, OWNER)
APPLICANTS; RICHARD STEVENS &)
ASSOCIATES, INC. AGENTS)

AMENDMENT
FINDINGS OF FACT
PUD-98-23

RECITALS:

Property Owner/ Applicants-	PRS/Rogue Valley Manor 1 W. Main Street, Ste. 303 Medford, OR 97501
Attorneys-	Hathaway Larson LLP 1331 NW Lovejoy Street, Ste. 950 Portland, OR 97209
Designer-	Robert H. Foster Consultants 431 Ash Street Lake Oswego, OR 97034
Consultants-	Richard Stevens & Associates, Inc. PO Box 4368 Medford, OR 97504
Property Location-	1200 Mira Mar Avenue Medford, Oregon
Acreage-	233.20 acres
Zoning-	SFR-4 and SFR-10
Land Uses-	Mixed Use, residential and commercial with open space

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8

INTRODUCTION:

The purpose of this application is to amend the exterior boundary of Rogue Valley Manor, PUD, which has acquired additional lands in the last 20 years, after the approval of File No. PUD-98-23. There are also lands that have been transferred out of the RV Manor's ownership since 1998. These inclusion areas are located along Shannon Drive, Area C, in the eastern quadrant of the PUD and Area Q along Ellendale Drive. The lands transferred out of the RV Manor ownership are generally located north of Larson Creek, which includes the Larson Creek Trail system. This revision application and supporting findings is consistent with Section 10.198(A) Medford Land Development Code (MLDC). Section 10.198(A)(1) states:

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

The applicant requests that the City of Medford keep in mind that this amendment application cites and addresses the standards and criteria that were in effect in the year 1998, MLDC. The Code citations and criteria now differ from those in effect with the original review for Rogue Valley Manor PUD, File No. PUD-98-23. The Findings below reflect the current approval criteria that are applicable for this revision to the Preliminary PUD Plan. In addition, the applicant did advertise/notice a neighborhood meeting for the adjacent residents on June 13, 2018, as prescribed within Section 10.235, the previous code requirements, which are still consistent with Section 10.194(A), which is found in the current Code.

The applicant, Rogue Valley Manor, currently owns all, greater than 50%, of the vacant lands within RV Manor, PUD that has not received Final PUD Plan and is not under construction. The land uses for RV Manor, PUD have been approved by the City and there are no changes to these approved uses. There are a few changes to the location of these uses that is currently proposed on the 2018 RV Manor PUD Master Plan. The site is predominately a residentially zoned area as provided in the Medford Land Development Code and consistent with the Medford Comprehensive Plan. The attached Preliminary 2018 PUD Master Plan revision for Rogue Valley Manor, Planned Unit Development, adequately defines the urban residential and commercial uses for the property with the inclusion areas (Area C and Area Q) for the revised boundary.

The project area contains wetlands within its boundaries and is required to mitigate and enhance any impacted wetlands consistent with the Division of State Lands requirements. These wetlands are predominately within the Quail Point Golf Course and will not be disturbed with any future development.

A portion of the site is also located within the Larson Creek Trail Pedestrian / Bike path, which the City of Medford has recently approved for the improvements of Segment 2 of the Trail for development from Ellendale Avenue to Black Oak Drive. The Larson Creek Trail, once completed with improvements, will be transferred to the Medford Parks & Recreation for park purposes. The Larson Creek Trail will be used for open space, bike/pedestrian paths with viewing/resting areas within the Riparian Corridor of Larson Creek.

There are 5 separate development areas within the RV Manor PUD: Manor Village, Manor Hill, Quail Point Village, Commercial Village and the Larson Creek Village. This application for revisions does not include any land divisions or other Article II reviews. In addition, there are no landscape plans or conceptual grading and stormwater drainage plans being submitted. These matters are unnecessary at this time for revisions and will be supplied with the future SPAC materials.

CRITERIA: SECTION 10.190:

The application procedures and Criteria for a planned unit development are listed in Section 10.190, Medford Land Development Code. The criteria are:

Section 10.190(C) (1) An application for Preliminary PUD Plan shall be on forms supplied by the City. A complete application shall include the materials and information listed in this Subsection. However, the Planning Director, in their discretion, may waive the submittal of any of the materials or information that are deemed to be excessive, repetitive or unnecessary based upon the size and nature of the PUD. Unless waived by the Planning Director, the following items shall be required to constitute a complete application for a Preliminary PUD Plan:

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

1(b) Preliminary PUD Plan (16 copies) and supplemental materials.

One copy of the Preliminary PUD Plan shall be a reduced size suitable for photocopy.

1(c) A narrative description of the PUD.

1(d) Written findings of facts and conclusions of law which address the approval criteria in Subsection 10.190(D).

1(e) Names and mailing addresses of the owners of record of tax lots, obtained by the latest tax rolls of the Jackson County Assessor's Office, located within 200 feet of the exterior boundary of the whole PUD. The owners of no less than seventy-five (75) tax lots shall be notified of the pending land use hearing.

The applicants are not proposing any new private or non-city street lighting with this application, the private streets and lighting have already been approved. There are no land divisions proposed, nor any structures or architectural plans for review by the Site Plan and Architectural Review Commission.

SECTION 10.190(C)(1)(c) Narrative:

(c)(i) The original rationale to develop this area as a PUD was to provide for mixed land uses with different housing types which includes Congregate Housing, multifamily housing, cottages, skilled nursing / memory care facility, commercial uses, open space golf course and private streets within a thoughtfully planned neighborhood.

(c)(ii) The nature and planned uses of Rogue Valley Manor PUD was thoroughly addressed with the 1998 review and approval and there are no changes with the 2018 planned uses. The purpose of this application is to revise the exterior boundary of the PUD to reflect the ownership changes and to amend the location of several of the approved uses within the project area. An additional request is for the trip cap stipulation to be removed based on the submitted Traffic Impact Analysis for the commercial uses within the Commercial Village. There are no other development restrictions or limitations from the 1998 review and approval on the remaining vacant lands within the project area. The Quail Point Golf Course is existing as a developed open space feature that is held in the ownership of Rogue Valley Manor.

(c)(iii). There were several deviations (*modifications*) from the MLDC proposed and approved by the Medford Planning Commission with the 1998 review for RV Manor PUD. These include multiple residential structures on the same Lot and/or Parcel for each phase or project area; Setbacks and Building Height for several buildings to exceed 35-feet in height; Parking reduction; Signs within the residential zones; Private Streets; Private Street Lights; and uses not allowed in the underlying zoning district (Commercial Village). Rogue Valley Manor PUD meets or exceeds the minimum standards of the remaining applicable criteria and development standards found in the Medford Land Development Code.

There are three additional modifications from the Code being requested by the applicant. 1) The applicant desires to acquire a modification to the Code for a sign within the Commercial Village, consistent with the Freeway Overlay District provisions. Although the underlying zone is not commercial the uses within the Commercial Village are allowed or permitted within the commercial zones for the City of Medford. The Commercial Village was allowed in 1998 for meeting the 20% allocation of area and uses within the project area. A portion of the Commercial Village, adjacent to the I-5 corridor is within the boundaries of the Freeway Overlay District. This sign will be located and provided within this identified boundary with the future development and available to all users within the Commercial Village. 2) Modification to condition #13 in PUD-98-23 relating to a fence/wall 6-8-feet in height for screening purposes adjacent to the Memory Care and Skilled Nursing Facilities. The applicant and neighboring property owners desire to have this condition removed, due to shading and mass.

In addition, the fencing downhill from the Memory Care Facility has minimal effect for screening purposes with the line of sight. The remaining screening provisions for a berm and vegetation are still proposed. 3) Modification to condition #15 in File No. PUD-98-23 regarding the HVAC equipment to be located on the ground. The applicant desires to have the option to locate the HVAC equipment on the roof of the structures which will still be required to be screened from view. This is proposed due to the efficiency of the new HVAC systems that provides energy efficiency and savings along with costs savings with the greater efficiency.

(c)(iv) If one or more signs are intended to vary from the provisions of this Code. The allowance for a sign consistent with the Freeway Overlay District is being requested as a modification to the code within the Commercial Village. There is no design for the sign proposed at this time. The provision for signs has already been allowed with the approval of PUD 98-23 within the residential zones with the deferral to Site Plan Architectural Review Commission.

(c)(v) There are no specific phases planned with the RV Manor PUD. The development is broken down into specific development areas with associated project areas/uses (A-Z). The project areas can be used for phasing purposes with the Preliminary 2018 PUD Master Plan. The need for specific types of housing and/or uses are then provided when warranted. There is no schedule or sequential order of phasing for the development of the remaining vacant lands or remaining uses.

(c)(vi) The calculated gross acreage for the project is approximately 233.2 acres. The various uses within each project area is provided on the 2018 RV Manor PUD Master Plan with the project area for each specific use identified.

SECTION 10.190(D) Approval Criteria for Preliminary PUD Plan:

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

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

Discussion:

Based on the 2018 RV Manor PUD Master Plan subsections a-d are applicable with the revision application. (a) The natural feature is Larson Creek and associated riparian corridor, located in the northern quadrant of the project area, where the applicant has cooperated with Medford Public Works Department for the creation and transfer of ownership for the Larson Creek Trail. (b) & (c) RV Manor PUD does provide a mixture of commercial uses with several types of

residential facilities from independent cottage living to congregate care. (d) The RV Manor PUD also provides for developed open space with the Quail Point Golf Course. The lands and uses within the RV Manor PUD are solely owned and operated by the Rogue Valley Manor and will remain in common ownership, with the exception for the Commercial Village.

FINDING:

The City of Medford finds that the existing and planned uses for RV Manor PUD preserves the natural feature for the Larson Creek Trail, provides a mixture of residential and commercial uses, provides a mixture of residential housing types and provides for an open space feature being the Quail Point Golf Course. This application is in compliance with the applicable requirements of Section 10.190(D)(1).

- (2) *The proposed PUD complies with the applicable requirements of this Code, or*
- (a) *the narrative describes the proposed modified standard of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and*
 - (b) *the proposed modification enhance the development as a whole resulting in a more creative and desirable project, and*
 - (c) *the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.*

Discussion:

There are modifications/deviations that were reviewed within PUD 98-23 and were approved by the Medford Planning Commission in 1998. There are three new modifications requested with this application for revisions; the Freeway Overlay District signs within the Commercial Village; modification/elimination to PUD-98-23 Condition #13 regarding the 6-8 foot wall; and a modification to Condition #15 in PUD-98-23 regarding location of the HVAC equipment on the top of buildings.

The Freeway Overlay District sign will provide an attractive and consolidated signage along the I-5 South Medford Interchange, compared to the anticipated signage on individual buildings and parcels within the Commercial Village. The allowance for a sign to meet the Freeway Overlay District does not significantly impact the function, safety or efficiency of the street circulation system. The proposed sign may enhance the efficiency with travelers being able to locate specific destinations with greater ease.

The removal of the 6-8 foot wall will enhance the development by removing the visual "mass" effect on RV Manor property and with the adjacent neighbors. The wall/fence will not significantly impact the functions, safety or efficiency of the street circulation or the development as a whole.

The modification for allowing the HVAC equipment to be located either on the ground or on top of the structures will enhance the development by providing for the most energy efficient system available, which creates a more desirable project. When the HVAC equipment is located on the rooftop additional area can be utilized for landscaping purposes. This equipment either on the ground or on top of the structures will be screened from public view. This modification will not materially impair the street circulation system or the development as a whole

FINDING:

The City of Medford finds that there are deviations / modifications already reviewed and approved by the Medford Planning Commission in 1998. The City also finds that there are three new modifications proposed that will not have a significant impact to the street circulation system or the development as a whole, that will enhance the development to be more desirable, and that these modifications are reasonable requests to the development of RV Manor PUD and specific uses.

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

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

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

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

Discussion:

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

FINDING:

The City of Medford finds that the subject property is not subject to a Limited Service Area, Public Facilities Strategy or a Moratorium on Construction within the City of Medford. This application is in compliance with Section 10.190(3), MLDC.

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

Discussion:

The approved RV Manor PUD provides for the Quail Point Golf Course as a common element for the residents of Rogue Valley Manor. Also provided are pedestrian pathways throughout the project for persons to walk and exercise. There are community gardens provided for the residents to grow their own vegetables and flowers as part of the living experience. Within the RV Manor and Sky Line Plaza there are numerous indoor common areas for persons to visit and socialize with other residents and visitors. These features are appropriate for the residents of the RV Manor campus and have functioned superbly for their intended use.

FINDING:

The City of Medford finds that the common elements provided have been approved and are existing within the PUD boundaries, which are appropriate for the residents of Rogue Valley Manor. All common elements and properties are to remain solely in the RV Manor ownership.

(5) If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either:

- (a) Demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or*
- (b) By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:*

Discussion:

With the review of PUD 98-23 the Medford Planning Commission applied a vehicle trip cap for the development of the Commercial Village. This was imposed due to the "old" South Medford I-5 Interchange location and restriction at that time. The applicant is requesting the Planning Commission to remove the trip cap stipulation based on the Traffic Impact Analysis (TIA) that will ultimately be provided by TransproGroup. Once the TIA is completed, the applicant will submit for review with the City of Medford.

FINDING:

The City of Medford finds that the TIA submitted for removal of the vehicle trip cap is justified with the improvements made to the relocation of South Medford I-5 Interchange and the street connection of Highland Drive with Garfield Ave.

(6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.

Discussion:

With the City's review and approval of the 1998 application the Commercial Village addressed the conditional use permit criteria with the provisions in effect at that time. This criterion has already been addressed and satisfied; therefore, this is not applicable with this revision to the RV Manor Preliminary PUD Plan.

FINDING:

The City of Medford finds that this criterion was already addressed and approved and is not applicable with this application.

(7) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.

Discussion:

There are no concurrent applications applicable for this revision to the RV Manor Preliminary PUD Plan. This criterion is not applicable.

FINDING:

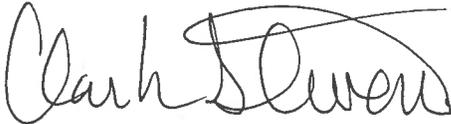
The City of Medford Finds that this criterion is not applicable for this revision application for RV Manor PUD.

**PLANNED UNIT DEVELOPMENT SUMMARY
AND CONCLUSIONS:**

The City of Medford concludes that this revision and amendment application for Rogue Valley Manor Planned Unit Development (PUD 98-23) has addressed the applicable criteria for a planned unit development as outlined in Sections 10.190, 10.194, and 10.198 MLDC. The provisions found in Section 10.192 have already been addressed, reviewed and approved with PUD 98-23 by the Medford Planning Commission. The City of Medford also concludes that this Preliminary PUD revision meets the minimum, or exceeds the standards and requirements for a Preliminary Planned Unit Development application. The City of Medford can also conclude that this application with the requested new modifications is in compliance with the Medford Land Development Code.

Based on the Findings provided above and the exhibits attached, the applicant, Rogue Valley Manor, respectfully requests approval of this application for a revision to Rogue Valley Manor, Planned Unit Development Plan.

RESPECTFULLY SUBMITTED:

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

RICHARD STEVENS & ASSOCIATES, INC.

Rogue Valley Manor PUD Master Plan

Comparison from the 1998 approved plan with the 2018 Master Plan.

1998 Uses	New Uses / Changes	2018 Proposed Uses	Comments
Area 219.7 ac	+ Areas C & Q Less Larson Creek Less office building Less Right of Way	Area- approximately 233.2 ac	
Residential: Total 1,265 DU	9 additional new SFR lots and dwellings	Residential: Total of 1,274 DU	Areas C & Q inclusions
Cottages 374		378 cottages	Areas A, C, L, M, N & O
SFR 7 DU		2 SFR DU	Area Q
Apartments 96 mixed use CM			Added to the Congregate total
Congregate 788 DU		894 DU	Includes Manor Hill, Area B & Larson Cr. Village
			No Net increase or decrease in Dwelling Units
Commercial: 250,400 sq.ft.	Less PRS office building & Pro Shop	Commercial: 163,500 sq.ft. 37,000 sq.ft. commercial	Commercial Village Area P, commercial offices & Pro Shop
Hotel 150 rooms		Hotel 109 rooms	Existing
		Hotel 120 rooms	Existing
Office 95-KSF		Office 22-KSF	Area R mixed use
		Office 40-KSF	Area X
Retail 34.4-KSF		Retail 15-KSF	Area R
Retail 26.5-KSF		Retail 36.3-KSF Retail 42.6-KSF	Area S Area U
Restaurant 10-KSF		Restaurant 7.6-KSF	Area T

CITY OF MEDFORD
EXHIBIT # H
File # Pu0-18-152

Account Sequence	Map TL Sequence	Assessment Year 2018 ▼	Print Window	Close Window
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Assessment Info for Account 1-002175-0 Map 371W32D Taxlot 600

Report For Assessment Purposes Only Created October 05, 2018

Account Info	
Account	1-002175-0
Map Taxlot	371W32D 600
Owner	ROGUE VALLEY MANOR
Situs Address	
1200 MIRA MAR AVE MEDFORD R	
Mailing Address	ROGUE VALLEY MANOR 1200 MIRA MAR AVE MEDFORD OR, 975048546
Associated Taxlots 3 Acct	
4-07 R	1-002176-8 371W32D 601 ACTIVE
4-03 R	1-078738-5 371W32D 600 PURGED
4-07 R	1-094903-4 371W32D 600 A2 ACTIVE
Appraiser	164

Tax Year 2017 Info		
Pay Taxes Online		
Tax Report		Details
Tax Statement		Details
Cor Tax Statement		Details
Tax History		Details
Tax Code 4-07		
Tax Type	Due Date	Amount
Advalorem	11/15/17	\$950,325.44
Tax Rate		14.6754
District Rates		Details
Tax Details		Details
Tax Rates		Details

Land Info	
Tax Code	4-07
Acreage	104.26
Zoning	
Land Class	
UNK 104.26 Ac	
Property Class	201
Stat Class	642
Unit ID	160431-3
Maintenance Area	4
Neighborhood	000
Study Area	00
Account Status	ACTIVE
Tax Status	Assessable
Sub Type	NORMAL

Sales Data (AS 400)

Last Sale	Sale Date	Instrument Number	Sales History
\$1,337,500.00	6/15/1983	1983-09451 Details	Details

Value Summary Detail (For Assessment Year 2018 - Subject To Change)

Market Value Summary (For Assessment Year 2018 - Subject To Change)

Code Area	Type	Acreage	RMV	M5	MAV	AV
4-07	LAND	104.26	\$ 6,874,810	\$ 6,874,810	\$ 4,089,630	\$ 4,089,630
4-07	IMPR	0.00	\$ 66,320,190	\$ 66,320,190	\$ 64,555,550	\$ 64,555,550
Value History Details			Total:	\$ 73,195,000	\$ 73,195,000	\$ 68,645,180

Value Summary Details

Value History

Improvements

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete	
1	4-07	0		642	Retirement Center	Comml Imp	308170	100 %	Details
2	4-07	2009		642	Retirement Center	Comml Imp	136200	100 %	Details

Photos and Scanned Documents

Type	Item Number	Image Files	
ACCOUNT PHOTO	1	1	PDF
ACCOUNT PHOTO	2	1	PDF
ACCOUNT PHOTO	3	1	PDF

File # **10-18-12**

ACCOUNT PHOTO	4	1	PDF
ACCOUNT PHOTO	5	1	PDF
ACCOUNT PHOTO	6	1	PDF
ACCOUNT PHOTO	7	1	PDF
ACCOUNT PHOTO	8	1	PDF
ACCOUNT PHOTO	9	1	PDF
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ACCOUNT PHOTO	16	1	PDF
ACCOUNT PHOTO	17	1	PDF
ACCOUNT PHOTO	18	1	PDF
SCANNED ASSESSOR DOCUMENTS 	(See new portal)	(See new portal)	Portal
ALL IN ONE REPORT? 			

Improvement Comments

Commercial

Appraisal Maintenance

Account Comments

Exemptions / Special Assessments / Notations / Potential Liability

Exemptions

Description	Amount	Application Year
VETERANS SERVICE RELATED	\$1,889,454.00	2017

Notations

Description	Tax Amount	Year Added	Value Amount
TRC DOWNLOADED FROM CAAP			
CELL TOWER SITE ON PROPERTY		2014	
ERROR OF ANY KIND- DECREASE		2014	
ERROR OF ANY KIND- DECREASE		2008	
YR. END TRC---ADDIT BILL THRU 11/30		2008	

Location Map



Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 12/19/2018

Revised Date: 3/7/2019

File Numbers: PUD-18-152

Reference: PA-18-068, PUD-84-003, PUD-98-023

PUBLIC WORKS DEPARTMENT STAFF REPORT

Rogue Valley Manor

PUD Revision

Project: Consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File No. PUD-98-023, to consider changes to the PUD boundary of approximately 233-acres of property and to demonstrate that the 'Commercial Village' is able to develop without any vehicle trip stipulations.

Location: Located east of Interstate 5 between Ellendale and La Loma Drives, within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre), SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre), SFR-10 (Single Family Residential – 6 to 10 dwelling units per gross acre), MFR-20 (Multiple Family Residential – 15 to 20 dwelling units per gross acre), MFR-30 (Multiple Family Residential - 20 to 30 dwelling units per gross acre) and C-C (Community Commercial) zoning districts.

Applicant: Applicant: Pacific Retirement Services, Rogue Valley Manor; Agent: Richard Stevens & Associates; Planner, Steffen Roennfeldt.

Applicability: The Medford Public Works Department's conditions of approval for Rogue Valley Manor PUD were adopted by Order of the Medford Planning Commission (PUD-84-003, PUD-98-023, PUD-07-113, PUD-08-086). The adopted conditions by these actions shall remain in full force as originally adopted except as amended or added to below.

NOTE: The items listed here shall be completed and accepted prior to the respective issuances of permits and certificates:

Prior to issue of the first building permit or approval of a Final Plat, the following items shall be completed and accepted:

- Submittal and approval of plans for site grading and drainage, and detention, if applicable.
- Completion of all public improvements, if required. The applicant may provide security for 120% of the improvements prior to issuance of building permits. Construction plans for the improvements would need to be approved by the Public Works Engineering Department prior to acceptance of security.
- Items A – E, unless noted otherwise.

Prior to issue of Certificate-of-Occupancy for completed structures, the following items shall be completed and accepted:

- Paving of all on-site parking and vehicle maneuvering areas
- Certification by the design engineer that the stormwater quality and detention system was constructed per the approved plan, if applicable.
- Completion of all public improvements, if applicable.

A. STREETS

1. Dedications

Ellendale Drive is classified as a Major Collector street within the Medford Land Development Code (MLDC) Section 10.428. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width (37-feet) of right-of-way. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

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

Welcome Way (*Hospitality Way, as noted on the PUD Master Plan*) is classified as a Commercial street within the Medford Land Development Code (MLDC) 10.429. Right-of-way has already been dedicated per separate document with Right of Way Recording Numbers: 2016-009587 and 2017-025978, respectively. **No additional right-of-way is required along the existing roadway.** If Welcome Way is to be extended as a public street, then additional right-of-way shall be dedicated accordingly (including the "proposed knuckle"). If the extension is to be private, then the public section of Welcome Way shall terminate with a "cul-de-sac" which shall be dedicated per MLDC 10.450, and have a minimum 45-foot radius.

Nieto Way and Shannon Drive are classified as a Standard Residential streets in accordance with Medford Land Development Code (MLDC) Section 10.430. **No additional right-of-way is required.**

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

The easement dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the easement dedication, including an exhibit map; a copy of a current Lot Book Report, Preliminary Title Report, or Title Policy; a mathematical closure report (if applicable), and the Planning Department File Number; for review and City Engineer acceptance signature prior to recordation by the applicant. Releases of interest shall be obtained by holders of trust deeds or mortgages on the right-of-way and

PUE area.

2. Public Improvements

a. Public Streets

Ellendale Drive is currently improved with pavement, curb, gutter, sidewalk and street lights. **No additional improvements are required.**

Neito Way and Shannon Drive are currently improved with pavement, curb, gutter, partial sidewalk and street lights. **No additional improvements are required except for sidewalk with a planter strip with future development.**

Welcome Way is currently improved with pavement, curb, gutter, sidewalk and street lights along the public section. **No additional improvements are required for the public section.** However, if Welcome Way is to be extended as a public street, then it shall be improved in accordance with MLDC 10.429. If the extension is to be private, then the public section of Welcome Way shall terminate with a "cul-de-sac" which shall be constructed in accordance with MLDC 10.450.

In addition, the proposed knuckle as shown on the PUD Master Plan along Welcome Way near Building "R" in the Commercial Village, shall be designed to City of Medford street standards.

All proposed private streets shall be constructed to City Standards, in accordance with MLDC 10.426, 10.430 and allowed by 10.931, and shall be privately maintained.

b. Street Lights and Signing

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

Street Lighting – Developer Provided & Installed:

- A. To be determined per Section 10.495.

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

- A. To be determined per Section 10.495.

NOTE: For private streets, legal documents shall be submitted in a form acceptable to the City Attorney prior to recording in the official records of Jackson County that assure that lighting systems on private streets will be perpetually maintained and operated by individual property owners, an association of property owners, or other entity. Street lighting and pedestrian scale street lighting that differs from the standards may be installed if the Planned Unit Development (PUD) approval authorizes the modification.

Numbers are subject to change if changes are made to the plans. All street lights and

signing for the private streets shall be private, but installed to City of Medford specifications. Private street lights and signage shall be maintained by the Home Owners Association.

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

c. Pavement Moratoriums

There is a pavement cutting moratoriums currently in effect along the respective frontage to Nieto Way, which is set to expire July 26th, 2020. No other street cut moratoriums in effect.

The Developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any Public Street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

d. Soils Report

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

e. Access and Circulation

Driveway access to the proposed development sites shall comply with MLDC 10.550.

Applicant shall coordinate with the Oregon Department of Transportation and/or adjacent landowners for access to the "Development Site", within the Commercial Village which is located west of Highland Drive.

f. Transportation System

1. The applicant has shown that the proposed changes to the site plan outside of the Commercial Village are Step 1 uses as defined in the 1998 PUD approval. Therefore, there are no traffic impacts beyond the original approval and no traffic analysis of these changes

is needed at this time.

2. The added areas shall be restricted to permitted uses within the underlying zoning.
3. The removal of Map Lot 37 1W 32AB 1000 will not result in any conditions to run with the land resulting from the PUD because the C-C zoning was existing prior to inclusion in the PUD and was considered as part of the Step 1 uses in the 1998 approval.
4. The Highland Drive right-of-way and the Larson Creek Greenway property being removed were included in the trip equivalency test that established the Step 2 and Step 3 land uses. Since these are now used for public transportation facilities, they do not generate any vehicle trips and would not impact the existing traffic conditions. If these areas change use in the future the impacts of any future proposal would need to be analyzed for any trip generation.
5. Public Works received a Transportation Impact Analysis (TIA) from Transpogroup, dated November 2018, and addendum dated February 2019 titled "Rogue Valley Manor". The TIA addresses tax Lots 371W32BA1600, 1700, 1800, 1900, 2300, 2400, 2500, 2502, 2700, and 371W32B3401 within the PUD; not the full PUD. The report analyzes increasing the trip cap for the Commercial Village in the PUD (identified as "Step 3" land uses in the 1998 PUD approval) from 192 P.M. peak hour trips to 486 P.M. peak hour trips. Public Works recommends the following conditions of approval:
 - a. Development of the Step 3 Land Uses shall not generate more than 192 P.M. peak hour trips until the intersection of Highland Dr and Barnett Rd is mitigated to the Level of Service (LOS) target identified in MLDC 10.462. This condition may be removed if Medford's standards for determination of Category "A" facilities for public streets changes in a way that allows this project to be considered reasonably likely to be funded by the end of the planning horizon.
 - b. Development of the Step 3 Land Uses shall not generate more than 192 P.M. peak hour trips until the intersection of Highland Dr and Keene Way / Barneburg is mitigated to the Level of Service (LOS) target identified in MLDC 10.462. An acceptable mitigation is for the developer to pay a 4.5% proportionate share toward construction of a roundabout. Public Works estimates the proportionate share of a roundabout at approximately \$100,000.
 - c. The development shall provide a trip accounting for each phase of development to verify that the trip cap has not been exceeded.
 - d. Development of the Step 3 Land Uses shall not generate more than 486 P.M. peak hour trips unless a future traffic impact analysis removes or modifies the trip cap on the property.

g. Easements

All public sanitary sewer or storm drain mains shall be located in paved public streets or within

easements. A 12-foot wide paved access shall be provided to any public manholes which are not constructed within a public street section.

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

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

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

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

1. Nexus to a legitimate government purpose

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

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

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

services and the transportation network.

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

Ellendale Drive:

The additional right-of-way on Ellendale Drive will provide the needed width for a future planter strip and sidewalk. Ellendale Drive is a 35 mile per hour facility, which currently carries approximately 2,200 vehicles per day. The 10-foot planter strip moves pedestrians a safe distance from the edge of the roadway. Ellendale Drive will be a primary route for pedestrians traveling to and from this development. The development shall construct sidewalk along the frontage of any new or redeveloped areas within the PUD. All developments in Medford are required to construct frontage sidewalk.

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

Neito Way, Shannon Drive and Welcome Way will be one of the primary routes for pedestrians traveling to and from this development. The development shall construct sidewalk along the frontage of any new or redeveloped areas within the PUD. All developments in Medford are required to construct their frontage sidewalk and therefore this is roughly proportional.

The additional street lighting will provide the needed illumination to meet current MLDC requirements.

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

Dedication of the Public Utility Easements (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities.

As indicated above, the area required to be dedicated for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

The proposed development is situated within the Medford sewer service area.

C. STORM DRAINAGE

1. Drainage Plan

A comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first building permit application for approval.

The Developer shall provide copies of either a Joint Use Maintenance Agreement or a private stormdrain easement for any stormwater draining onto or from adjacent private property.

All private storm drain lines shall be located outside of the public right-of-way and/or any public utility easements (PUE).

Private Stormdrain facilities located with a PUE shall require signed approvals from the benefitting utilities.

1. Stormwater Detention and Water Quality Treatment

This development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual per MLDC, Section 10.481. For developments over five acres, Section 10.486 requires that the development set a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

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

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

The City is responsible for operational maintenance of the public detention facility. Irrigation and maintenance of landscape components shall be the responsibility of the Developer or a

P:\Staff Reports\2018\PUD-18-152 Rogue Valley Manor PUD Revision (re PUD-08-023)\PUD-18-152 Staff Report-Revised.docx Page 8 of 12

Home Owners Association (HOA). The Developer's Engineer shall provide an operations and maintenance manual for the facility that addresses responsibility for landscape maintenance prior to subdivision acceptance. Regarding water quality maintenance, the Rogue Valley Stormwater Quality Design Manual states: "Vegetation shall be irrigated and mulched as needed to maintain healthy plants with a density that prevents soil erosion."

2. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed development will be submitted with the improvement plans for approval. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

3. Mains and Laterals

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

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

4. Erosion Control

All development that disturbs 5,000 square feet or greater shall require an Erosion Prevention and Sediment Control Plan. Developments that disturb one acre and greater shall require a 1200C permit from the Department of Environmental Quality (DEQ). Erosion Prevention and Sediment Control Plans shall be submitted to the Building Department with the project plans for development. All disturbed areas shall be covered with vegetation or properly stabilized prior to certificate of occupancy.

D. SURVEY MONUMENTATION

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

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

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

document are available in the Public Works Engineering web site.

2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a Professional Engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

3. Phasing

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

4. Permits

Building Permit applications for vertical construction shall not be accepted by the Building Department until a "walk through" inspection has been conducted and approval of all public improvements, as required, has been obtained for this development.

Concrete or block walls built within a PUE, or within sanitary sewer or storm drain easements require review and approval from the Engineering Division of Public Works. Walls shall require a separate permit from the Building Department and may also require certification by a

Professional Engineer.

5. System Development Charges (SDC)

Buildings in this development are subject to SDC fees. These SDC fees shall be paid at the time individual building permits are taken out.

This development is also subject to storm drain system development charges, the Developer is eligible for storm drain system development charge credits for the installation of storm drain pipe which is 24 inches in diameter or larger and is not used for storm drain detention in accordance with Medford Municipal Code (MMC), Section 3.891. The storm drain system development charge shall be collected with the approval of the final plat or with building permits, whichever occurs first.

6. Construction and Inspection

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

For City of Medford facilities, the Public Works Maintenance Division requires that public sanitary sewer and storm drain mains be inspected by video camera prior to acceptance of these systems by the City.

Where applicable, the Developer shall bear all expenses resulting from the adjustment of manholes to finish grades as a result of changes in the finish street grade.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Rogue Valley Manor, PUD Revision

PUD-18-152

A. Streets

1. Street Dedications to the Public:

- Dedicate additional right-of-way on **Ellendale Drive**.
- Dedicate additional right-of-way on **Welcome Way** for the extension and/or cul-de-sac.
- No additional right-of-way on **Nieto Way and Shannon Drive**.
- Dedicate 10-foot public utility easements (PUE).

2. Public Improvements:

- No public improvements are required along **Ellendale Drive**.
- Construct **Welcome Way** as public or as a private roadway with a Cul-de-sac.
- No public improvements are required along **Nieto Way or Shannon Drive**.
- Private streets: Built to City standards and privately maintained.

Lighting and Signing

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

Access and Circulation

- Driveway access shall comply with MLDC 10.550.

Transportation System

- Comply with Transportation System conditions.

Other

- There is a pavement moratorium currently in effect along this frontage to Nieto Way set to expire July 26th, 2020.
- Provide pavement moratorium letters.
- Provide soils report.

B. Sanitary Sewer:

- Easements shall be dedicated for access and maintenance of public sewer facilities not located within paved public streets.

C. Storm Drainage:

- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide Erosion Control Permit from DEQ.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

- Provide public improvement plans, as required.
- = City Code requirement.
- = Discretionary recommendations/comments.

The above summary is for convenience only and does not supersede or negate the full report in any way. If there is any discrepancy between the above list and the full report, the full report shall govern. Refer to the full report for details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection.



BOARD OF WATER COMMISSIONERS
Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: PUD-18-152

PARCEL ID: Refer to Pre-Application (PA-18-068)

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

DATE: December 19, 2018

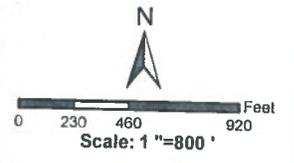
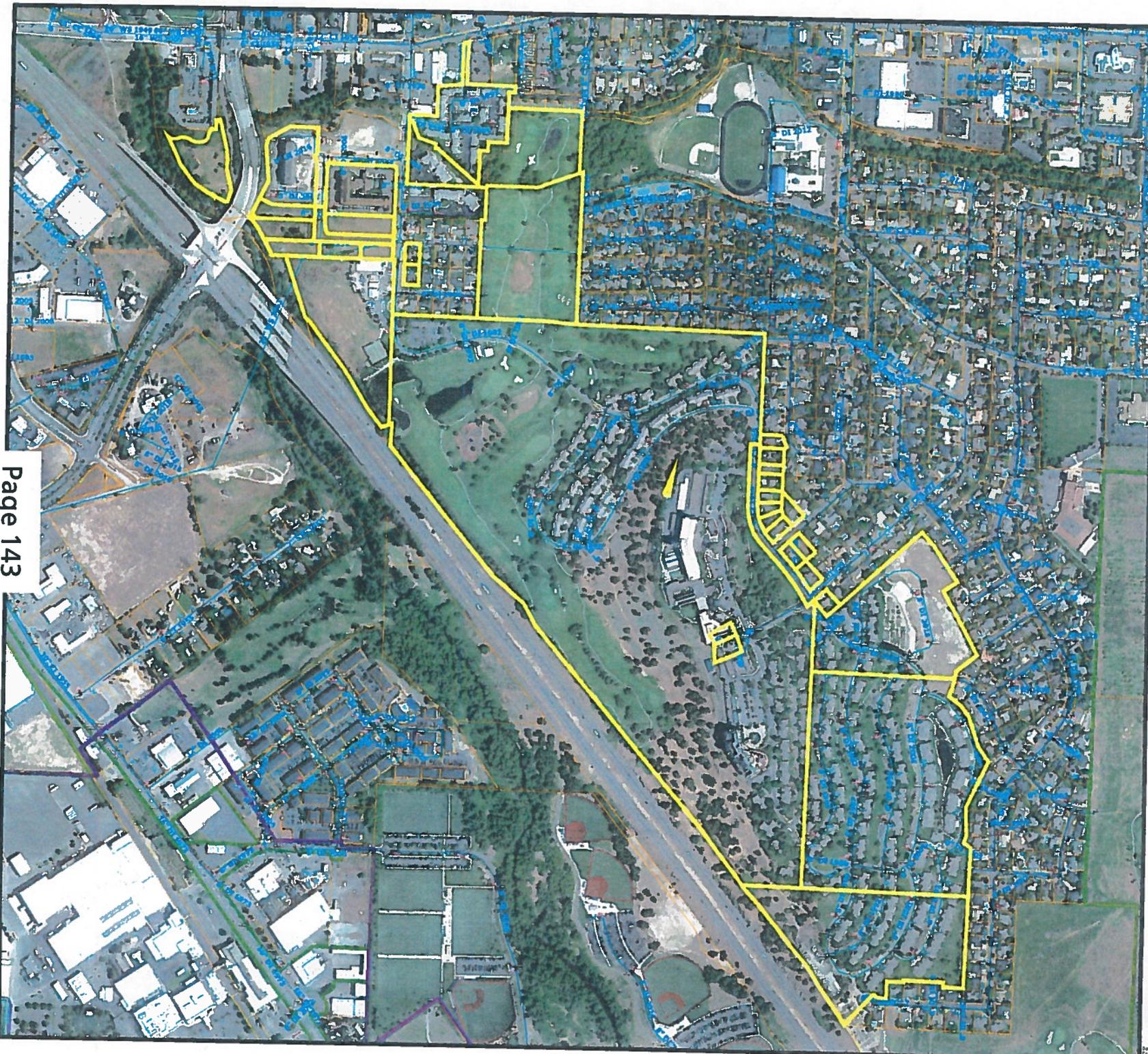
I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The Applicant or their Agent shall coordinate with MWC Engineering Staff on each proposed Phase of Development for necessary water improvements, or potential modifications to water distribution system.

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is required in some areas, applicant shall coordinate with MWC Engineering staff for water facility layout and requirements.
3. MWC-metered water service does exist to a majority of these properties.
4. Access to MWC water lines is available. Applicant or their Engineer shall coordinate with MWC Engineering staff for water facility layout for future phases as required.



**Water Facility Map
City of Medford
Planning Application:
PUD-18-152
(Rogue Valley Manor)
December 5, 2018**

Legend

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

Water Meters:

- ⊕ Active Meter
- On Well
- Unknown
- Vacant

Water Valves:

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

Water Mains:

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

Boundaries:

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

MWC Facilities:

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



This map is based on a digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission does not accept responsibility for errors, omissions, or potential liability. There are no warranties implied or stated.
Date: 12/2018
Path: G:\Mapping\MDC\GIS Map Maker - R.1.mxd



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

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

LD File #: PUD18152 **Associated File #1:** PA-18-068 **Associated File #2:** PUD-98-023

Planner: Steffen Roennfeldt

Applicant: Pacific Retirement Services, Rogue Valley Manor

Site Name: Rogue Valley Manor Planned Unit Development

Project Location: Located east of Interstate 5 between Ellendale and La Loma Drives

Project Description: Consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File No. PUD-98-023, to consider changes to the PUD boundary of approximately 233-acres of property and to demonstrate that the 'Commercial Village' is able to develop without any vehicle trip stipulations

Specific Development Requirements for Access & Water Supply

Reference	Description	Conditions
Approved	Approved as submitted with no additional conditions or requirements.	

Construction General Information/Requirements

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

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

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

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

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

www.medfordfirerescue.org

CITY OF MEDFORD
EXHIBIT L
FILE # PUD-18-152

Memo



To: Steffen Roennfeldt, Planning Department
From: Mary Montague, Building Department
CC: Rogue Valley Manor, Applicant; Richard Stevens, Agent
Date: December 18, 2018
Re: PUD-18-152_Rogue Valley Manor; LDC Meeting December 19, 2018

Building Department:

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

Residential Notes:

1. Applicable Building Codes are 2017 ORSC; 2017 OPSC; and 2014 OMSC. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Go to "City Departments" at top of screen; click on "Building"; click on "ELECTRONIC PLAN REVIEW (ePlans)" for information.
3. Site Excavation permit required to develop, install utilities.
4. Demo Permit is required for any buildings being demolished.

Commercial Notes:

Please Note: This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2014 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

Fees are based on valuation. Please contact Building Department front counter for estimated fees at (541) 774-2350 or building@cityofmedford.org.

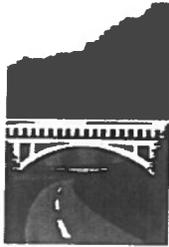
For questions related to the Conditions or Comments, please contact me, Chad Wiltrout, directly at (541) 774-2363 or chad.wiltrout@cityofmedford.org.

General Comments:

5. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
6. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
7. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.
8. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

Comments:

9. Proposed construction in proximity to property lines shall comply with table 602 and code section 705 of the Oregon Structural Specialty Code.
10. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code.



JACKSON COUNTY

Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

December 11, 2018

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

RE: Consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File # PUD-98-023 located between I-5 – ODOT maintained road Ellendale Drive and La Loma Drive – city maintained roads
Planning File: PUD-18-152

Dear Steffen:

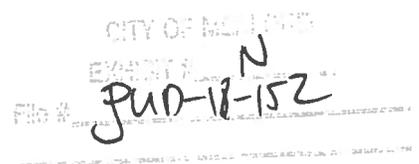
Thank you for the opportunity to comment on this consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File No. 98-023, to consider changes to the PUD boundry of approximately 233-acres of property and to demonstate that the "Commercial Village" if able to develop without any vehicle trip stipulations, located east of Interstate 5 between Ellendale nd La Loma Drives, within the Single Family Residential – 2.4 to 4 dwelling units per gross acre (SFR-4), Single Family Residential – 4 to 6 dwelling units per gross acre (SFR-6), Single Family Residential – 6 to 10 dwelling units per gross acre (SFR-10), Multiple Family Residential – 15 to 20 Dwelling units per gross acre (MFR-20), Multiple Family Residential – 20 to 30 Dwelling units per gross acre (MFR-30),Community commercial (C-C). Jackson County Roads has the following comment:

1. Please contact the Oregon Department of Transportation for comments.

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

Sincerely,

Chuck DeJanvier,
Construction Engineer





Oregon

Kate Brown, Governor

Department of Transportation
Region 3 Planning and Programming Unit
3500 NW Stewart Parkway
Roseburg, OR 97470
Phone: (541) 580-6178

FILE CODE: PUD-18-152, DRS 8709

March 7, 2019

Steffen Roennfeldt
City of Medford Planning Department
Lausmann Annex
200 South Ivy Street
Medford, OR 97501

RE: PUD-18-152, Rogue Valley Manor Conditions of Approval

Dear Mr. Roennfeldt,

Thank you for the opportunity to review and comment on PUD-18-152, the proposed Rogue Valley Manor development.

We request the City of Medford impose the following conditions on the development:

1. Any construction work within the state right of way will require a Misc. or Utility permit – please contact Julee Scruggs at Julee.Y.Scruggs@odot.state.or.us or 541-864-8811 to secure the permit.
2. Applicant shall provide a letter from the Oregon Department of Transportation, prior to site development, approving their storm water/drainage calculations and plans.
3. Applicant shall provide a letter from the Oregon Department of Transportation, prior to site development, approving their proposed transportation system mitigation.

We are currently working with the applicant on their traffic impact study, and developing proposed transportation system improvements that will accommodate the proposed development. We will not know the specific transportation system mitigation until after we have had a chance to negotiate with the developer. We believe condition of approval #3 provides the best opportunity for us and the applicant to complete traffic analysis and identify appropriate mitigation.

I have attached a copy of our latest comments on the applicant's traffic impact analysis memorandum for your records

Please do not hesitate to contact me if there are questions.

Sincerely,

John McDonald
Development Review Planner

CITY OF MEDFORD
EXHIBIT # 0
File # PUD-18-152



Oregon

Kate Brown, Governor

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

FILE CODE DRS 8709

TECHNICAL MEMORANDUM

TO: John McDonald
Region 3 Development Review Planner

FROM: Wei (Michael) Wang, P.E. & M.S. *WW*
Development Review Traffic Engineer

DATE: March 7, 2019

SUBJECT: ODOT Review Comments for Rogue Valley Manor TIA (Dated February 2019)

Page	Paragraph	Comment
Page iii, iv	Improvements	ODOT staff observed I-5 SB off ramp traffic constantly backing onto the freeway mainline during AM peak hours and PM peak hours. ODOT staff recommends widening the I-5 SB off ramp 200 to 300 feet to provide better storage for the exiting traffic. ODOT staff is preparing the cost estimate for this mitigation and will send the estimate to the City of Medford.
Page 18	Figure 3	There are large volume imbalances between Intersections 7 & 13 and 13 & 14. They must balance exactly as there are no other streets or accesses in both AM & PM. Differences are especially large in the AM condition (- 400). Volumes should also be rounded to the nearest 5.
Page 19	Figure 4	See above comment on page 18.
Page 20	Traffic Safety	At a minimum, intersection crash rates need to be computed and compared to published 90th percentile crash rates (see APM Table 4-1). It would be better to also compare these to the HSM Part B Critical Crash Rate (see APM Chapter 4) . Any intersection crash rate that exceeds the 90th percentile or the critical crash rate would need to be further analyzed using HSM Part C predictive crash analysis, with and without project, to determine if the development has safety impacts needed to be mitigated. As it stands currently, this section has little value as there are no comparisons.
Page 24	Figure 7	See above comment on page 18.
TIA Synchro Files	General	<ul style="list-style-type: none"> • Question use of semi-actuated controller for SPUI intersection that has detection on all legs. Semi-actuated is a rarely used method for low volume side-streets. This should probably be changed to actuated-uncoordinated instead. • All-red time seems to be excessively long at SPUI Is this from timing sheets? • Lost time adjust for a SPUI should be increased 1- 2 s as more complex intersections generally have longer lost times.

If you have any questions regarding my comments, please call me at (541) 774-6316 or Wei.Wang@odot.state.or.us.

CITY OF MEDFORD

EXHIBIT #

FILE #

2019-08-152

Executive Summary

The Rogue Valley Manor PUD is located in Medford, OR and is roughly bounded by Barnett Road to the north, N Phoenix Road to the east, and I-5 to the southwest. The overall planned unit development (PUD) (existing) consists of various types of senior-housing units and on-site medical care for senior living. In addition, the north end of the PUD includes a planned Commercial Village of 28.11 acres with 15.35 of these acres constrained by an existing trip generation cap that limits the amount of development which may occur. The proposed parcels to be developed are 371W32BA1600, 1700, 1800, 1900, 2300, 2400, 2500, 2502, 2700 and 371W32B3401. The planned project includes development of approximately 50,000 square feet of office, 105,900 square feet of retail space, and 7,600 square feet of restaurant.

The analysis primarily focused on the weekday PM peak hours as coordinated with City of Medford and Oregon Department of Transportation (ODOT) staff. AM peak hour analysis was requested by ODOT at the Highland Drive/E Barnett Road and South Medford I-5 Ramps/Garfield Street intersections. The following summarize the key findings of the study.

After accounting for internal and pass-by trips, the development is anticipated to generate 319 weekday AM peak hour trips and 486 weekday PM peak hour trips.

Under existing plus approved projects all of the off-site study intersections operate at acceptable standards with the exception of the Highland Drive/Barnett Road intersection during the AM peak hour and the South Medford I-5 Ramps/Garfield Street intersection during the PM peak hour. With the addition of ambient growth, the Keene Way/Highland Drive/S Barneburg Road and the S Pacific Highway/Garfield Street intersections are anticipated to fall below the current City of Medford LOS D or ODOT V/C ratio standards.

With completion of the proposed project, all off-site study intersections are anticipated to continue to operate at the same LOS as under without-project conditions with minor increases in delay with the exception of two intersections. The Ellendale Drive/Barnett Road and E Stewart Avenue/Center Drive intersections are anticipated to degrade from LOS C to LOS D but would continue to operate at an acceptable LOS. The Highland Drive/Barnett Road intersection during the PM is anticipated to degrade from LOS D to LOS E.

Access to the site is proposed via two driveways along Ellendale Drive. The site access locations are projected to operate at LOS D.

Based on the future (2023) operations analysis, three intersections are anticipated to operate below the City of Medford's LOS D or ODOT V/C ratio standards under future (2023) without-project and with-project conditions. The following discussion identifies potential improvements and the resulting LOS.

- **Keene Way/Highland Drive/S Barneburg Road** – As discussed in the following sections, there are plans to install a traffic signal at the Keene Way Drive/Highland Drive/Barneburg Road intersection when warranted, however this project is currently not funded. Signal warrants were evaluated and not met under future (2023) without-project or with-project conditions. However, a signal is anticipated to improve operations above the LOS D standard. Intersection volumes should continue to be monitored for meeting signal warrants. Based on direction by City staff, the intersection was also evaluated as an all-way stop. With implementation of an all-way stop the intersection is projected to operate at LOS D under future (2023) with-project conditions.

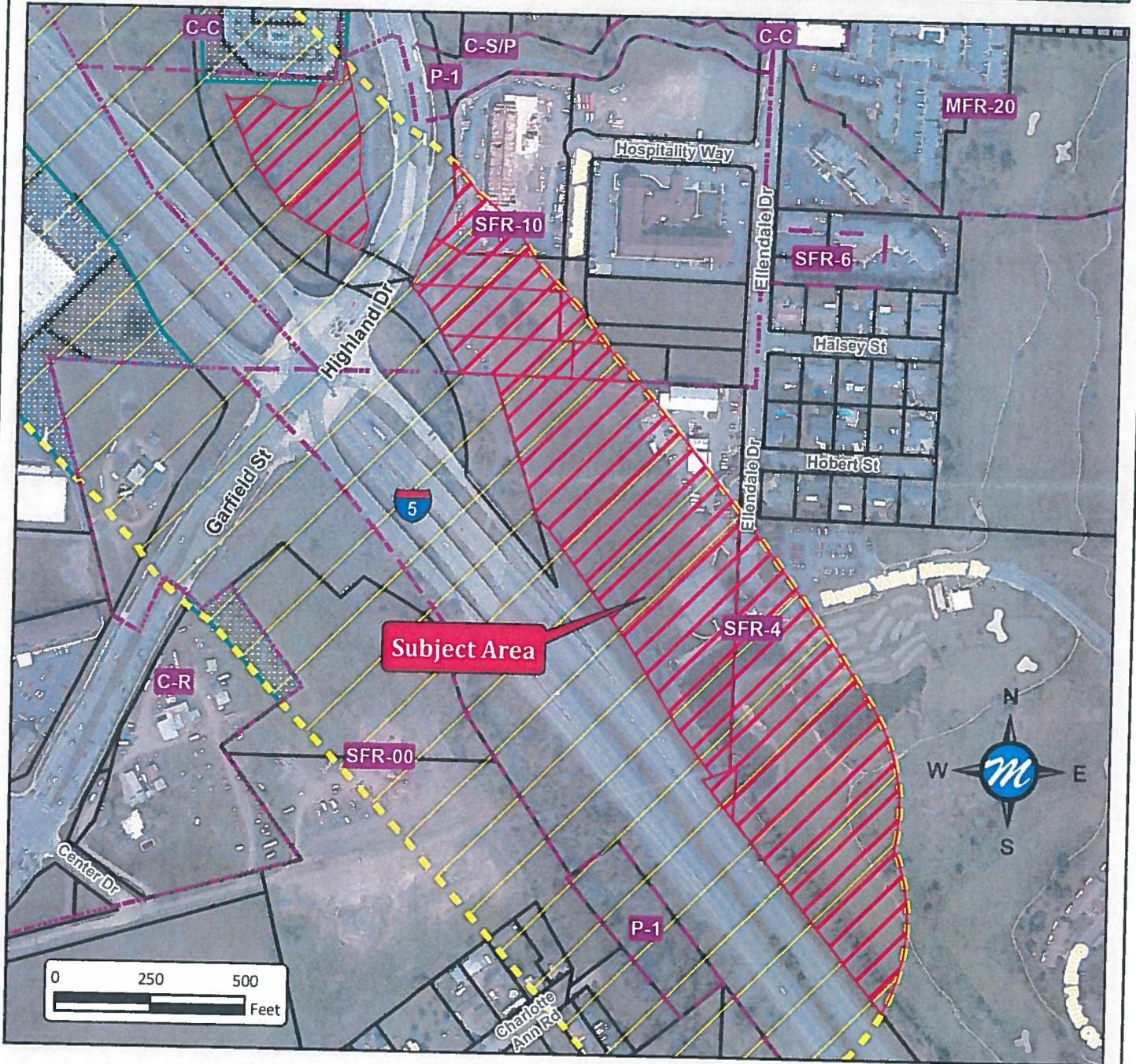
Given that this intersection is projected to operate at LOS E under without and with-project conditions, it is proposed that the project contribute a proportionate

share of the potential mitigation costs. The anticipated project share at this intersection is approximately 4.3 percent.

- **Highland Drive/E Barnett Road** – As discussed in the following sections, revisions are underway that would change the LOS standard for this intersection from LOS D to LOS E and mitigation would not be required. The City is also reviewing possible implementation of an additional northbound right-turn lane and is noted as a Tier 1 project in the draft 2018 – 2038 TSP. With implementation of the second northbound right-turn lane the intersection is projected to operate at LOS D. The anticipated project share at this intersection is approximately 6.2 percent. The project applicant will continue to work with City staff regarding operations at this intersection.
- **South Medford I-5 Ramps /Garfield Street** – As discussed in the Draft City of Medford TSP, this intersection needs alternative mobility targets or to be evaluated as part of the update to the Exit 27 IAMP. The project share at this intersection is approximately 2.4 percent.

Potential Freeway Overlay Area

File Number: **PUD-18-152**



Legend

-  Potential Freeway Overlay Area
-  Zoning Districts
-  500 ft Buffer around Freeway Ramps
-  Freeway Overlay (current)
-  Tax Lots



3/4/19

CITY OF MEDFORD

EXHIBIT # *Q*

File # **PUD-18-152**

NEIGHBORHOOD MEETING ATTENDANCE

ROGUE VALLEY MANOR PUD

JUNE 13, 2018

RECEIVED
 OCT 11 2018
 PLANNING DEPT.

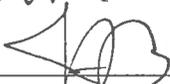
Name:	Address:
STEVEN MURPHY	2732 DONNA LEE DR.
Michael Emmert	425 Shannon Dr.
Tom Harris	740 Hilldale Ave.
Leol Eisner	1379 Ryan Drive
Jan Sinner	1393 Ryan Dr.
DAVE FOOTDALE	2139 ROBERT ST
DEBUSE FOOTDALE	2139 ROBERT ST
Grant Appleton	1159 Mira mar ave
Dianne Appleton	1159 mira mar ave
Charles More	Horor Drive
Kathy Wallis	1457 La Loma Drive

Notice: Attendance at this neighborhood meeting does not provide legal standing to appeal to the City Council, Land Use Board of Appeals or Circuit Court.

NEIGHBORHOOD MEETING ATTENDANCE

ROGUE VALLEY MANOR PUD

JUNE 13, 2018

Name:	Address:
Wayne & Tomi Wiedeman	2768 Donna Lee Dr.
Diana Bordner	2834 Yvonne Rd
GREG McNEILLY	2747 TOWIA CIR
Fred + Sandra Smith	750 Hilldate Ave.
Gayle Clason	2854 Yvonne Rd
David Turner	1143 Mira Mar Ave
	
JOHN BECKER	1466 LaLoma Dr.
RETH WOODSON	754 HILLDATE AVE.
Lorraine + Jim Zentsgraf	2790 Donna Lee Dr
FRIGHT SINNER	1393 RYAN
Derek Shatterly	2844 YVONNE

Notice: Attendance at this neighborhood meeting does not provide legal standing to appeal to the City Council, Land Use Board of Appeals or Circuit Court.

RESOLUTION NO. 1998-249

A RESOLUTION modifying the decision of the Planning Commission to approve a revised Planned Unit Development for the Rogue Valley Manor.

WHEREAS, on September 24, 1998, the Planning Commission adopted the final order for approval of the revised Planned Unit Development for the Rogue Valley Manor; and

WHEREAS, at the September 24, 1998 meeting testimony was presented by the applicant and citizens who will be affected by the development; and

WHEREAS, the Planning Commission, having considered the testimony, approved the project but added conditions to the PUD; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, that

The decision of the Planning Commission to approve a revised Planned Unit Development for the Rogue Valley Manor (File No. PUD-98-23) is modified and the council adopts the Findings of Fact and Conclusions of Law attached hereto and by this reference incorporated herein.

PASSED by the Council and signed by me in authentication of its passage this 5th day of November, 1998.

ATTEST: Beverly Sandblast
City Recorder

James H. [Signature]
Mayor

CITY OF MEDFORD
EXHIBIT # R11
File # AC-16-108

1 of 20

Resolution No. 1998-249

CITY OF MEDFORD
EXHIBIT # S
File # PUD-18-152

P.U.P./RESOS/MANOR3

November 5, 1998

Section 10.248 Conditional Use Permit Criteria. The approving authority (Planning Commission) must determine that the development proposal complies with either of the following criteria before approval can be granted.

(1) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property ; or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.

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

FINDINGS OF FACT

1. The Alzheimer's clinic and skilled nursing facility are uses not allowed in the underlying zone.
2. The above project is located within 100 feet of the exterior boundary of the PUD and is not adjacent to a zone where the use is permitted.
3. The Alzheimer's clinic and skilled nursing facility are in the public interest for the following reasons and, therefore, can be approved under criterion No. 2.
 - a. There is an increasing demand for special Alzheimers' care facilities in the community due to the increasing age of the population and the incidence of this disease.
 - b. It is beneficial in the treatment of Alzheimers disease to have a separate facility.
4. Concerns regarding the Alzheimers' clinic and skilled nursing facility included the following:
 - a. Loss of property value because it's commercial development;
 - b. Creates additional traffic impacts causing noise and safety concerns and loss of quality of life;
 - c. People with dementia potentially shouting obscenities and potentially being unclothed.
5. The applicant proposed mitigation measures contained in Exhibit "Z2" which includes a separation from the adjacent neighborhood by a landscaped berm and 6-8-foot high wall, and 40-foot setback (agreed to verbally).

CONCLUSIONS

The City Council finds that the Alzheimers' clinic and skilled nursing facility are in the public interest, and, although they may cause some adverse impacts, conditions have been imposed (No. 12 as modified above and No. 13 on the Commission Report dated September 24, 1998 including Exhibit "Z2") to produce a balance between the conflicting interests consistent with criterion No. 2.

"R"
30f20

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE PUD-98-23)
APPLICATION FOR A PLANNED UNIT DEVELOPMENT) ORDER
SUBMITTED BY ROGUE VALLEY MANOR)

ORDER granting approval to Rogue Valley Manor of a revision and 25.2 acre expansion of a mixed use Planned Unit Development on 219.7 acres of property, located east of Interstate 5 between Ellendale and La Loma Drives, within the SFR-4 and SFR-10/BC (Single-Family Residential - 4 units and 10 units per acre/Bear Creek Overlay), MFR-20 and MFR-30 (Multiple-Family Residential - 20 units and 30 units per acre), and C-C (Community Commercial) zoning districts; as provided for in the City of Medford Land Development Code.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.230 Application, Planned Unit Development, and
2. The Medford Planning Commission has duly held public hearings on the matter of an application for a revision and 25.2 acre expansion of a mixed use Planned Unit Development on 219.7 acres of property, located east of Interstate 5 between Ellendale and La Loma Drives, within the SFR-4 and SFR-10/BC (Single-Family Residential - 4 units and 10 units per acre/Bear Creek Overlay), MFR-20 and MFR-30 (Multiple-Family Residential - 20 units and 30 units per acre), and C-C (Community Commercial) zoning districts, with public hearings a matter of record of the Planning Commission on August 27 and September 10, 1998.
3. At public hearings on said application, evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and
4. At the conclusion of said public hearings, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted a Planned Unit Development permit and directed staff to prepare a final order with all conditions and supplemental findings set forth for the granting of the planned unit development.

THEREFORE LET IT BE HEREBY ORDERED that the application of Rogue Valley Manor stands approved supported by the findings of fact and conclusions of law and the conditions of approval stated in the Revised Commission Report dated September 24, 1998, ~~and the Supplemental Findings of Fact and Conclusions of Law - Exhibit Z3.~~

CITY OF MEDFORD
RECORDERS OFFICE

001 16 1998
A.M. 7 18 19 11 01 11 11 21 11 21 13 14 15 16 P.M.

"R" 4 of 20

FINAL ORDER

PUD-98-23

BASED UPON THE ABOVE, it is the finding of the Medford City Planning Commission that the approval of Rogue Valley Manor, a 25.2 acre expansion of a mixed use, will not be detrimental to the health, safety, or general welfare of the persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the City.

Accepted and approved this 24th day of September, 1998.

CITY OF MEDFORD PLANNING COMMISSION

Carl Bartlett

Carl Bartlett, Chair

ATTEST:

Mark Gallagher
Mark Gallagher, Secretary

"R"
5 of 20

REVISED COMMISSION REPORT

File No.: PUD-98-23 Rogue Valley Manor Planned Unit Development (Revised)

Applicant: Rogue Valley Manor (Robert Foster, agent)

Request: Consideration of a revision and 25.2-acre expansion of a mixed use Planned Unit Development on 219.7 acres of property, located east of Interstate 5 between Ellendale and La Loma Drives, within the SFR-4 and SFR-10/BC (Single-Family Residential - 4 units and 10 units per acre/Bear Creek Overlay), MFR-20 and MFR-30 (Multiple-Family Residential - 20 units and 30 units per acre) and C-C (Community Commercial) zoning districts.

Decision: This Commission Report includes some of the original text related to the applicant's initial proposal, including discussion about all the commercial buildings, but has been modified, particularly with regard to conditions of approval, to reflect the Planning Commission's decision. The major text revisions are preceded by the word Decision.

Background:

The original planned unit development (PUD-84-3) approval was granted in 1984. On March 14, 1991, the Planning Commission approved a major revision to the PUD resulting in a 195.6 acre configuration to include up to 1053 dwellings and various amenities, the most notable of which was a 9-hole golf course. In July 1991, a minor revision was approved by the Planning Director to allow a 12,000 square foot expansion to the congregate dining facility.

On April 28, 1994, the Planning Commission approved a revision to the PUD which increased the project area to 213.3 acres and 1096 dwelling units. The 1996 revised PUD, approved in 1997, included some internal revisions and the addition of an existing residence resulting in a 213.8-acre project with 1097 dwelling units approved. To date, 12 phases of development have been completed or approved for construction which represents a total of 609 dwellings including the 75 congregate units currently under construction in Skyline Plaza on the south side of Manor Hill.

It should be noted that the current approved acreage total for the project, per the 1997 revision, has been corrected by the County Assessor. As a result of consolidation of tax lots within the project, it was determined that there were actually 194.5 acres of property. As this still represents all parcels previously approved, it is considered to be the correct project acreage. With the proposed additions per this revision (25.2 acres), the total area of the PUD will be 219.7 acres.

"R"
6 of 20

September 24, 1998

Decision: Even though the Planning Commission did not approve all of the proposed commercial development for which there is not currently adequate public facilities, the boundary of the PUD proposal remains the same. The area that previously showed all the proposed commercial development, is now shown to be partially vacant with only the approved portion of the commercial development shown (Exhibit "Z3").

Relevant Sections of the Land Development Code:

On June 19, 1997, the City Council adopted new Planned Unit Development (PUD) standards and criteria as contained in Sections 10.230 through 10.245 of the Land Development Code and which establish the basis of review for the current proposal. Relevant sections of the revised code are as follows:

- 10.230 PUD General Provisions
- 10.235 Preliminary PUD Plan (including Approval Criteria)
- 10.240 Final PUD Plan (including Approval Criteria)
- 10.236 Revision or Termination of a PUD

Findings:

The applicant's findings which include the documents entitled Application to Amend the Planned Unit Development (Exhibit "B"), received February 27, 1998, and Supplemental Information Regarding Transportation Issues (Exhibit "C") received June 26, 1998, include a detailed discussion of the planned community as well as the requisite findings. References to the applicant's findings contained in this report are shown in *(italics)* and refer to Exhibit "B" to assist in locating the applicable supporting text. Each of the criteria for approval are identified in the findings (*Exh. "B" Pages 30-45*); therefore, they are not repeated herein. As many components of the approved Manor are unaffected by the revisions, discussions pertaining to the PUD criteria focus on the changes proposed at this time. The findings summarize the dwelling and acreage totals for the revised project as well as the proposed mix of uses and support facilities.

Decision: The applicant's final submittal now includes the required Revised Partial Master Site Plan, Exhibit "Z3." The revised plan includes the revisions required by the Planning Commission relative to the 138 PM peak hour trip limitation.

Project Compliance with Relevant Sections of the Land Development Code:

The staff discussion and analysis which follows includes references to the applicant's findings where relevant Code sections are also discussed.

Acreage Limitation: The proposed PUD will contain over 219 acres of property and, therefore, complies with the one-acre minimum. (*Exh. "B" Page 16*)

"R"
7 of 20

September 24, 1998

Consolidated Applications: As the property is to remain under a single ownership (*Exh. "B" Page 16*) and city zoning exists on all of the property, no application for a land division or change of zone has been included as part of this proposal.

Common Area/Ownership: As the property is to remain under a single ownership (including that of a subsidiary or an affiliate of the Rogue Valley Manor) (*Exh. "B" Pages 16, 28, and 45*), establishment of a Homeowners' Association is not required.

Deviations from Standards:

Lots and Parcels As several of the existing parcels and associated tax lot lines will conflict with proposed building locations (e.g., Phase 13), a condition has been included to consolidate parcels, within each phase as it develops, with evidence thereof submitted at the time of final plan approval. No parcels less than the minimum lot sizes are proposed.

Yards, Setbacks, and Building Height: The applicant proposes that several of the buildings be allowed to exceed the 35-foot height limitation of the underlying residential zoning districts. This would include the Hotel/Conference Center (*B*), Office Building (*C*), Multi-Family and Congregate Housing (*I, K, O, Q, S, and T*), Medical Center (*P*), and Auditorium (*R*). Distance from the adjoining streets and/or from the nearest project boundary, or compatibility with anticipated commercial uses on adjoining property, is cited as the primary mitigating factor in terms of impacts on adjoining uses (*Exh. "B" Page 30-31*). The congregate housing on Ellendale (*I*) was originally to be set back only 20 feet from the side property line as depicted on the master plan (Exhibit "A"). The design details for this have been revised in response to neighborhood concerns which has resulted in a much greater setback for the 3-story structure (Exhibit "E"). Although comments in the findings (*Exh. "B" Page 31*) identify an existing 10 foot change in grade as a mitigating factor, the increased setback from adjoining residences has also been incorporated. Additional discussions regarding the height of buildings is included later in this report.

Parking, Bicycles, and Pedestrians: Residential parking is proposed to meet the standards for retirement facilities (*Exh. "B" Page 31 to 35 and Table Five*). A combined overall parking reduction of 8 percent at the various nonresidential support facilities is proposed and will be offset by provision of shuttle service throughout the development. Parking strategies are not expected to impact any areas outside of the development. Bicycle parking and pedestrian facilities will be required as prescribed by code as no specific deviations are requested.

Frontage, Access, Landscaping, and Signs: The applicant has not identified what, if any, specific deviations are sought (*Exh. "B" Page 35*). It is assumed that in the context of mixed uses within the development, signage would be requested that would not otherwise be permitted in the underlying residential zones. Such signage would be identified at the time of final plan approval. The Commission should consider what, if any, standards should be

September 24, 1998

applied to signs within the PUD, particularly those where uses not allowed in the underlying zone are proposed. It is suggested, for simplicity sake, that the signage standards for the zone in which the use typically occurs be used.

Decision: The Planning Commission deferred review of the signage to the Site Plan and Architectural Commission.

Streets: All existing streets within the boundaries of the PUD are private except for Ellendale Drive, a designated collector, and Shannon Drive, which turns into Rogue Valley Manor Drive approximately 1,000 feet north of Mira Mar Avenue. All new streets proposed within the revised PUD are proposed to be private as well. All private streets are subject to Fire Marshal approval in terms of emergency vehicle access. In fact, adjoining sidewalks have been specially constructed along some of the existing one-way streets to provide the requisite fire lane.

The applicant proposed to add a gated access on the end of Misty Lane to provide a secondary access to the Alzheimer/Clinic facility (Exh. "B" Page 25). There are existing gated accesses at the ends of Argonne Avenue and Donnalee Drive. All other streets that end at the Manor property will remain as dead-end streets with no access allowed. The Public Works Director (Exhibit "F") had suggested that gates on Misty Lane and Argonne Avenue be left open during the day to help reduce traffic impacts on streets serving the main entrances. Availability of secondary (local) access points into the PUD could help distribute trips such as would be accomplished by an interconnected street system. The Commission weighed this recommendation and, in light of the resultant additional traffic into adjoining neighborhoods, decided to leave the access points at Honor Drive, Misty Lane, and Argonne Avenue closed.

The Public Works Director initially recommended that an area for a roadway connection to the south project boundary be reserved for future access to adjoining lands also owned by the Manor and within the Urban Growth Boundary. This was intended to provide an alternative to using Donnalee Drive (and associated impacts of such use). Three cottage units would have had to be adjusted to accommodate the roadway. The recommendation was removed due to topographic constraints.

Decision: The Planning Commission required that Honor Drive, Misty Lane, and Argonne Avenue remain closed.

A 100-foot wide strip of land shall be deeded to the city for the southward extension of Highland Drive as part of the anticipated Highland/Garfield connection. The area beneath the portion of the street extension that will contain an overpass shall be reserved for such use by an easement. The proposed master plan identifies this area and proposes to locate parking in the area beneath the overpass.

"R"
9 of 20

Cont...
Boundary
Building
Den

Misty Lane
closed

September 24, 1998

Decision: The above recommendation was deleted by the Planning Commission at the request of staff. Since the project will not be generating any additional vehicular trips beyond that currently allowed by the existing zoning, no additional street improvements are necessary.

The traffic impacts of the project are further discussed below in the context of the requisite findings for the proposed commercial uses (*Exh. "B" Pages 25 & 41; the Appendix; and Exhibit "C"*).

Street Lights: A private street light design has been used within the existing Manor project which will be continued (*Exh. "B" Page 35*). Specifications for street lighting shall be included at the time of final plan approval, subject to approval of the City Engineer.

Housing Density: The applicant has included a detailed summary of the housing density associated with the PUD (*Exh. "B" Pages 35-36 and Table Six*). Based upon the underlying residential zoning for the entire project, a maximum of 1,536 dwellings would be allowed for a standard residential development. It should also be noted that a minimum of 903 dwellings would be required to meet minimum density standards. With the 20 percent density bonus allowed for PUD's, a maximum of 1,844 dwellings would be allowed. As 22.2 acres of SFR-10 property are proposed to be utilized for commercial uses, the maximum dwellings allowed would be 1,316 or 1,624 with the PUD bonus. The minimum number of dwellings would be 815 when adjusted for the acreage proposed for the commercial development. As the applicant is proposing a maximum of 1,265 units, this project complies with density requirements.

Allowed Uses: The applicant has proposed both permitted and accessory uses as well as nonresidential uses that are not otherwise permitted in the underlying residential zones as described in Exhibit "C" Tables S4 and S6. Uses not allowed in the underlying zoning include the following:

- Restaurant
- Hotel/Conference Center
- Office Building
- Parking/Potential Small Office Buildings (2)
- Mixed Use Site E-F
 - E. Housing/Retail
 - F. Retail
- Mixed Use Site G-H-I
 - G. Housing/Retail
 - H. Retail
 - I. Housing

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As these nonresidential uses will occupy approximately 20.75 acres of the 219 acres within the PUD, the proposal complies with the 20 percent limitation (i.e., 43 acres maximum). The applicant's findings include the requisite discussion of the conditional use permit (CUP) and facilities adequacy criteria. Additional comments in regard to those findings are included below.

Decision: The above list of proposed uses has been reduced by the Planning Commission's approval of only that portion of the commercial equivalent to the 138 PM peak hour trips.

Housing Types: The applicant has included a detailed summary of the housing types and quantities associated with the PUD (*Exh. "B" Page 11, Table One, and Page 36*). A net increase of 168 dwellings is proposed from the previously approved 1,097 units for a total of 1,265 units. This new total includes; 374 attached single-family (Cottages), 96 upstairs apartments for general occupancy within the commercial portion of the development, 7 existing detached single-family residences, and 788 congregate (apartment) units. Congregate living facilities also include the medical center and Alzheimer's unit facilities within the existing PUD boundary. The revised PUD includes changes within the existing boundary to include a reduction of 59 cottage units and an increase of 68 congregate units for a net increase of 9 units.

Common Elements: As mentioned above, all property is to remain in the ownership of the Rogue Valley Manor (or its subsidiaries); therefore, formation of a Homeowners' Association is not necessary. As the sole owner, the Rogue Valley Manor shall record documents containing assurances that the common areas (elements) will be improved and maintained for their intended purpose (Section 10.230 (E)(3)).

Proposed Changes:

Much of the original design of the "Manor" PUD remains as a component of the current proposal and many of the associated issues (e.g., streets, access, buffers, etc.), remain the same as when previously approved. A summary of the currently proposed revisions to the development is included in the applicant's findings (*Exh. "B" Pages 7-10*), and further amended in Exhibit "C," and findings relevant to the CUP criteria included for those nonresidential uses within 100 feet of the project boundary pursuant to 10.230(D)(9)(b) (*Exh. "B" Pages 42-45, Exhibit 6*). Issues associated with some of the uses in the new master plan are also discussed in the following section:

Commercial Village - Ellendale Drive

Because this portion of the PUD includes uses that are not allowed in the underlying residential zone, it is required that a demonstration of Category A facility adequacy also be made (*Exh. "B" Page 41 and Appendices*). This includes storm drainage, sanitary sewer, water, and streets.

Traffic Based on the response from Oregon Department of Transportation (ODOT), it has been determined that the Barnett Road interchange will go to 90 percent of capacity and drop to Level of Service "E" (Exhibits "Q," "R," and "S") with the proposed development. This would be in violation of the standards established in the Oregon Highway Plan for highway operations. The applicant has made revisions to the proposal in the context of this issue and the requisite facilities adequacy finding. In the supplemental findings entitled Supplemental Information Regarding Transportation Issues (Exhibit "C"), the applicant has proposed a program of development equivalency and allocation of future facility capacity which may be an acceptable method of allowing approval of the long-term master plan. This has been a topic of much discussion within the community and the applicant's proposed conditions of approval are consistent with the developing program to deal with the street capacity issue.

The Public Works Director has determined that the surrounding streets have sufficient capacity to handle vehicle trips generated from this site without opening any additional access points, the freeway interchange notwithstanding. In acknowledging the reduced Level of Service (LOS) on Barnett Road at Ellendale Drive, it is suggested that approved roadways into the property (Argonne Avenue and Misty Lane) allow secondary ingress and egress by not closing gates during the day. In anticipation of access to lands immediately to the south of the project, space for a roadway to the south boundary could be preserved (i.e., no buildings). Such a roadway reservation would help prevent the use of existing residential streets (i.e., Donnalee Drive) for such future access.

Decision: The Planning Commission did not approve any uses not allowed in the underlying zone that would generate traffic beyond the 138 PM peak hour trips. The access points along the project perimeter were required to remain closed and the proposed road extension to the south mentioned above was removed as a recommendation due to topographic constraints.

Congregate Housing

Affordable Retirement Facility (1) - As the applicant proposes this 60-unit facility, and small office, as the next phase of development (Phase 13), detailed site, architectural, and landscape plans (Exhibit "E") have been submitted for review by the Planning Commission consistent with the exemption from Site Plan and Architectural Commission review. An application for final plan approval for Phase 13 per Section 10.240 is anticipated immediately following preliminary approval of the master plan. Such plans have been reviewed by the affected agencies and departments and conditions of development have been included in this report for development of that site upon approval of the PUD.

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The structure, which is to replace four existing single-family residences, is proposed to be three stories in height, exceeding the 35-foot height limitation of the underlying SFR-4 zone. The building was original proposed to be set back 20 feet from the adjoining residential properties as depicted on the master plan (Exhibit "A"). Due to concerns over the visual impact of this building on the adjoining properties, the applicant has revised the site design placing the structure away from the project boundary (Exhibit "E"). The other tall structures in the PUD are far enough from the project boundaries that the extra height above the height limit does not exacerbate the line of sight obstruction that would be created by a structure located within the allowable setbacks of the underlying zone, as viewed from a neighboring property. It is recommended that sight line elevations be submitted at the time of Final Plan approval request demonstrating that any structure, if over 35 feet high, will not exceed the visual impacts of a 35-foot high, multiple-family residential structure built at the minimum setback of 20 feet from the project boundary. The Commission should also consider the overall size and bulk of the structure when assessing impacts on adjoining residences and an appropriate setback.

Alzheimers' Unit/Special Care Facility - Discussed in the applicant's findings (*Exh. "B" Page 44-45*) and above in the discussion about streets (page 3). It should be noted that the applicant's findings state that there is "*an increasing need for quality professional care for Alzheimers' patients*" (*Exh. "B" Page 45*) concluding that the public interest is being served per Criterion #2. The applicant has indicated that the facility will be an expansion of, and ultimately a relocation for, the existing special care/medical facility currently located at the main Manor building and that these facilities are to be for Manor residents. The Commission should consider the degree of "public interest" served when evaluating the impacts of such facilities. In the context of the proposed location, site design and landscaping features are identified by the applicant as a means to reduce impacts of the facility. However, the proposed 125 parking spaces suggest a staff and visitor component (i.e., vehicle trips) that may also impact the adjoining residential neighborhood and consideration should be given to what, if any, access to Misty Lane should be utilized, including the nature of the proposed gate. The potential for noise from exterior mechanical equipment and glare from exterior lighting should also be addressed.

Decision. The Planning Commission required the above facility to be single story in height and located no closer than 99 feet from the exterior boundary of the PUD in order to mitigate anticipated adverse impacts to adjoining properties. The Planning Commission also accepted the applicant's proposal to buffer the area with a landscaped berm and wall (Exhibit "Z2").

Auditorium - Discussed in the applicant's findings (*Exh. "B" Page 44*).

Areas/Issues of Special Concern:

Larson Creek - The lower section of the creek which adjoins or is contained within the boundaries of the project has been identified as a Class 1 fish habitat due to the observed presence of fish.

Larson and Bear Creeks are considered habitat for coho and chinook salmon, which have recently been placed on the threatened species list, as well as steelhead trout. In that regard, the Oregon Department of Fish and Wildlife has recommended that a 50-foot setback be applied to Larson Creek (Exhibit "J"). Similar concerns have been expressed by Oregon Trout (Exhibit "K") who also recommend that development be set back 50 feet from the creek. The Rogue Valley Council of Government (RVCOG) has submitted a letter discussing the above fish habitat concerns as well as water quality, storm drainage, and flood plain responsibilities of streamside developers as regulated by the City (Exhibit "L"). The Special Report from the Public Works Director also includes comments and conditions in regard to Larson Creek as a component of the city's storm drainage system (Exhibit "F").

The future development of a pedestrian/bicycle path along Larson Creek has been supported by the City as witnessed by the acquisition of an easement along upper stretches of the creek including the existing Rogue Valley Manor property between Hilldale Drive and Ellendale Avenue. Such a pathway is also conceptually shown primarily north of the creek on the master plan for the expanded portion of the PUD.

The above stream related objectives (fish habitat, storm drainage, recreation/transportation, water quality, and flood prevention) are not all mutually compatible in terms of how to treat the urban/waterway interface and the City is developing new policies and code language in regard to Larson Creek, similar to what has been adopted in the Southeast Plan, that appropriately weigh all of these concerns. Prior to actual legislative review and adoption of such setback restrictions, it is recommended that a development/construction setback of 20 feet from the top of the stream bank be maintained along the Manor's Larson and Bear Creek frontages. In requesting such a setback, it is recognized that development of impervious surfaces within close proximity to the creek negates the possibility of creating and maintaining the riparian corridor necessary to create a viable fish habitat. The 10 feet of the strip closest to the stream bank should be planted with riparian vegetation approved by ODFW. The remainder can be planted with ornamental vegetation that is also supportive of creating a viable fish habitat.

Decision. In response to concerns raised during the public hearing, the applicant proposed, and the Planning Commission accepted, a 50-foot setback from the top of the creek bank.

Building Height - General

The proposed congregate living facilities, auditorium, office building, and hotel/conference building will exceed the 35-foot height limitation of the underlying SFR and MFR zones. Although the exact height is not known at this time, none of the buildings will be as tall as the existing manor building. For the tall structures that are far enough from the project boundaries, the extra height above the height limit does not exacerbate the line of sight obstruction that would be created by a structure located within the allowable setbacks of the underlying zone, as viewed from a neighboring property.

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It is recommended that sight line elevations be submitted at the time of Final Plan approval request demonstrating that any structure, if over 35 feet high, will not exceed the visual impacts of a 35-foot high structure built at the minimum setback of 20 feet from the project boundary. This does not include buildings previously approved that exceed the 35-foot height limit.

Conclusion:

Several portions of the proposed plan have concurrence from both the City of Medford staff and ODOT in meeting the required criteria. This includes the residential portion of the project that is consistent with the underlying zoning and that portion of the project that includes commercial development equivalent to the trips (138 PM peak hour) that would otherwise be generated by the underlying residential zoning.

ODOT and the City of Medford staff do not support approval of the third part of the proposal to conditionally approve the balance of the commercial development.

Decision. The Planning Commission found the project to meet the required criteria with the required revisions and the conditions of approval.

Commission Action:

Approval of PUD-98-23, per the Revised Commission Report dated September 24, 1998; including:

- Exhibit "A" - Master Plan Map (with amended portion contained in Exhibit "Z3");
- Exhibit "B" - Application to Amend the Planned Unit Development (Findings) received February 27, 1998;
- Exhibit "C" - Supplemental Information Regarding Transportation Issues submitted June 26, 1998;
- Exhibit "D" - Additional Operational Analysis (Supplemental Traffic Study) received April 6, 1998;
- Exhibit "E" - Phase 13 Site Plan, Elevations, and Landscape Plan;
- Exhibit "F" - Special Report from the Public Works Director No. PUD-98-23b dated July 16, 1998;
- Exhibit "G" - Memorandum from the Bureau of Fire Prevention dated April 10, 1998;
- Exhibit "H" - Letter from Bear Creek Valley Sanitary Authority dated April 8, 1998;
- Exhibit "I" - Memorandum from the Medford Water Commission dated March 31, 1998;
- Exhibit "J" - Letter from Oregon Department of Fish and Wildlife dated April 14, 1998;
- Exhibit "K" - Letter from Oregon Trout dated June 2, 1998;
- Exhibit "L" - Letter from RVCOG dated June 2, 1998;
- Exhibit "M" - Special Report from the Public Works Director No. PUD-98-23a (Phase 13) dated May 19, 1998;
- Exhibit "N" - Memorandum from the Bureau of Fire Prevention (Phase 13) dated July 8, 1998;
- Exhibit "O" - Memorandum from the Medford Water Commission dated July 8, 1998;
- Exhibit "P" - Memorandum from Medford Parks and Recreation (Phase 13) dated June 1, 1998;
- Exhibit "Q" - Letter from Mike Arneson ODOT (Oregon Department of Transportation) dated April 28, 1998;

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- Exhibit "R" - Letter from Mike Arneson (ODOT) dated May 5, 1998;
- Exhibit "S" - Letter from Mike Arneson (ODOT) dated July 13, 1998;
- Exhibit "T" - Letter from Mike Arneson (ODOT) dated July 22, 1998.
- Exhibit "U" - Letter from Mike Arneson (ODOT) dated July 23, 1998.
- Exhibit "V" - Letter from Mike Arneson (ODOT) dated August 25, 1998.
- Exhibit "W"- Memo from Public Works Department dated August 20, 1998.
- Exhibit "X" - Letter from Tom Becker, Rogue Valley Manor, dated June 25, 1998.
- Exhibit "Y" - Letter from Tom Becker, Rogue Valley Manor, dated August 27, 1998.
- Exhibit "Z" - Letter from Chuck Fustish (Oregon Department of Fish and Wildlife) dated August 27, 1998.
- Exhibit "Z1"- Letter from Mike Arneson (ODOT) dated September 3, 1998.
- Exhibit "Z2"- Letter from Brian McLemore, Rogue Valley Manor (rebuttal), dated September 10, 1998.
- Exhibit "Z3"- Letter from Brian McLemore, Rogue Valley Manor, dated September 17, 1998 including Revised Partial Master Site Plan (commercial portion to comply with the 138 PM peak hour trip limitation), and
- Exhibit "Z4"- Supplemental Findings dated September 10, 1998;

and subject to the following conditions:

1. The revised Rogue Valley Manor Planned Unit Development includes uses that will generate vehicle trips in excess of the standard residential development allowed in the underlying zones. In order to maintain an acceptable Level of Service (LOS) at the Barnett Road/Stewart Avenue/Interstate 5 interchange, development of the nonpermitted uses shall be subject to the following:
 - A. The proposed nonpermitted uses set forth in Table S6 of the Rogue Valley Manor application (Exhibit "C") entitled Supplemental Information Regarding Transportation Issues (submitted June 25, 1998) can be developed if they are consistent with the Revised Partial Master Site Plan (Exhibit "Z3") and provided that the PM peak hour trips generated by the nonpermitted uses do not exceed a threshold limit of 138 PM peak hour trips.
2. A minimum setback of 50 feet shall be maintained along the Larson and Bear Creek frontages. This area shall remain natural or be planted with vegetation, approved by Oregon Department of Fish and Wildlife, that does not require irrigation.
3. Fire protection facilities and access shall be provided per Exhibit "G." All private streets are subject to Fire Marshal approval for adequacy of emergency vehicle access.

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4. Comply with Special Report from the Public Works Director No. PUD-98-23b dated July 16, 1998 (Exhibit "F") with the following requirements deleted:
 - A. Revise the Master Plan to show a roadway extending to the southwest project boundary.
 - B. A 100-foot wide strip of land shall be deeded to the city for the southward extension of Highland Drive and the area beneath the portion of the street extension that will contain an overpass shall be reserved for such use by an easement.
5. Rogue Valley Manor shall record documents containing assurances that the common areas (elements) will be improved and maintained for their intended purpose.
6. Signage for nonresidential uses shall be subject to Site Plan and Architectural Commission review.
7. Exterior illumination for all nonresidential uses and congregate living facilities within the PUD shall not cause glare on any residential property that is not part of the PUD. Construction plans submitted for such uses shall include design specifications for all exterior lighting including a photometric site illumination plan consistent with the standards contained in Section 10.764.
8. All exterior mechanical equipment and trash collection facilities for uses within 100 feet of PUD boundaries that adjoin residential zones, excluding that for individual cottage units, shall be located within enclosures designed to conceal such facilities from view and maintain noise levels at or below those prescribed by Section 10.753 New Noise Sources.
9. Construction plans for all structures, except for those previously approved, that exceed the 35-foot height limitation shall include sight line elevations demonstrating that any such structure will not exceed the visual impacts of a 35-foot high structure built at the minimum setback of 20 feet from an exterior project boundary, excluding changes in grade (slopes).
10. Boundary line adjustments or lot consolidation of existing tax lots, shall be completed prior to final plan approval for each phase, where proposed buildings are located over lot lines with evidence thereof submitted at the time of final plan approval.
11. Prior to final plan approval, existing water lines shall be shown on a master plan to prevent conflicts with future building.

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12. The Alzheimers' Clinic/Skilled Nursing Facility shall be single story only and set back a minimum of 99 feet from the exterior PUD boundary. The off-street parking shall not be greater than the minimum required by the Land Development Code.
13. The Alzheimers' Clinic/Skilled Nursing Facility shall be screened from the adjoining neighborhood as proposed in Exhibit "Z2."
14. Honor Drive, Misty Lane, and Argonne Avenue shall remain closed.
15. All HVAC (heating ventilation and air conditioning) equipment for buildings shall be located on the ground and concealed from view.
16. The review and approval of detailed building elevations and landscape plans is delegated to the Site Plan and Architectural Commission for all new development, except Phase 13 (HUD project).
17. Affordable Retirement Facility and Office - Phase 13 Site Development.

Apply for, and receive, Final Plan Approval pursuant to Section 10.240 per the approved design as shown in Exhibit "E" - Site Plan (revised), Elevations, and Landscape Plan; and the following:

- A. Comply with conditions contained in: Exhibit "M" - Special Report from the Public Works Director # PUD-98-23a dated May 19, 1998; Exhibit "N" - Memorandum from the Bureau of Fire Prevention dated July 8, 1998; Exhibit "O" - Memorandum from Medford Water Commission dated July 8, 1998; and Exhibit "P" - Memorandum from Parks and Recreation dated June 1, 1998; and including, but not limited, to the following:
 - (1) A different shrub species substituted for the Hawthorne.
 - (2) Specifications for root barriers for all trees within six (6) feet of hardscapes.
 - (3) Specifications for an automatic irrigation system including the location of an approved backflow prevention device.
- B. Prior to issuance of the first building permit, revised site and landscape plans shall be submitted for staff review showing:

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- (4) Finished floor elevations and the location and elevations for the 100-year flood plain as shown on the Federal Emergency Management Agency (FEMA) as administered by the Building Safety Department.
- (5) The deciduous trees shall be replaced with fast growing evergreen trees along the south side of the site and shrubs being a minimum size of 5 gallons.
- C. Prior to issuance of the first building permit, the property owner shall consolidate parcels to contain the residential structure and submit evidence thereof to the Planning Department.
- D. Prior to issuance of the first building permit, the property owner shall deed to the public a 15-foot Public Utility Easement (PUE) across the Ellendale Avenue frontage or provide evidence that such an easement exists.
- Prior to recordation of the deed by the applicant, the deed, together with a Lot Book or Preliminary Title Report and releases of interest obtained from holders of trust deeds or mortgages on the property, shall be submitted to the Planning Department for review and approval. A sample easement form is available at the Planning Department.
- E. Exterior mechanical equipment and trash receptacles shall be concealed from public view.
- F. Prior to issuance of the first building permit, the property owner shall sign and record with the Jackson County Clerk's office a Building Site Improvement Agreement, with the original returned to the Planning Department, specifying that the following items will be completed within six (6) months of the date of the agreement:
- (1) Install landscaping and irrigation per the approved plan.
 - (2) Pave all parking and vehicle maneuvering areas, including extruded curb around perimeter, to City of Medford specifications.
 - (3) Install bicycle parking per the approved plans.
 - (4) Construct concealment for mechanical equipment and trash receptacles.
 - (5) Install pedestrian walkways and bicycle parking per the approved plans.

PUD-98-23

September 24, 1998

MEDFORD PLANNING COMMISSION



Carl Bartlett, Chair

PLANNING COMMISSION AGENDA: JUNE 11, 1998
JULY 23, 1998
AUGUST 27, 1998
SEPTEMBER 10, 1998
SEPTEMBER 24, 1998

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vis Wright Tremaine LLP

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June 25, 1998

Jim Eisenhard, Planning Director
Mark Gallagher, Senior Planner
City of Medford
411 W. 8th St.
Medford, OR 97504

VIA UPS OVERNIGHT

Re: Rogue Valley Manor Planned Unit Development Amendment
Supplemental Information Regarding Transportation Issues

Dear Jim and Mark:

Enclosed please find the Supplemental Information regarding the transportation issues associated with the Rogue Valley Manor's application to amend its planned unit development. We believe this additional information demonstrates compliance with Section 10.235 C.7. of the Medford Code regarding the allowance of certain non-permitted uses within the planned unit development ("PUD") and the adequacy of transportation facilities to accommodate that development.

As we have discussed, our approach to demonstrating compliance with Section 10.235 C.7. is to create a three-step process addressing the various uses proposed by Rogue Valley Manor in its application. Simply stated, the three-step process accomplishes the following:

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

Step 2: Identifies all proposed non-permitted uses in the underlying zoning that is specifically authorized in the PUD ordinance at Section 10.230 D.9.b. as "permitted uses." We have conducted an equivalency test examination of these proposed non-permitted uses as authorized under Section 10.235 C.7. and determined that the permitted uses in the underlying zone (SFR-10) would generate a threshold limit of 138 PM peak hour trips. As a result, under Step 2 of our analysis, Rogue Valley Manor would be entitled to apply this threshold to any of

5/15/98 12 EISENHARD GALLAGHER LTR DOC

CITY OF MEDFORD
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 Mark Gallagher
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the proposed non-permitted uses and develop those uses so long as PM peak hour trips generated did not exceed the threshold limit of 138 PM peak hour trips. Based on Kittelson & Associates' analysis, the additional 138 PM peak hour trips as well as all of the PUD development associated with Step 1 can be accommodated by the existing transportation system and maintain a Level of Service D.

Step 3: Recognizes that certain of the proposed non-permitted uses authorized pursuant to Section 10.230 D.9.b. which would exceed the 138 PM peak hour trips cannot be developed at this time. However, Section 10.235 C.7. recognizes that proposed development can occur in the future if at the time of actual development the transportation facilities can be supplied in sufficient condition and capacity to support development of the proposed use.

As a result, we are proposing that all of the non-permitted uses be approved by the City, subject to conditions of approval, which will ensure that at the time of development the transportation facilities will be adequate. Two essential aspects of the proposed conditions, which are at Tab 4 of this booklet, are: (1) that the trigger to allow future development will be determined by an allocation assignment determined by either the City and/or ODOT or by future improvements of the transportation system; and (2) a future hearing will be conducted before the Planning Commission to consider continued compliance with Section 10.235 C.7.

We believe that our proposed three-step process enables Rogue Valley Manor to demonstrate compliance with the City's applicable legal standards but also demonstrates a willingness and commitment on the part of Rogue Valley Manor to cooperatively work with the City, ODOT and the community in addressing the transportation issues in this part of the City.

We look forward to meeting with you to discuss our approach and Supplemental Information. Thank you very much for your assistance and guidance in working with Rogue Valley Manor to find a workable solution that will be mutually beneficial to all interested parties to these issues.

Very truly yours,

Davis Wright Tremaine LLP

Gregory S. Hathaway

GSH:lkt

Enclosure

cc w/encl.: Don Walker, Public Works Director, City of Medford
 Tom Becker, Rogue Valley Manor
 Brian McLemore, Rogue Valley Manor

Commissioner Mansfield does not know why the Commission continues debating this matter. Boundary disputes are none of the Commission's business.

Mr. Mitton agreed. The Planning Commission has no authority to condition or delay the decision on the two agenda items being discussed based on the boundary disputes. It is outside of this body's jurisdiction.

Staff looks at the recorded property lines. Whether anyone has a right to get those property lines changed by a court based on prior usage is a separate issue. This body looks at the current property lines recorded by the County.

The public hearing was closed.

Commissioner Pulver asked, does it matter from Public Works perspective where the driveway is? Mr. Georgevitch does not believe so. Commissioner Pulver stated that if he reads the Public Works requirement correctly, would the existing driveway on the north side of the property, that needs to be rebuilt, be a shared easement between the subject property and the property to the north. Mr. Georgevitch believes Commissioner Pulver is reading the condition correctly. There are options. The applicant can leave the driveway where it is and provide an easement. It is on a major collector street and the Code requires access on high order streets with a hammerhead and shared access. Since this is going through entitlement process staff has asked that the driveway be set up to allow for future shared driveways. They can move it to the north. It would be acceptable to move it to the south and provide shared access. They can choose to leave it where it is and provide an easement to allow it to be shared so the property on either side would be able to take access.

Commissioner Pulver stated that one of the goals is to turn two driveways into one. Mr. Georgevitch replied that is correct. It is a safety consideration.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Orders for approval of LDS-19-004 and ZC-19-003 per the staff report dated March 7, 2019, including the approval for the creation of a Minimum Access Easement to serve lots 10-12, authorization of the maximum time schedule of 5 years for the platting of the property in phases, and the adoption of all Exhibits A through L.

Moved by: Commissioner Foley

Seconded by: Commissioner Pulver

Roll Call Vote: Motion passed, 9-0.

50.4 PUD-18-152 Consideration of a request for amendment of the Rogue Valley Manor Planned Unit Development, File No. PUD-98-023, to consider changes to the PUD

CITY OF MEDFORD
EXHIBIT: U
FIG # PUD-18-152

boundary of approximately 233-acres of property and to demonstrate that the 'Commercial Village' is able to develop without any vehicle trip stipulations, located east of Interstate 5 between Ellendale and La Loma Drives, within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre), SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre), SFR-10 (Single Family Residential – 6 to 10 dwelling units per gross acre), MFR-20 (Multiple Family Residential – 15 to 20 dwelling units per gross acre), MFR-30 (Multiple Family Residential - 20 to 30 dwelling units per gross acre) and C-C (Community Commercial) zoning districts. Applicant: Pacific Retirement Services; Agent: Richard Stevens & Associates; Planner: Steffen Roennfeldt.

Commissioner Mansfield sees in the record that there is a motion to postpone this hearing until a later date.

Mr. Mitton reported that there was a continuance request. However, since staff noticed the hearing there may be individuals present to testify that may not be able to attend the continued meeting date but will have the opportunity tonight.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. E. J. McManus disclosed that his wife works for the applicant Pacific Retirement Services. Her role is not involved in the operations or decision making of the project. He does not feel there is a potential conflict of interest.

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

Mr. Mitton stated that after publication staff received a continuance request on this agenda item to Thursday, April 25, 2019. Is there anyone that would like to participate on this agenda item that will not be able to attend the April 25th meeting? If so, staff will present their staff report.

Commissioner McFadden thought the reason for continuances is that the applicant will change their application. He thought it was opened for testimony but no staff report.

Mr. Mitton stated that they will get a staff report. Commissioner McFadden stated that if it is going to be continued they do not get a staff report. They take testimony but the Planning Commission has nothing to judge by.

Kelly Evans, Assistant Planning Director reported that Commissioner McFadden is correct. That is often how it is. Like for the first item where there was a continuance request. In this case and the Vinatieri project staff is prepared to give a staff report because staff anticipated to do that work. The continuance came after the report was published. It is

better for the Commission and public to be able to hear about the project so the testimonies are in context.

Commissioner McFadden asked, so the applicant will not be changing their application? Conditions will not be changed between now and April 25th? Ms. Evans understanding of the continuance request has to do with ODOT's review of the traffic analysis.

Mr. Mitton stated that it is important that staff give their report this evening so the individuals present to testify have something to respond to. If things change between now and April 25th or not staff will give the same report again or a new report. The staff report is not only for the Planning Commission's benefit it is also for members of the public that are present to testify.

Commissioner McFadden agrees with Mr. Mitton. He was just saying that historically this Commission has seen a lot of continuations where nothing was presented and told the people that wanted to testify that the Commission has no information.

Steffen Roennfeldt, Planner III stated staff received a continuation request from both ODOT and the applicant regarding reviewing the traffic impact analysis. The Planned Unit Revision or Termination approval criteria can be found in the Medford Land Development Code Section 10.198(A)(3). The Planned Unit Development criteria can be found in the Medford Land Development Code Section 10.190(D). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report.

The public hearing was opened.

a. Clark Stevens, Richard Stevens & Associates, Inc., P. O. Box 4368, Medford, Oregon, 97501. Mr. Stevens was present but did not speak.

b. Tom Harris, 740 Hilldale Avenue, Medford, Oregon, 97504. Mr. Harris is in support of staff's recommendation of retaining the current traffic cap for the commercial village section of the proposed boundary change. There is a long term health consideration that he has. It is exacerbated when traffic is slowed at rush hours. He has concerns with the carbon monoxide emissions.

Motion: The Planning Commission continued PUD-18-152, per the applicant's request, to the Thursday, April 25, 2019, Planning Commission meeting.

Moved by: Commissioner Foley

Seconded by: Commissioner Miranda

Roll Call Vote: Motion passed, 9-0.

Executive Summary

The Rogue Valley Manor PUD is located in Medford, OR and is roughly bounded by Barnett Road to the north, N Phoenix Road to the east, and I-5 to the southwest. The overall planned unit development (PUD) (existing) consists of various types of senior-housing units and on-site medical care for senior living. In addition, the north end of the PUD includes a planned Commercial Village of 28.11 acres with 15.35 of these acres constrained by an existing trip generation cap that limits the amount of development which may occur. The proposed parcels to be developed are 371W32BA1600, 1700, 1800, 1900, 2300, 2400, 2500, 2502, 2700 and 371W32B3401. The planned project includes development of approximately 50,000 square feet of office, 105,900 square feet of retail space, and 7,600 square feet of restaurant.

The analysis primarily focused on the weekday PM peak hours as coordinated with City of Medford and Oregon Department of Transportation (ODOT) staff. AM peak hour analysis was requested by ODOT at the Highland Drive/E Barnett Road and South Medford I-5 Ramps/Garfield Street intersections. The following summarize the key findings of the study.

After accounting for internal and pass-by trips, the development is anticipated to generate 319 weekday AM peak hour trips and 486 weekday PM peak hour trips.

Under existing plus approved projects all of the off-site study intersections operate at acceptable standards with the exception of the Highland Drive/Barnett Road intersection during the AM and PM peak hour and the South Medford I-5 Ramps/Garfield Street intersection during the PM peak hour. With the addition of ambient growth, the Keene Way/Highland Drive/S Barneburg Road and the S Pacific Highway/Garfield Street intersections are anticipated to fall below the current City of Medford LOS D or ODOT V/C ratio standards.

With completion of the proposed project, all off-site study intersections are anticipated to continue to operate at the same LOS as under without-project conditions with minor increases in delay with the exception of two intersections. The Ellendale Drive/Barnett Road intersection is anticipated to degrade from LOS C to LOS D but would continue to operate at an acceptable LOS. The Highland Drive/Siskiyou Boulevard intersection is anticipated to degrade from LOS B to LOS C but would continue to operate at an acceptable LOS.

Access to the site is proposed via two driveways along Ellendale Drive. The site access locations are projected to operate at LOS D.

Based on the future (2023) operations analysis, three intersections are anticipated to operate below the City of Medford's LOS D or ODOT V/C ratio standards under future (2023) without-project and with-project conditions. The following discussion identifies potential improvements and the resulting LOS.

- **Keene Way/Highland Drive/S Barneburg Road** – As mentioned previously, the City has identified a long-term improvement to install a traffic signal or roundabout at the intersection when warranted, however this project is currently not funded. Signal warrants were evaluated and are not met under future (2023) without-project or with-project conditions. However, with the installation of a traffic signal is anticipated to improve operations above the LOS D standard. Intersection volumes should continue to be monitored for meeting signal warrants. Based on direction by City staff, the intersection was also evaluated as an all-way stop to address the short-term impacts of the proposed project. In the short-term, with the installation of an all-way stop, the intersection is projected to operate at LOS D under future (2023) with-project conditions.

Given that this intersection is projected to operate at LOS E under without and with-project conditions, it is proposed that the project contribute a proportionate share of the long-term solution identified by the City. The anticipated project share at this intersection is approximately 4.3 percent.

- **Highland Drive/E Barnett Road** – As discussed previously, revisions are underway that would change the LOS standard for this intersection from LOS D to LOS E and mitigation would not be required at this intersection. The City is also reviewing possible implementation of an additional northbound right-turn lane and is noted as a Tier 1 project in the draft 2018 – 2038 TSP. With implementation of the second northbound right-turn lane the intersection is projected to operate at LOS D. The anticipated project share at this intersection is approximately 6.2 percent.
- **South Medford I-5 Ramps /Garfield Street** – As discussed in the Draft City of Medford TSP, this intersection needs alternative mobility targets or to be evaluated as part of the update to the Exit 27 IAMP. ODOT has identified approximately a 200-foot extension of the southbound off-ramp as potential mitigation at the interchange. The project share at this intersection is approximately 2.4 percent.



Project Name:

**Rogue Valley Manor Revision
 PUD-98-23**

Map/Taxlot:

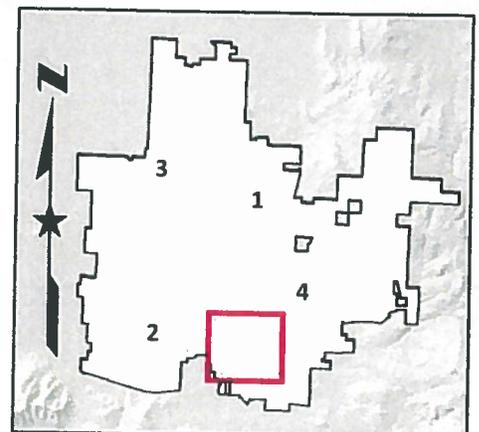
Various Tax lots

Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots



10/24/2018





STAFF REPORT

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

Project Lone's View
 Applicant: Gary McFarlane & Tim McFarlane; Agent: Neathamer Surveying Inc.

File no. LDS-19-029

To Planning Commission *for April 25, 2019 hearing*

From Liz Conner, Planner II

Reviewer Kelly Evans, Assistant Planning Director *ke*

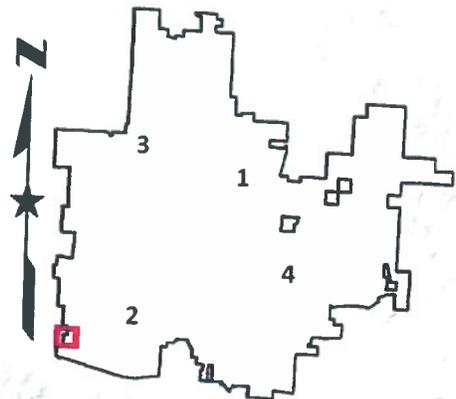
Date April 18, 2019

BACKGROUND

Proposal

Consideration of a tentative plat for an 11 lot subdivision on approximately 2 acres within the SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district, located on the north side of Sunset Drive approximately 415 feet west of Thomas Road (372W35DC Tax Lot 3300).

Vicinity Map



Subject Site Characteristics

Zoning SFR-00
GLUP UR (Urban Residential)
Use Single Family Residence on each parcel

Surrounding Site Characteristics

North	SFR-6	Single Family Residence
	EFU	Active agriculture crop
South	SFR-00/RR-2.5	Single Family Residences
East	SFR-00	Single Family Residences
West	SFR-00	Single Family Residences

Related Projects

A-04-255 Annexation
ZC-17-006 Zone Change SFR-00 to SFR-6

Applicable Criteria

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

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

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Articles IV and V;
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;
- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;

- (4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property, unless the Planning Commission determines it is in the public interest to modify the street pattern;
- (5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;
- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

ISSUES AND ANALYSIS

Background

The site consists of approximately two acres of land that received SFR-6 zoning with ZC-17-006 approved by the Planning Commission on March 9, 2017. The applicant is now proposing a tentative plat consisting of 11 lots to be constructed in a single phase (Exhibit B).

The subject site is located in the southwest area of Medford. The property abuts the City limits and the Urban Growth Boundary in the northwest corner as well as active agricultural lands zoned EFU (Exclusive Farm Use).

The site is also located within the Southwest Medford Circulation Plan.



Code Compliance

Density

The density range for the SFR-6 zone is between four and six dwelling units per gross acre per Medford Land Development Code (MLDC) Section 10.710. The net parcel size is 1.92 acres; the gross parcel size, which includes the fronting half-street is 2.02 acres. Based on the gross acreage, the density ranges is between eight and 12 dwelling units (Exhibit N). The proposal is to create 11 lots meets the density requirements as shown in the table below.

Density Table

SFR-6 Density Range	Allowed	Shown
<i>4.0 to 6.0 dwelling units per gross acre</i>	8 min. / 12 max.	11 lots

Development Standards

**Site Development Table for the SFR-6 Zone
(MLDC 10.710)**

	Lot Area Range (square feet)	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
Required	4,500 to 12,500	50 feet	60 feet	90 feet	30 feet
Shown	4,500 to 7,500	50 feet	60 feet	90 feet	50 feet

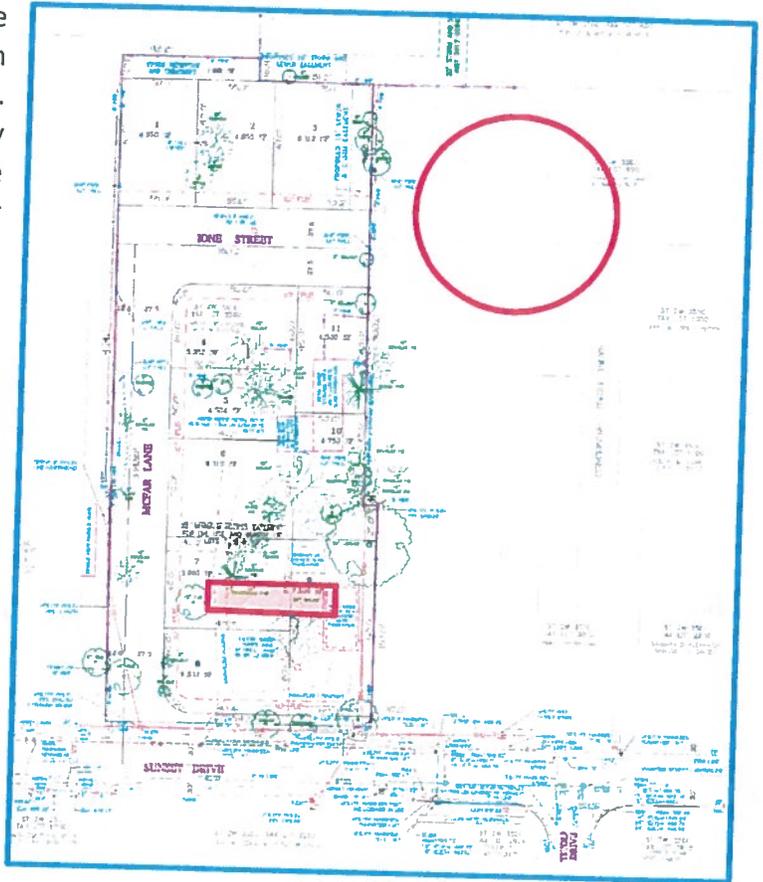
As shown in the Site Development Table above, it can be found that the 11 proposed lots identified on the submitted tentative plat meet all the dimensional standards for the SFR-6 zoning district as found in Article V of the Medford Land Development Code.

Street Circulation

The subject property is within the Southwest Medford Circulation Plan (Exhibit D), and fronts Sunset Drive. The Circulation Plan does not identify streets on the subject site. The tentative plat does include two minor residential lanes, and a conceptual plan on how connection to Tivoli Drive can be accommodated.

Minimum Access Easement

The applicant proposes a minimum access easement to serve Lots 7, 9 and 10. The minimum access easement shall be developed in accordance with MLDC 10.430(1) and 10.450 with property width and turn-around dimensions. Additionally, the installation of a minimum access drive sign is required. Conditions of approval have been included requiring the applicant comply with the Public Works Department Staff Report (Exhibit H) and the Address Technician Staff Memo (Exhibit K).



Street Dedications & Improvements

The applicant's findings (Exhibit E) state that there are steeper slopes in the area, but are not in excess of 15%. The applicant has requested pursuant to Section 10.443, that McFar Lane is improved to half street plus 8 feet standards in order to accommodate the vertical relief in the area. The Public Works Staff Report (Exhibit H), states that pursuant to MLDC Section 10.430, the developer shall construct the east half plus 8-feet west of the centerline along the frontage of this development for McFar Lane.

Water Facilities

The subject property is within the Medford Water Commission service area. A condition of approval has been included requiring the applicant to comply with the Medford Water Commission Report (Exhibit L).

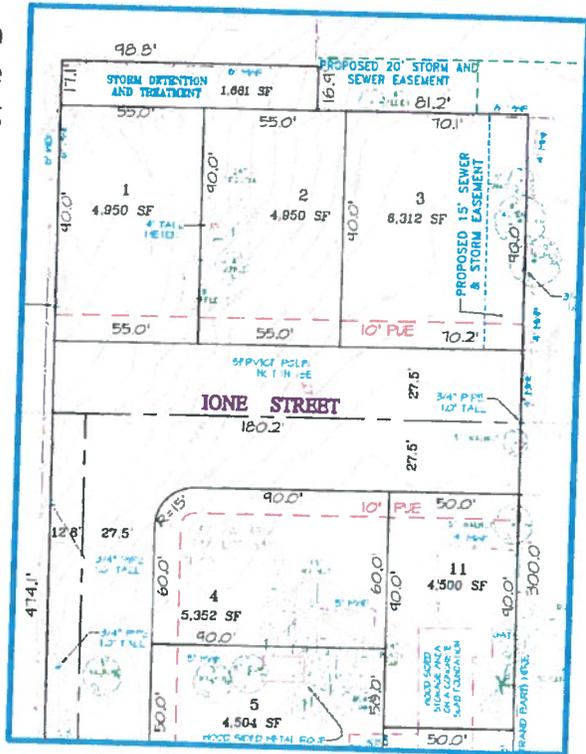
Agricultural Impact

The subject property abuts land directly to the northwest that is outside the city limits and Urban Growth Boundary and zoned Jackson County EFU (Exclusive Farm Use).

The applicant provided an Agricultural Impact Assessment Report (Exhibit F) as required in MLDC 10.801. The abutting property was intensively farmed with cannabis plants in 2018.

MLDC 10.801(D)(2) outlines the mitigation requirements for intensive agriculture. The applicant stipulates to the following mitigation requirements:

- A six foot solid fence along the northerly boundary in accordance with Section 10.801(D)(2)(a);
- A deed declaration for all proposed lots (Lots 1, 2, 3, 4 and 11) within a 200-foot radius of the EFU lands that requires the owner and all successors in interest to recognize and accept common, customary and accepted farming practices occurring on the adjacent lands in accordance with Section 10.801(D)(2)(c);
- An eight foot strip of landscaping consisting of a row of evergreen trees along the northern portion of Lots 1 and 2 that adjoin the EFU land.



The applicant's findings (Exhibit E) state that the contours on the topographic survey that was performed demonstrate that the proposed development has higher ground than that of the EFU lands. The applicant is not proposing additional mitigation for irrigation runoff as the proposed landscaping indicated will provide a sufficient buffer from the EFU lands.

Street Names

The Address Technician's Memo (Exhibit K), states that the proposed street name Ione Street is not acceptable due to an existing street with that name already in Jackson County. An alternate street name shall be proposed. A condition of approval has been included to comply with the Address Technician's Memo (Exhibit A).

Existing Buildings

The tentative plat shows existing structures on Lots 5, 10 and 11. The MLDC does not permit accessory uses without a primary use established. The tentative plat (Exhibit B) general survey notes states that all structures onsite including the current pump house are to be removed during the future development. The Building Department's memo (Exhibit J) requires demolition permits for all buildings to subject to demolition. A condition of approval has been included to comply with the Building Department's memo (Exhibit A).

GENERAL SURVEY NOTES:

The property and right-of-way lines depicted hereon, are based on limited ties to found monuments and record subdivision plats. Said lines are approximate locations only and are not to be construed or utilized for their true locations.

Contours: 1-foot contour interval; 1-foot Index contour interval.

All existing underground utilities, as depicted hereon, were located with reasonable accuracy, as marked on the ground by affected agencies and utility companies. Oregon Administrative Rules Chapter 952, Division I, Definitions, 952-001 0010 (21), states: "reasonable accuracy" means location, within 24 inches, of the outside lateral dimensions of both sides of an underground facility.

All structures onsite including current pump house, to be removed during the future development.

Facility Adequacy

Per the agency comments submitted to staff (Exhibits H-M), it can be found that there are adequate facilities to serve the future development of the site.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

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

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of LDS-19-029 per the staff report dated April 18, 2019, including Exhibits A through N.

EXHIBITS

- A Conditions of Approval, dated April 18, 2019
- B Tentative Plat received February 13, 2019
- C Conceptual Grading and Drainage Plan received February 13, 2019
- D Adopted Southwest Medford Circulation Plan adopted November 20, 2003
- E Applicant findings and conclusions received February 13, 2019
- F Agricultural Impact Assessment Report received February 13, 2019
- G Custom Soils Resource Report received February 13, 2019

- H Public Works Staff Report received March 27, 2019
- I Medford Fire Report received March 27, 2019
- J Medford Building Department Memo received March 27, 2019
- K Address Technician Memo received March 26, 2019
- L Medford Water Commission Memo received April 4, 2019
- M Jackson County Roads Department letter dated March 15, 2019
- N Density Calculation dated March 8, 2019
Vicinity map

PLANNING COMMISSION AGENDA:

APRIL 25, 2019

EXHIBIT A

LDS-19-029
Conditions of Approval
April 18, 2019

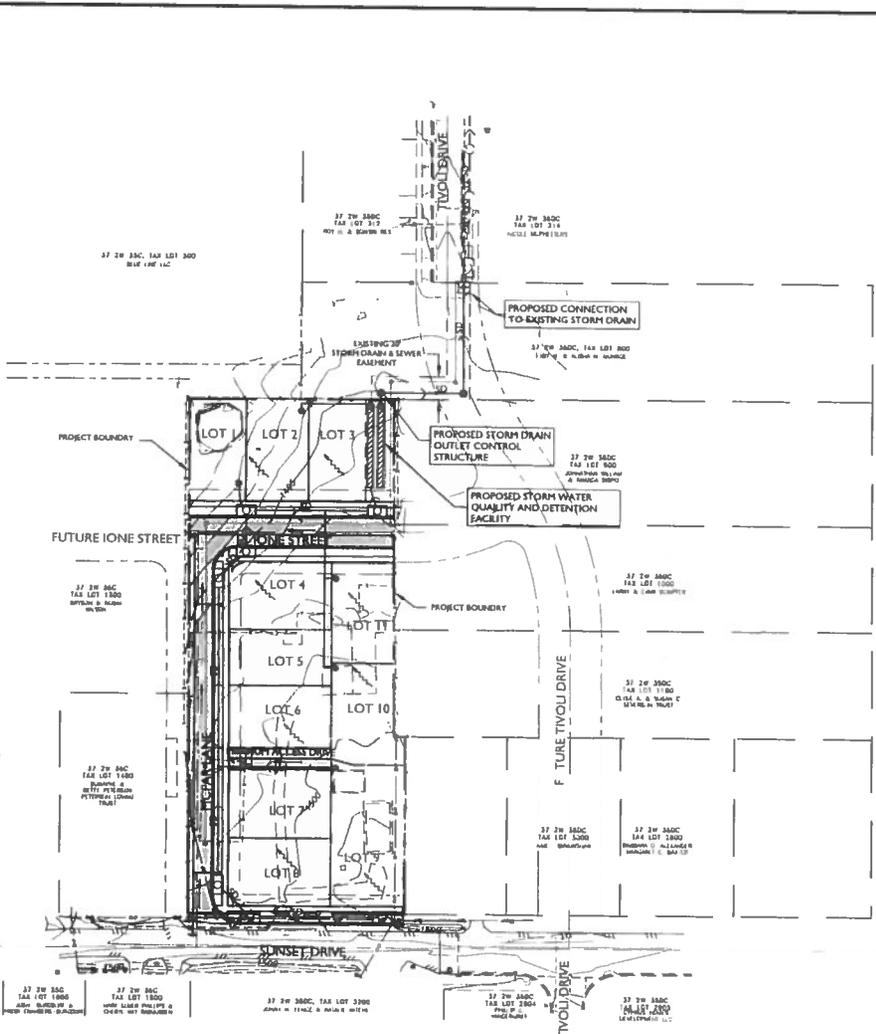
DISCRETIONARY CONDITIONS

1. Prior to final plat approval, a primary use must be established on Lots 5, 10, and 11 or the accessory structures must be removed.

CODE REQUIREMENTS

2. Prior to Final Plat approval, the applicant shall comply with the:
 - a. Public Works Department Staff Report dated March 27, 2019 (Exhibit H).
 - b. Medford Fire Department Report dated March 27, 2019 (Exhibit I).
 - c. Medford Building Department Memo dated March 27, 2019 (Exhibit J).
 - d. Medford Addressing Technician's Memo dated March 26, 2019 (Exhibit K).
 - e. Medford Water Commission Meme received April 4, 2019 (Exhibit L).
 - f. Jackson County Roads letter dated March 15, 2019 (Exhibit M).

- LEGEND**
- PROPOSED STORM MANHOLE OR CLEANOUT
 - ◻ PROPOSED CURB INLET
 - ▣ PROPOSED CATCH BASIN
 - ← PROPOSED STORM MAIN
 - EXISTING STORM MANHOLE
 - ◻ EXISTING CURB INLET
 - ▣ EXISTING AREA DRAIN
 - - - EXISTING STORM MAIN
 - DRAINAGE DIRECTION
 - HARDSCAPE DRAINAGE DIRECTION



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EXHIBIT C.1

CONSTRUCTION ENGINEERING CONSULTANTS, INC.

IONE'S VIEW
CONCEPTUAL
GRADING & DRAINAGE PLAN



DRAWN BY: BRO	DATE: 12/78	NO.	REVISION	DATE	BY
CHECKED BY: MMK	DATE: 12/78				
	DATE:				



P.O. BOX 1734 MEDFORD, OREGON 97501
PH. (541) 753-8966



Adopted Southwest Medford Circulation Plan



Page 194

EXHIBIT # D
CITY OF MEDFORD
FILE # LDS-19-029

Street Classifications

- | | | | | | | | |
|--|----------------|--|-----------------|--|---------------|--|-------------------------------|
| | Major Arterial | | Major Collector | | Residential | | UGB |
| | Minor Arterial | | Minor Collector | | Other Streets | | Adopted Circulation Plan Area |



The Geographic Information Systems (GIS) data made available on this map are developed and maintained by the City of Medford and Jackson County. GIS data is not the official representation of any of the information included. The maps and data are made available to the public solely for informational purposes.

THERE MAY BE ERRORS IN THE MAPS OR DATA. THE MAPS OR DATA MAY BE OUTDATED, INACCURATE, AND MAY OMIT IMPORTANT INFORMATION. THE INFORMATION IS BEING PROVIDED "AS IS" OR "WITH ALL FAULTS". THE BUYER ASSUMES THE ENTIRE RISK AS TO THE QUALITY OR PERFORMANCE IS WITH THE BUYER AND IF INFORMATION IS DEFECTIVE, THE BUYER ASSUMES THE ENTIRE COST OF ANY NECESSARY CORRECTIONS OR SERVICING.

Map Adopted: 11-20-03
Ord. # 2003-299
Map Printed: 1-29-04

FINDINGS OF FACT AND CONCLUSIONS OF LAW

**BEFORE THE CITY OF MEDFORD
PLANNING COMMISSION**

**IN THE MATTER OF AN APPLICATION
FOR THE TENTATIVE PLAT APPROVAL
OF IONE'S VIEW.**

**RECEIVED
FEB 13 2019
PLANNING DEPT.**

APPLICANT: Gary McFarlane and Tim McFarlane
2214 Sunset Drive
Medford, OR 97501

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

A. BACKGROUND INFORMATION

The subject property is located at 2214 Sunset Drive (Jackson County Assessor's Map Number 37 2W 35DC, Tax Lot 3300), being northerly of Sunset Drive and westerly of Thomas Road. The property is zoned Single Family Residential - 6 units/acre (SFR-6), has a General Land Use Map (GLUP) designation of Urban Residential (UR) and has a gross acreage of 2.10 acres.

The property currently contains a single existing residence and accessory structures, all of which will be removed during the construction of the proposed subdivision.

Surrounding the subject site are mostly single-family residences and some vacant lands. The northwesterly portion of the property is coincident with EFU lands.

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

B. SCOPE, PURPOSE, AND OVERVIEW OF THE APPLICATION

The purpose of this application is for the approval of a Tentative Plat for an 11-lot residential subdivision consisting of detached, single-family dwelling units.

C. APPROVAL CRITERIA

CITY OF MEDFORD LAND DEVELOPMENT CODE

SECTION 10.270 – LAND DIVISION CRITERIA

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

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

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

D. FINDINGS OF FACT AND CONCLUSIONS OF LAW

CRITERION NO. 1

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

FINDINGS OF FACT

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

While the property is located within the Adopted Southwest Medford Circulation Plan, there are not designated streets located on the subject site. Additionally, there are no local wetlands or riparian areas identified on the subject property.

Pursuant to the Medford Slope Map, there are no slopes identified on the subject property that exceed 15%.

CRITERION NO. 2

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

FINDINGS OF FACT

The proposed tentative application includes the development of the property in its entirety, no remainder is being proposed. Also, access is being provided to the lands to the east by the creation of McFar Lane and Ione Street. As such, the approval of the land division contained herein will not prevent the development of the remainder of the property under the same owner, or the adjoining lands.

CRITERION NO. 3

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

FINDINGS OF FACT

The name of the subdivision, Ione's View, is a name that has been approved by the Jackson County Surveyor on August 6, 2018. No new subdivision name is being proposed.

CRITERION NO. 4

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

FINDINGS OF FACT

The project is located within the Adopted Southwest Medford Circulation plan. However, there are not any planned streets that affect the proposed development. Ione Street will eventually intersect the future extension of Tivoli Drive. A conceptual future intersection has been included on the associated Tentative Plat that demonstrates the feasibility of the street layout.

While there are not slopes in excess of 15%, there are steeper slopes located near the intersection of McFar Lane and Ione Street. Section 10.443 of the MLDC states the following:

Upon written request by the developer at the time of development permit application, half streets plus eight (8) feet may be approved where essential to the reasonable development of a parcel when in conformity with the other requirements of these regulations, and subject to the approving agency's findings that it will be practical to require dedication of the other half when the adjoining property is developed; the other half of the street shall be platted within the adjacent tract.

Due to the steeper slopes and pursuant to Section 10.443, the applicant requests McFar Lane to be improved to half street plus 8 feet standards, in order to accommodate the vertical relief in the area.

Additionally, the applicant is requesting the approval of parking bays along the east side of McFar Lane. The parking bays would provide additional parking while still maintaining a minimum 22-foot traveled way. A full design will be contained in the proposed construction plans to be submitted by CEC Engineering.

It should also be noted that the minimum access easement proposed across Lots 6 and 7 will provide access to Lots 7, 9 and 10. Access for Lot 6 will be provided by a separate driveway.

CRITERION NO. 5

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

FINDINGS OF FACT

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

CRITERION NO. 6

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

FINDINGS OF FACT

Adjoining to the northwest of the subject project are lands that are zoned Exclusive Farm Use (EFU). Said EFU lands were actively farmed this past season for cannabis crops. As such, an Agricultural Impact Analysis Report included as part of the application submittal. Please refer to said report for further analysis and documentation.

CONCLUSION OF LAW

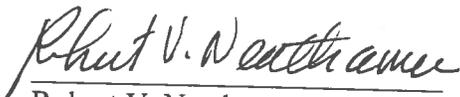
Based upon the submitted application materials and the above Findings of Facts, the Planning Commission concludes that the application complies with the applicable provisions of all city ordinances.

E. ULTIMATE CONCLUSION

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

Respectively Submitted,

Neathamer Surveying, Inc.



Robert V. Neathamer, President

Agent for Applicants:
Gary McFarlane and Tim McFarlane

Dated: January 28, 2019

AGRICULTURAL IMPACT ASSESSMENT REPORT

BEFORE THE CITY OF MEDFORD PLANNING COMMISSION

IN THE MATTER OF AN APPLICATION
FOR THE TENTATIVE PLAT APPROVAL
OF IONE'S VIEW.

RECEIVED
FEB 13 2019
PLANNING DEPT.

APPLICANT: Gary McFarlane and Tim McFarlane
2214 Sunset Drive
Medford, OR 97501

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

A. BACKGROUND INFORMATION

The subject property is located at 2214 Sunset Drive (Jackson County Assessor's Map Number 37 2W 35DC, Tax Lot 3300), being northerly of Sunset Drive and westerly of Thomas Road. The property is zoned Single Family Residential - 6 units/acre (SFR-6), has a General Land Use Map (GLUP) designation of Urban Residential (UR) and has a gross acreage of 2.10 acres.

The proposed development associated with this Agricultural Impact Assessment Report (AIAR) consists of an 11-lot residential subdivision consisting of detached, single-family dwelling units.

A small portion of the northwest corner of the subject project adjoins lands that is zoned Exclusive Farm Use (EFU). According to the City of Medford Municipal Code (MLDC), Section 10.801.B states:

B. Applicability

The provisions of this Section apply to the development permit applications listed below in this subsection where land proposed for urban development is not in an urban reserve (see Regional Plan Element) and abuts and has a common lot line with other land which is zoned Exclusive Farm Use (EFU) or Exclusive Agriculture (EA). However, development which requires City approval for more than one of the below development permit applications for the same development shall be required to demonstrate compliance with the provisions of this Section only in the first such application.

- (1) Land Divisions.
- (2) Planned Unit Developments.
- (3) Conditional Use Permits.

(4) Site Plan and Architectural Review or Historic Review where the action being sought will result in the construction of one or more buildings intended for human occupancy as dwellings or for business purposes.

As the property adjoins EFU lands, the provisions contained in MLDC Chapter 10.801 apply to the proposed development.

B. SCOPE, PURPOSE, AND OVERVIEW

The purpose of this AIAR is to demonstrate compliance with the provisions of the MLDC Chapter 10.801, in order to mitigate any potential conflicts with adjoining EFU lands and to obtain approval for the associated Tentative Plat.

C. APPROVAL CRITERIA

CITY OF MEDFORD LAND DEVELOPMENT CODE

SECTION 10.810.C – INFORMATION REQUIRED: AGRICULTURAL IMPACT ASSESSMENT REPORT.

Section 10.810.C of the MLDC states that:

As part of any land use or development application listed in Subsection 10.801.B where the agricultural buffering provisions in Subsections 10.801.A through E apply, an applicant for such application shall supply the Planning Department with the following information in a report entitled "Agricultural Impact Assessment Report":

- 1. An excerpt of a City of Medford and/or Jackson County zoning map showing the zoning of land adjacent and within two hundred (200) feet of the property proposed for urban development.*
- 2. A description of the type and nature of agricultural uses and farming practices, if any, which presently occur on adjacent lands zoned EFU or EA and sources of such information. The information thus required, if applicable, shall include:*
 - (a) Method of irrigation.*
 - (b) Type of agricultural product produced.*
 - (c) Method of frost protection.*
 - (d) Type of agricultural equipment customarily used on the property.*
- 3. Detailed information obtained from the Natural Resources Conservation Service (NRCS) concerning soils which occur on adjacent lands zoned EFU or EA, and whether the land has access to water for irrigation.*
- 4. Wind pattern information.*
- 5. A description of the measures proposed to comply with the requirements of Subsections 10.801.A through E.*

6. *The persons who prepared said report and all persons, agencies, and organizations contacted during preparation of the report.*
7. *All statements shall be documented, sources given as reference, and any other detailed information needed to substantiate conclusions should be provided in the appendices.*

D. DISCUSSIONS

CRITERION NO. 1

1. *An excerpt of a City of Medford and/or Jackson County zoning map showing the zoning of land adjacent and within two hundred (200) feet of the property proposed for urban development.*

RESPONSE

Pursuant to the City of Medford Zoning Map, the subject property is within the SFR-6 zoning district.

There is a mixture of properties that are zoned SFR-00 and SFR-6 surrounding the site to the north, south, east and west.

To the east are also larger tract residences that have not yet been annexed into city limits.

The property adjacent to the northwest is zoned Exclusive Farm Use (EFU).

An excerpt of said zoning map has been included for reference.

CRITERION NO. 2

2. *A description of the type and nature of agricultural uses and farming practices, if any, which presently occur on adjacent lands zoned EFU or EA and sources of such information. The information thus required, if applicable, shall include:*
 - (a) *Method of irrigation.*
 - (b) *Type of agricultural product produced.*
 - (c) *Method of frost protection.*
 - (d) *Type of agricultural equipment customarily used on the property.*

RESPONSE

Information regarding the farming practices located on the EFU lands to the northwest of the subject project (Jackson County Assessor's Map Number 37 2W 35C, Tax Lot 300) are as follows:

- a) Irrigation was delivered through the use of driplines.

- b) Cannabis plants were cultivated this past 2018 season. Previously the lands were used as an orchard, although the lands were vacant for many years previous to the cannabis plants that were farmed in 2018.
- c) As of now, there is no frost protection that is being used on the property. After the cannabis plants were harvested, they were then removed.
- d) A small tractor was utilized for the installation of driplines for this past season's crops. However, the maintenance and harvesting were completed by manual labor.

It should be noted that the information contained above was provided by the applicant. Additionally, it is not known by the applicant if the EFU lands will continue to be used for cannabis cultivation in the future.

CRITERION NO. 3

- 3. *Detailed information obtained from the Natural Resources Conservation Service (NRCS) concerning soils which occur on adjacent lands zoned EFU or EA, and whether the land has access to water for irrigation.*

RESPONSE

The NRCS soil report for the adjacent EFU property indicates there are the following three soil types:

- (34B) Coleman loam 0 to 7 percent slopes with more than 80 inches of depth to a restrictive feature. It is a moderately well drained clay loam occurring near stream terraces. The available water storage is considered to be high at about 9.3 inches. The water table is present at depths of 18 to 24 inches.
- (76A) Gregory silty clay loam 0 to 3 percent slopes at 40 to 60 inches to paralithic bedrock. It is a poorly drained clay loam occurring near stream terraces. The available water storage is considered to be moderate at about 9.0 inches. The water table is present at depths of 0 to 12 inches.
- (127A) Medford silty clay loam 0 to 3 percent slopes with more than 80 inches of depth to a restrictive feature. It is a moderately well drained clay soil occurring on alluvial fans and stream terraces. The available water storage is considered to be high at about 9.7 inches. The water table is present at depths of 48 to 72 inches.

For reference, a copy of the NRCS soils report is included.

The property has been used in the past as an orchard and was actively farmed with cannabis plants this past season. As such, there is sufficient evidence that demonstrates the property has access to water for irrigation purposes.

CRITERION NO. 4

4. *Wind pattern information.*

RESPONSE

According to the Western Regional Climate Center, the prevailing wind direction for the Medford area is predominately West-Northwest during March through September and North/South for the remainder of the year. Please find the attached climate data summary that was used for reference.

CRITERION NO. 5

5. *A description of the measures proposed to comply with the requirements of Subsections 10.801.A through E.*

RESPONSE

Mitigation for intensive agriculture is outlined in MDLC Section 10.801.D(2), which states:

(2) Mitigation - Intensive Agriculture. To minimize or mitigate the adverse potential impacts associated with the proximity of urban and agricultural land uses, the following measures shall be undertaken by the developer when urban development is proposed adjacent to land which is in intensive agricultural use:

(a) Fencing. A wood fence, chain link fence, masonry wall, or other comparable fence, as approved by the approving authority not less than six (6) feet in height or such greater height as may be required, shall be installed at the rear or side property boundary where the urban development property adjoins and has a common property line with land zoned EFU or EA. In no case shall a fence or wall be required within a front yard area. The fence or wall used to buffer agricultural land shall comply with the regulations regarding fencing, Sections 10.731 through 10.735. Information shall be provided regarding the long term maintenance responsibility for the fence.

(b) Landscaping. On the property proposed for urban development there shall be a landscaped strip adjoining the fence or wall required in subsection 10.801.D(2)(a) which shall have a width of not less than eight (8) feet within which there shall be planted a row of evergreen trees spaced not more than eight (8) feet apart. The species and variety of evergreen trees proposed shall be approved by the approving authority and shall be selected on the basis of fast growth and vegetation density. The City may compile and adopt a list of trees suitable for agricultural buffering and once adopted, only trees from the approved list may be selected to satisfy the requirements of this section. The trees shall be served by an underground irrigation system. Information shall be provided regarding the long-term responsibility for care and

maintenance of the landscaping.

(c) Deed Declaration. All urban land proposed for development which lies within two hundred (200) feet of an EFU or EA zoning district boundary shall be subject to a deed declaration that requires the owner and all successors in interest to recognize and accept common, customary and accepted farming practices. The declaration shall also provide that the perpetual maintenance of fencing, the horticultural care for and maintenance of landscaping, and the maintenance of other buffering features installed to comply with this Section shall be the sole responsibility of the owners of property subject to the deed declaration. The deed declaration shall be in a form approved by the City. After the deed declaration is signed it shall be recorded in the official records of Jackson County, and copies shall be mailed to the owners of adjacent agricultural lands zoned EFU or EA.

(d) Irrigation Runoff. Measures appropriate to the circumstances present shall be undertaken by the urban developer to mitigate adverse impacts which occur from periodic naturally occurring runoff and inadvertent agricultural irrigation runoff.

Pursuant to Section 10.801.D(2)(a), a 6-foot solid fence along the northerly boundary is proposed to mitigate any potential conflicts with the EFU lands and the proposed development.

The deed declaration required in Section 10.801.D(2)(c) will be included for all proposed lots within a 200-foot radius of the EFU lands, being Lots 1 through 4 (inclusive) and Lot 11. The declaration will require the owner and all successors in interest to recognize and accept common, customary and accepted farming practices occurring on the adjacent lands.

An 8-foot strip of landscaping consisting of a row of evergreen trees spaced not more than eight feet apart will be planted and maintained along the northerly portion of proposed Lots 1 and 2 that adjoin the EFU lands. The continued maintenance and irrigation of the plants are to be completed by the owners of said lots, their successors and assigns.

Based on the topographic survey performed by this office, the contours demonstrate the proposed development to have the higher ground than that of the EFU lands. Furthermore, the portion of the proposed development that adjoins the EFU lands is under 100 feet in length. These factors indicate that it is highly unlikely that any adverse impacts will arise due to irrigation runoff on the proposed development. No additional mitigation is being proposed for irrigation runoff as the proposed landscaping indicated above shall provide a sufficient buffer from the EFU lands.

CRITERION NO. 6

6. *The persons who prepared said report and all persons, agencies, and organizations contacted during preparation of the report.*

RESPONSE

This Agricultural Impact Assessment Report was prepared by Neathamer Surveying, Inc. The individuals involved in the preparation of the AIAR include Robert V. Neathamer, PLS and Nathan Ruf, CFM.

The report was prepared with information reference from the following agencies/entities:

- City of Medford
- Natural Resources Conservation Services (NRCS)
- Western Regional Climate Center

CRITERION NO. 7

7. *All statements shall be documented, sources given as reference, and any other detailed information needed to substantiate conclusions should be provided in the appendices.*

RESPONSE

All sources that were utilized during the preparation of this report and referenced herein are listed on the attached References page. Furthermore, copies of the referenced information are also attached.

The following attachments have been included:

- Excerpt of the City of Medford Zoning Map
- Custom Soil Resource Report for Jackson County Area (NRCS)
- Climate Data Summaries (Western Regional Climate Center)

E. CONCLUSION

Pursuant to the information provided herein, the application for Ione's View is consistent with the relevant criteria for the Agricultural Buffering in Non-Urban Reserve Areas per Section 10.801 of Medford's Land Development Code, and can therefore be approved.

Respectively Submitted,

Neathamer Surveying, Inc.


Robert V. Neathamer, President

Agent for Applicants:
Gary McFarlane and Tim McFarlane

Dated: January 28, 2019

REFERENCES

- "Average Wind Direction | Western Regional Climate Center." *Average Wind Direction*. Western Regional Climate Center, n.d. Web. 19 Oct. 2016. <<http://www.wrcc.dri.edu/climatedata/climtables/westwinddir/>>.
- "City of Medford Zoning Map." *ArcGIS Web Application*. City of Medford, Jackson County, n.d. Web. 3 Dec. 2018. <<https://gisapps.medfordmaps.org/mli/>>.
- "Custom Soil Resource Report for Jackson County Area, Oregon, Parts of Jackson and Klamath Counties." *Web Soil Survey*. USDA Natural Resources Conservation Services, n.d. Web. 4 Dec. 2018. <<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>>.



United States
Department of
Agriculture

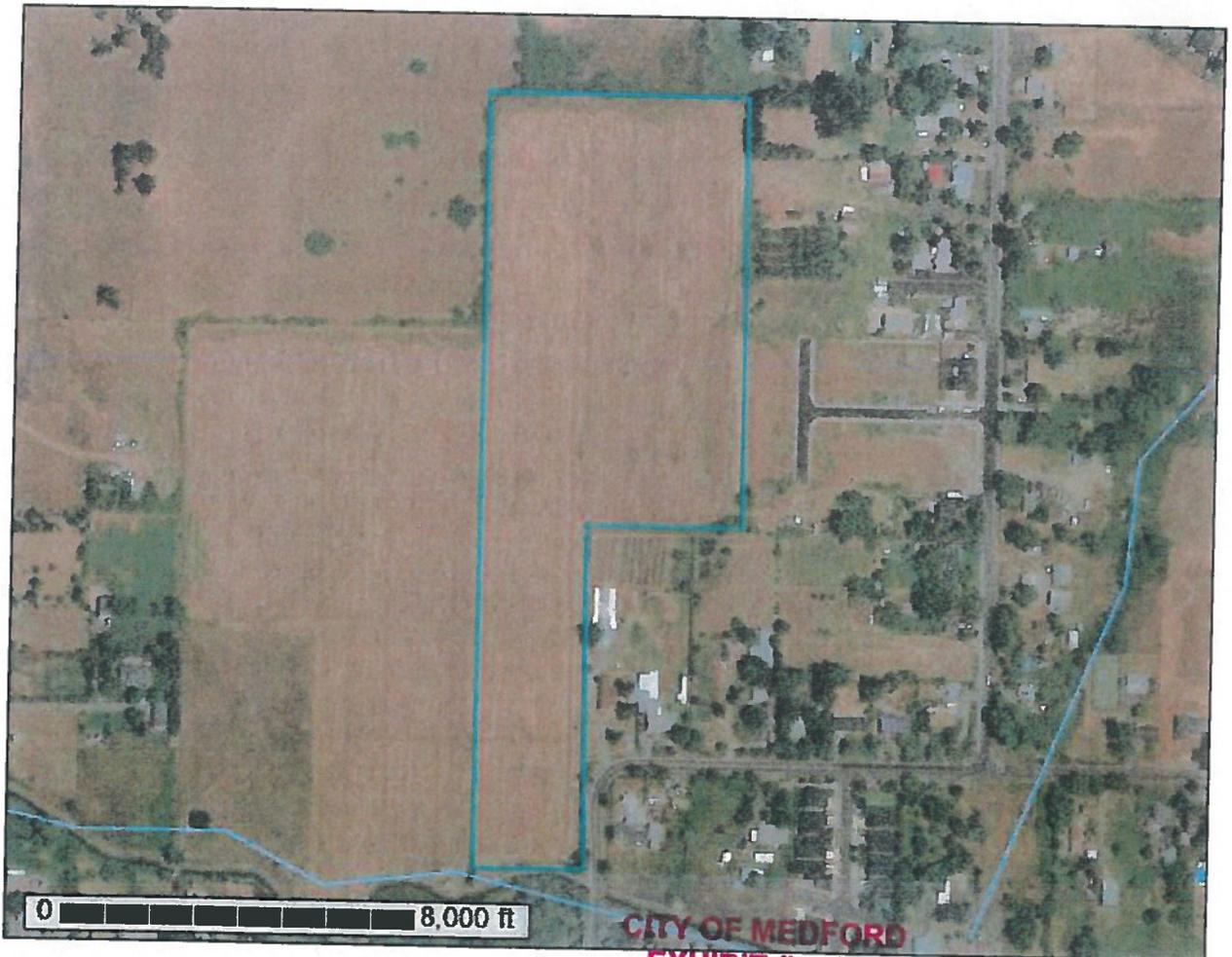
NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Jackson County Area, Oregon, Parts of Jackson and Klamath Counties

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Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

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Soil Map



Map Scale: 1:2,890 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 File title: LITM Zone 10N WGS84

MAP LEGEND

- | | | |
|--|--|---|
| Area of Interest (AOI) |  Area of Interest (AOI) |  Spoil Area |
| Soils |  Soil Map Unit Polygons |  Stony Spot |
| |  Soil Map Unit Lines |  Very Stony Spot |
| |  Soil Map Unit Points |  Wet Spot |
| Special Point Features | |  Other |
|  Blowout | |  Special Line Features |
|  Borrow Pit | Water Features |  Streams and Canals |
|  Clay Spot | | Transportation |
|  Closed Depression | |  Rails |
|  Gravel Pit | |  Interstate Highways |
|  Gravelly Spot | |  US Routes |
|  Landfill | |  Major Roads |
|  Lava Flow | |  Local Roads |
|  Marsh or swamp | Background |  Aerial Photography |
|  Mine or Quarry | | |
|  Miscellaneous Water | | |
|  Perennial Water | | |
|  Rock Outcrop | | |
|  Saline Spot | | |
|  Sandy Spot | | |
|  Severely Eroded Spot | | |
|  Sinkhole | | |
|  Slide or Slip | | |
|  Sodic Spot | | |

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Jackson County Area, Oregon, Parts of Jackson and Klamath Counties
 Survey Area Data: Version 17, Sep 17, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 3, 2014—Sep 27, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background

MAP LEGEND

MAP INFORMATION

imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
34B	Coleman loam, 0 to 7 percent slopes	2.3	15.1%
76A	Gregory silty clay loam, 0 to 3 percent slopes	1.0	6.6%
127A	Medford silty clay loam, 0 to 3 percent slopes	11.9	78.2%
Totals for Area of Interest		15.2	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or

Custom Soil Resource Report

landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Jackson County Area, Oregon, Parts of Jackson and Klamath Counties

34B—Coleman loam, 0 to 7 percent slopes

Map Unit Setting

National map unit symbol: hrsb
Elevation: 800 to 4,000 feet
Mean annual precipitation: 15 to 45 inches
Mean annual air temperature: 50 to 55 degrees F
Frost-free period: 125 to 235 days
Farmland classification: Prime farmland if drained

Map Unit Composition

Coleman and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Coleman

Setting

Landform: Stream terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from volcanic and sedimentary rock

Typical profile

H1 - 0 to 8 inches: loam
H2 - 8 to 20 inches: clay loam
H3 - 20 to 40 inches: clay
H4 - 40 to 65 inches: clay loam

Properties and qualities

Slope: 0 to 7 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: About 18 to 24 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: High (about 9.3 inches)

Interpretive groups

Land capability classification (irrigated): 2e
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: C/D
Ecological site: LOAMY HILLS 20-35 PZ (R005XY026OR)
Forage suitability group: Moderately Well Drained < 15% Slopes (G005XY006OR)
Hydric soil rating: No

Minor Components

Gregory

Percent of map unit: 4 percent
Landform: Stream terraces

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Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: POORLY DRAINED BOTTOM (R005XY016OR)
Hydric soil rating: Yes

Medford

Percent of map unit: 4 percent
Ecological site: DEEP LOAMY TERRACE 18-28 PZ (R005XY036OR)
Hydric soil rating: No

Ruch

Percent of map unit: 4 percent
Hydric soil rating: No

Coleman >7%

Percent of map unit: 3 percent
Ecological site: LOAMY HILLS 20-35 PZ (R005XY026OR)
Hydric soil rating: No

76A—Gregory silty clay loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: hrvc
Elevation: 700 to 4,000 feet
Mean annual precipitation: 15 to 45 inches
Mean annual air temperature: 46 to 55 degrees F
Frost-free period: 120 to 235 days
Farmland classification: Prime farmland if drained

Map Unit Composition

Gregory and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Gregory

Setting

Landform: Stream terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from metavolcanics and metasedimentary rock

Typical profile

H1 - 0 to 7 inches: silty clay loam
H2 - 7 to 44 inches: clay
H3 - 44 to 50 inches: sandy clay loam
H4 - 50 to 60 inches: weathered bedrock

Properties and qualities

Slope: 0 to 3 percent

Custom Soil Resource Report

Depth to restrictive feature: 40 to 60 inches to paralithic bedrock
Natural drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: About 0 to 12 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Moderate (about 9.0 inches)

Interpretive groups

Land capability classification (irrigated): 2w
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: C/D
Ecological site: POORLY DRAINED BOTTOM (R005XY016OR)
Forage suitability group: Poorly Drained (G005XY009OR)
Hydric soil rating: Yes

Minor Components

Coleman

Percent of map unit: 2 percent
Ecological site: LOAMY HILLS 20-35 PZ (R005XY026OR)
Hydric soil rating: No

Medford

Percent of map unit: 2 percent
Ecological site: DEEP LOAMY TERRACE 18-28 PZ (R005XY036OR)
Hydric soil rating: No

Brader

Percent of map unit: 2 percent
Ecological site: LOAMY HILLS 20-35 PZ (R005XY026OR)
Hydric soil rating: No

Debenger

Percent of map unit: 2 percent
Ecological site: LOAMY SLOPES 18-24 PZ (R005XY034OR)
Hydric soil rating: No

Langellain

Percent of map unit: 2 percent
Ecological site: LOAMY HILLS 20-35 PZ (R005XY026OR)
Hydric soil rating: No

Padigan

Percent of map unit: 2 percent
Landform: Alluvial fans
Ecological site: POORLY DRAINED BOTTOM (R005XY016OR)
Hydric soil rating: Yes

Gregory, moderately deep to bedrock

Percent of map unit: 2 percent
Landform: Terraces
Ecological site: POORLY DRAINED BOTTOM (R005XY016OR)
Hydric soil rating: Yes

Gregory, very deep

Percent of map unit: 2 percent
Landform: Terraces

Custom Soil Resource Report

Ecological site: POORLY DRAINED BOTTOM (R005XY016OR)
Hydric soil rating: Yes

Cove

Percent of map unit: 2 percent
Landform: Flood plains
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: POORLY DRAINED BOTTOM (R005XY016OR)
Hydric soil rating: Yes

Gregory, 3-5% slopes

Percent of map unit: 2 percent
Landform: Stream terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: POORLY DRAINED BOTTOM (R005XY016OR)
Hydric soil rating: Yes

127A—Medford silty clay loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: hrn5
Elevation: 30 to 4,000 feet
Mean annual precipitation: 15 to 60 inches
Mean annual air temperature: 48 to 55 degrees F
Frost-free period: 125 to 235 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Medford and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Medford

Setting

Landform: Alluvial fans, stream terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from metavolcanics and/or metasedimentary rock

Typical profile

H1 - 0 to 12 inches: silty clay loam
H2 - 12 to 22 inches: silty clay
H3 - 22 to 53 inches: silty clay loam
H4 - 53 to 71 inches: stratified sandy clay loam to silty clay loam

Custom Soil Resource Report

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Moderately well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)

Depth to water table: About 48 to 72 inches

Frequency of flooding: None

Frequency of ponding: None

Available water storage in profile: High (about 9.7 inches)

Interpretive groups

Land capability classification (irrigated): 1

Land capability classification (nonirrigated): 4c

Hydrologic Soil Group: C

Ecological site: DEEP LOAMY TERRACE 18-28 PZ (R005XY036OR)

Forage suitability group: Moderately Well Drained < 15% Slopes (G005XY006OR)

Hydric soil rating: No

Minor Components

Gregory

Percent of map unit: 2 percent

Landform: Stream terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: POORLY DRAINED BOTTOM (R005XY016OR)

Hydric soil rating: Yes

Abin

Percent of map unit: 2 percent

Ecological site: LOAMY FLOOD PLAIN 18-30 PZ (R005XY028OR)

Hydric soil rating: No

Evans

Percent of map unit: 2 percent

Ecological site: LOAMY FLOOD PLAIN 18-30 PZ (R005XY028OR)

Hydric soil rating: No

Newberg

Percent of map unit: 2 percent

Ecological site: LOAMY FLOOD PLAIN 18-30 PZ (R005XY028OR)

Hydric soil rating: No

Camas

Percent of map unit: 2 percent

Ecological site: LOAMY FLOOD PLAIN 18-30 PZ (R005XY028OR)

Hydric soil rating: No

Coleman

Percent of map unit: 2 percent

Ecological site: LOAMY HILLS 20-35 PZ (R005XY026OR)

Hydric soil rating: No

Central point

Percent of map unit: 1 percent

Ecological site: DEEP LOAMY TERRACE 18-28 PZ (R005XY036OR)

Custom Soil Resource Report

Hydric soil rating: No

Medford >3%

Percent of map unit: 1 percent

Ecological site: DEEP LOAMY TERRACE 18-28 PZ (R005XY036OR)

Hydric soil rating: No

Aquolls

Percent of map unit: 1 percent

Landform: Mountains

Hydric soil rating: Yes

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Custom Soil Resource Report

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Average Wind Direction

Prevailing wind direction is based on the hourly data from 1992-2002 and is defined as the direction with the highest percent of frequency. Many of these locations have very close secondary maximum which can lead to noticeable differences month to month.

All directions are where the wind blows FROM.

OREGON

PREVAILING WIND DIRECTION

STATION	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	ANN
ASTORIA AIRPORT, OR (KAST).	E	E	E	S	W	W	NW	NW	NW	E	E	E	E
AURORA AIRPORT, OR (KUAO).	S	S	S	S	S	S	N	N	N	S	S	S	S
BAKER CITY AP, OR (KBKE). W	ESE	ESE	ESE	N	N	NNW	NNW	NNW	NNW	N	ESE	ESE	NNW
BURNS MUNI AP, OR (KBNO). W	E	E	WNW	NW	NW	WNW	WNW	WNW	WNW	WNW	E	E	WNW
CORVALLIS AP, OR (KCVO). WI	S	S	S	S	WNW	NW	NW	NW	WNW	S	S	S	S
EUGENE AIRPORT, OR (KEUG).	S	S	S	S	N	N	N	N	N	S	S	S	S
HERMISTON MUNI AP, OR (KHRI)	WSW	S	WSW	WSW	WSW	WSW	WSW	WSW	SW	WSW	S	WSW	WSW
KLAMATH FALLS AP, OR (KLMT).	SSE	SSE	W	W	W	W	W	W	NNW	W	SSE	SSE	W
LA GRANDE AP, OR (KLGD). WI	S	S	S	NW	NW	NW	NW	NW	NW	S	S	S	S
LAKEVIEW AIRPORT, OR (KLKV).	S	S	S	N	N	N	N	N	N	N	S	S	N
MCMINNVILLE MUNI AP, OR (KMM)	N	N	S	SW	SW	SW	SW	SW	N	N	N	N	N
MEACHAM AIRPORT, OR (KMEH).	SSE	S	W	W	W	W	W	N	W	W	S	S	W
MEDFORD AIRPORT, OR (KMFR).	N	N	N	N	WNW	WNW	WNW	WNW	WNW	N	N	N	N
NEWPORT MUNI AP, OR (KONP).	E	E	S	S	NNW	NNW	NNW	NNW	N	S	S	E	S
NORTH BEND MUNI AP, OR (KOTH)	SSE	SSE	SSE	SSE	N	N	N	N	N	N	SSE	SSE	N
ONTARIO MUNI AP, OR (KONO).	W	W	W	W	W	NW	W	W	W	W	W	W	W
PENDLETON AP, OR (KPDT). WI	S	S	W	W	W	W	W	W	SE	SE	S	S	W
PORTLAND INT'L AP, OR (KPDX)	ESE	ESE	ESE	S	NNW	NNW	NNW	NNW	NW	NW	ESE	ESE	ESE
PORTLAND-HILLSBORO AP, OR (K	S	S	S	S	NW	NW	NW	NW	NW	S	S	S	S
PORTLAND-TROUTDALE AP, OR (K	E	E	E	E	W	W	W	W	W	E	E	E	E
REDMOND AIRPORT, OR (KRDM).	S	S	S	WNW	NW	NW	NNW	NNW	S	S	S	S	S
ROME, OR (KREO). WIND ROSE.	S	S	SSE	S	N	WSW	N	S	SSE	SSE	S	S	S
ROSEBURG AIRPORT, OR (KRBG).	S	S	N	N	N	N	N	N	N	N	S	SSE	N
SALEM AIRPORT, OR (KSLE). W	S	S	S	S	S	N	N	N	N	S	S	S	S
SEXTON SUMMIT, OR (KSXT). W	S	S	S	S	NNW	NNW	NNW	NNW	NNW	S	S	S	S
THE DALLES AP, OR (KDLS). W	E	NW	NW	WNW	NW	NW	NW	NW	NW	WNW	E	E	NW



Medford – A fantastic place to live, work and play

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MAR 27 2019

PLANNING DEPT.

CITY OF MEDFORD

LD Date: 3/27/2019
File Number: LDS-19-029

PUBLIC WORKS DEPARTMENT STAFF REPORT
Ione's View Subdivision
(TL 3300)

- Project:** Consideration of a tentative plat for an 11 lot subdivision on approximately 2 acres within the SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district.
- Location:** Located on the north side of Sunset Drive approximately 415 feet west of Thomas Road (372W35DC Tax Lot 3300).
- Applicant:** Applicant: Gary McFarlane and Timothy McFarlane; Agent: Neathamer Surveying Inc.; Planner, Liz Conner.

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

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

CITY OF MEDFORD
EXHIBIT # 4
FILE # LDS-19-029

A. STREETS

1. Dedications

Sunset Drive is classified as a Major Collector street within the Medford Land Development Code (MLDC), Section 10.428(3). The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width of right-of-way, which is 37-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

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

Ione Street is proposed as Minor Residential Street within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the full width of right-of-way, which is 55-feet.

McFar Lane is classified as a Minor Residential street within the MLDC 10.430. The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the half width of right-of-way, which is 27.5-feet, plus approximately 12.5-feet west of centerline to accommodate the half plus 8-foot street improvements to the west, which is approximately 40-feet total (as shown on the Tentative Plat).

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

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

Streets, as shown on the Tentative Plat, in which any portion terminates to a boundary line of the Development shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee simple, as a non-access reserve strip to the City of Medford. Upon approved dedication of the extension of said streets, the one-foot reserve strip shall automatically be dedicated to the public use as part of said street without any further action by the City of Medford (MLDC 10.439).

Public Utility Easements, 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

Sunset Drive – Is classified as a Major Collector street within the MLDC, Section 10.428. The Developer shall improve the north half plus 12-feet south of the centerline, or to the far edge of the existing pavement, whichever is greater, along the frontage of this development.

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

Ione Street – Shall be constructed to Minor Residential street standards, in accordance with MLDC 10.430.

McFar Lane shall be constructed to Minor Residential street standards, in accordance with MLDC 10.430. The Developer shall construct the east half plus 8-feet west of the centerline along the frontage of this development.

Minimum Access Easement (Private) shall be built consistent with MLDC 10.430A(1), 10.746 and improved to a minimum width of 20 feet with AC pavement. The minimum TI for the structural section shall be 3.5, the minimum AC section shall be 3" thick, and the base aggregate shall extend one foot beyond the edge of pavement. The minimum access drive shall be designed by a Civil Engineer licensed in the State of Oregon and plans submitted to the Public Works-Engineering Division for approval. A drainage system shall be incorporated into the paved access design to capture stormwater and direct it to the storm drain system.

b. Street Lights and Signing

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

Street Lighting – Developer Provided & Installed:

- A. 1 – Type C-250 (LED)
- B. 3 – Type R-100 (LED)
- C. 1 – Base Mounted Cabinet (BMC-1 Unmetered Cabinet*)

*NOTE: There is an existing BMC at the SW corner of Tivoli Drive and Sunset Drive. It has a "future" conduit for street lighting. Power should come out of this lighting system.

Traffic Signs and Devices – Developer Provided & Installed:

- A. 1 – No Outlet Sign
- B. 1 – Stop Sign
- C. 2 – Street Name Sign
- D. 2 – Barricades

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

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

c. Pavement Moratoriums

There is a no pavement cutting moratorium currently in effect along this frontage to Sunset Drive.

The Developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any Public Street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

d. Soils Report

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

e. Access to Public Street System

Driveway access to the proposed lots shall comply with MLDC 10.550. No driveway access shall

be allowed to Sunset Drive for any of the proposed lots.

f. Easements

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

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

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

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

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

1. Nexus to a legitimate government purpose

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

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

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

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

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

Ione Street and McFar Lane: In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square footage of right-of-way per dwelling unit for dedications. The proposed development has 11 dwelling units and will improve approximately 508 lineal feet of roadway which equates to 46 lineal feet per dwelling unit. Also the development will dedicate approximately 22,420 square feet of right-of-way, which equates to approximately 2,038 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Franklin Place just east of this development on the west side of Kings Highway, north side of Halvorsen Street and consisted of 21 dwelling units. The previous development improved approximately 720 lineal feet of roadway and dedicated approximately 39,600 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 34 lineal feet of road per dwelling unit and approximately 1,885 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 11 new Lots within the City of Medford and increase vehicular traffic by approximately 104 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.
- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.

- c. Dedication will provide access and transportation connections at urban level of service standards for this development. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.
- d. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.

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

B. SANITARY SEWERS

This site lies within the Rogue Valley Sanitary Sewer (RVSS) service area. Contact RVSS for availability and connection. A separate individual 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 construction of the water quality and detention facilities were constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to acceptance of the subdivision.

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

3. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision will be submitted with the public improvement plans for approval. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

4. Mains and Laterals

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

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

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

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

5. Erosion Control

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

D. SURVEY MONUMENTATION

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

Final plat shall refer to document that created the public interest in "Sunset Drive" as a public road.

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

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

2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

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

In order to properly maintain an updated infrastructure data base, the Surveyor of Record shall submit an as-built survey prior to the Final Inspection and, the Engineer of Record shall submit mylar "as-constructed" drawings to the Engineering Division within sixty (60) calendar days of

the Final Inspection (walk through). Also, the engineer shall coordinate with the utility companies, and show all final utility locations on the "as built" drawings.

3. Phasing

The proposed plans do not show any phasing.

4. Draft of Final Plat

The Developer shall submit 2 copies of the preliminary draft of the final plat at the same time the public improvement plans (3 copies) are submitted. Neither lot number nor lot line changes shall be allowed on the plat after that time, unless approved by the City and all utility companies.

5. Easements

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

6. Permits

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

Concrete or block walls built within a PUE, or within sanitary sewer or storm drain easements require review and approval from the Engineering Division of Public Works. Walls shall require a separate permit from the Building Department and may also require certification by a professional engineer.

7. System Development Charges (SDCs)

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

8. Construction and Inspection

Contractors proposing to do work on public streets, sewers, or storm drains shall 'prequalify' with the Engineering Division prior to starting work. Contractors shall work off a set of public improvement drawings that have been approved by the City of Medford Engineering Division.

Any work within the County right-of-way shall require a separately issued permit from the County.

For City of Medford facilities, the Public Works Maintenance Division requires that public sanitary sewer and storm drain mains be inspected by video camera prior to acceptance of these systems by the City.

Where applicable, the Developer shall bear all expenses resulting from the adjustment of manholes to finish grades as a result of changes in the finish street grade.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Ione's View Subdivision
(TL 3300)

LDS-19-029

A. Streets

1. Street Dedications to the Public:

- **Sunset Drive** – Dedicate additional right-of-way.
- Dedicate full width right-of-way (55') on **Ione Drive**.
- **McFar Lane** – Dedicate right-of-way accordingly.
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- Construct **Sunset Drive** half plus 12', to Major Collector street standards.
- Construct **Ione Drive**, full width, to Minor Residential street standards.
- Construct **McFar Lane** half plus 8', to Minor Residential street standards.
- Construct the private **Minimum Access Easement**.

Lighting and Signing

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

Access and Circulation

- Driveway access to the proposed lots shall comply with MLDC 10.550. No driveway access shall be allowed to Sunset Drive for any of the proposed lots.

Other

- No pavement moratorium currently in effect along this frontage to Sunset Drive.
- Provide pavement moratorium letters.
- Provide soils report.

B. Sanitary Sewer:

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

C. Storm Drainage:

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

D. Survey Monumentation

- Provide all survey monumentation.
- Final plat shall refer to document that created the public interest in "Sunset Drive" as a public road.

E. General Conditions

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

The above summary is for convenience only and does not supersede or negate the full report in any way. If there is any discrepancy between the above list and the full report, the full report shall govern. Refer to the full report for details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection.



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 3/25/2019
Meeting Date: 3/27/2019

LD File #: LDS19029

Planner: Liz Conner

Applicant: Gary McFarlane and Timothy McFarlane

Site Name: Ione's View

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MAR 27 2019

PLANNING DEPT.

Project Location: North side of Sunset Drive approximately 415 feet west of Thomas Road

Project Description: Consideration of a tentative plat for an 11 lot subdivision on approximately 2 acres within the SFR-6 (Single Family Residential - 6 dwelling units per gross acre) zoning district,

Specific Development Requirements for Access & Water Supply

Table with 3 columns: Reference, Comments, and Conditions Description. Rows include OFC 505, OFC 508.5, and MMC 10.430 with detailed requirements for access signs, fire hydrants, and driveway specifications.

into the overall design of the minor residential street, option (b) or (c) must be chosen.

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

OFC 503.2.5 Either a fire department turn-around is required to be designed into lone Street or the homes on lot #3 and lot #11 shall be protected by fire sprinkler systems.

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.

OFC 503.5 Parking shall be posted as prohibited along the unimproved side of McFar Lane, both sides of the minimum access easement driveway, and at any fire department turn-around areas.

Where parking is prohibited on public roads for fire department vehicle access purposes, NO PARKING signs shall be spaced at minimum 50' intervals along the fire lane (minimum 75' intervals in 1 & 2 family residential areas) and at fire department designated turn-around areas. The signs shall have red letters on a white background stating "NO PARKING".

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12).

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

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

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

Construction General Information/Requirements

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

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

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

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

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

www.medfordfirerescue.org

Memo



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MAR 27 2019

PLANNING DEPT.

To: Elizabeth Conner, Planning Department
From: Mary Montague, Building Department
CC: Gary and Timothy McFarlane, Applicant; Neathamer Surveying Inc., Agent
Date: March 27, 2019
Re: LDS-19-029; Lone's View Subdivision; 372W35DC TL 3300

Building Department:

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

1. Applicable Building Codes are 2017 ORSC; 2017 OPSC; and 2014 OMSC. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Go to "City Departments" at top of screen; click on "Building"; click on "ELECTRONIC PLAN REVIEW (ePlans)" for information.
3. Site Excavation permit required to develop, install utilities.
4. Demo Permit is required for any buildings being demolished.
5. Minimum access signs for lots per addressing and fire department.
6. Provide a letter to the building official per Section R401.4 indicating if expansive soils are present or not. If expansive soils are present then a site specific soils geotech report is required by a Geotech Engineer prior to foundation inspections. The report must contain information per Section 403.1.10 and on how you will prepare the lot for building and a report confirming the lot was prepared per their recommendations.

STAFF MEMO

To: Liz Conner
From: Jennifer Ingram, Address Technician
Date: March 26, 2019
Subject: LDS-19-029

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MAR 26 2019
PLANNING DEPT.

-
1. Please select an alternate street name for the proposed street *Ione Street*, as there is already a street named *Ione* in Jackson County. Per the City of Medford Municipal Code (see section 10.457), proposed street names cannot sound the same or similar to any other streets in Jackson County. In addition, duplicate street names are a problem for 911 Dispatch/Emergency Services.
 2. A minimum access drive address sign displaying the addresses for lots 7, 9, and 10 will need to be placed at the entrance of the minimum access drive/easement.



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: LDS-19-029
PARCEL ID: 372W35DC TL 3300
PROJECT: Consideration of a tentative plat for an 11-lot subdivision on approximately 2 acres within the SFR-6 (Single Family Residential – 6 dwelling units per gross acre) zoning district, located on the north side of Sunset Drive approximately 415 feet west of Thomas Road (372W35DC Tax Lot 3300). Applicant: Gary McFarlane and Timothy McFarlane; Agent: Neathamer Surveying Inc.; Planner, Liz Conner.
DATE: March 27, 2019

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APR 04 2019

Planning Dept.

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The installation of an "off-site" 12-inch water line in Sunset Drive is required from the existing west end of the 12-inch water line stubbed for extension at the street intersection of Sunset Drive at Tivoli Drive. The required 12-inch water line shall extend west along the north side of Sunset Drive to the west property line of TL 3300.
4. Installation of a new 8-inch water line is required in proposed McFar Lane, and Lone Street.
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. Proposed water meters for Lots 7, 9, and 10 are required to be located in the McFar Lane public right-of-way. These three (3) water meters shall be grouped together on one side of the proposed MAE, with "private" water service lines extending to each lot via the proposed MAE.
7. The existing well located on this parcel is required to be abandoned per State of Oregon requirements. Applicant shall contact the Jackson County Water Master for well abandonment requirements.

Continued to Next Page

CITY OF MEDFORD
EXHIBIT # 1
FILE # LDS-19-029

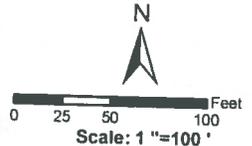
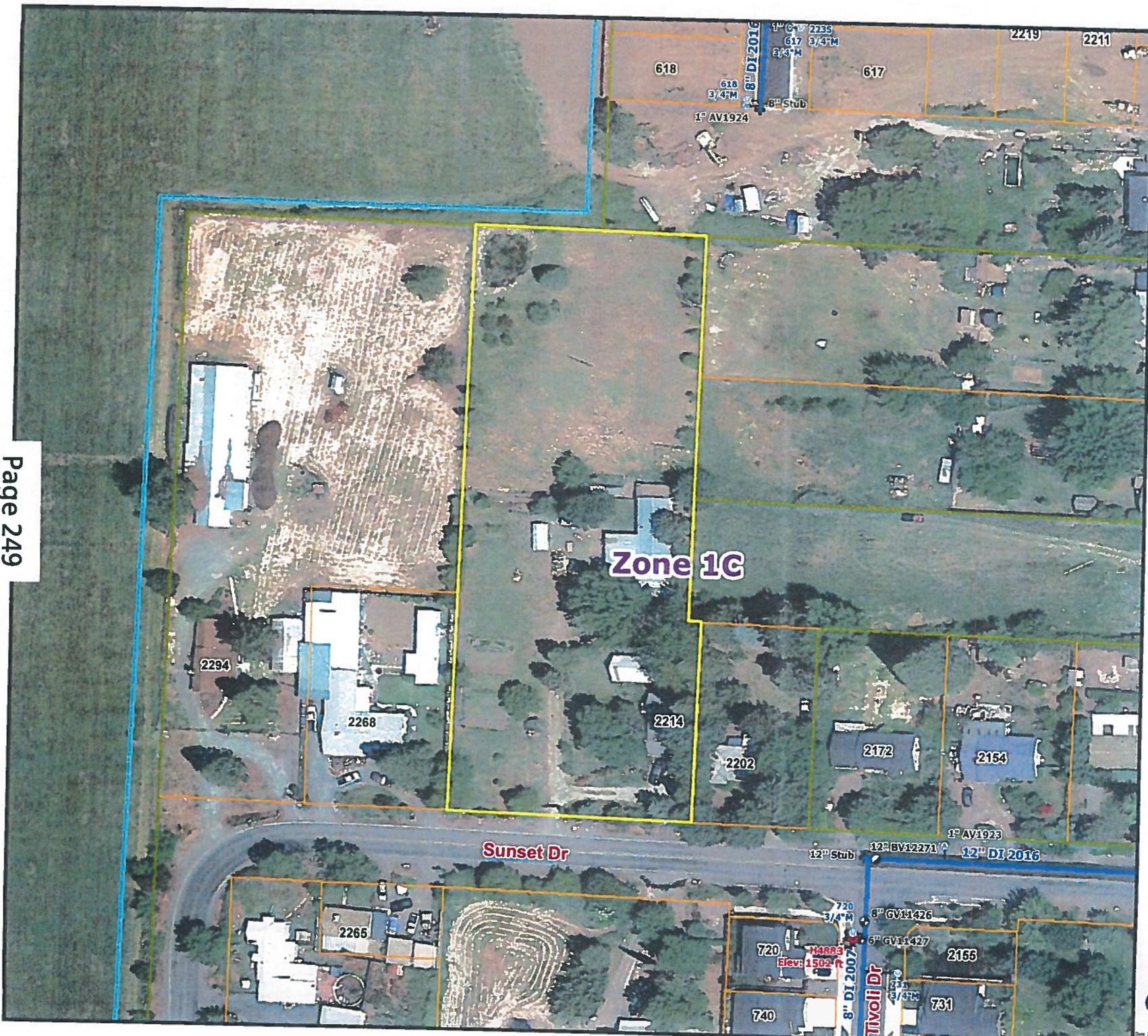


Continued from Previous Page

8. This parcel is located within MWC's "Southwest" pressure zone, and a System Development Charge (SDC) will be required for this project. Current SDC fee as of November 1, 2018 is \$8,781.27 per gross acre.

COMMENTS

1. Off-site water line installation is required. (See Condition 3 above)
2. On-site water facility construction is required. (See Condition 4 above)
3. Static water pressure is expected to be between 100 and 105 psi. (See Condition 5 above)
4. MWC-metered water service does not exist to this property.
5. Access to MWC water lines is available. There is an existing 12-inch water line located at the intersection of Sunset Drive and Tivoli Drive.



Water Facility Map
City of Medford
Planning Application:
LDS-19-029
(372W35DC3300)
March 13, 2019

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



We warrant that the data on this map was derived from the most current information available to the City of Medford. Medford Water Commission cannot be held responsible for any errors or omissions on this map. There are no warranties or representations made by the City of Medford.



JACKSON COUNTY

Roads

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MAR 15 2019

PLANNING DEPT.

Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

March 15, 2019

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

RE: Consideration of a tentative 11-lot subdivision on
Sunset Drive - a County maintained road
Planning File: LDS-19-029

Dear Elizabeth:

Thank you for the opportunity to comment on the consideration of a tentative plat for a 11-lot subdivision on approximately 2 acres within the SFR-6 (Single Family Residential six dwelling units per gross acre) zoning district at 2214 Sunset Drive (37-2W-35DC TL 3300). Jackson County has the following comments:

1. Any new or improved road approaches off Sunset Drive shall be permitted and inspected by the City of Medford. All existing approaches on Sunset Drive will be closed with sole access off the proposed new road.
2. Jackson County Roads has concerns there may be sight line issues with the location of the proposed road.
3. Utility connections shall be permitted and inspected by the City of Medford.
4. If frontage improvements are required, they shall be permitted and inspected by the City of Medford.
5. The radius for road intersection along a Collector road shall be a thirty-foot radius.
6. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.
7. Future construction plans shall be submitted to Jackson County Roads, so we may determine if county permits will be required.

8. Sunset Drive is a County Minor Arterial and is maintained by the County. The Average Daily Traffic was 2,776 on July 5, 2016, 150 ft. west of Thomas Road. As a comparison of capacity for Sunset Drive, the capacity of a two lane rural road with ten foot lanes and no shoulders is 5,888 ADT.
9. 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 Sunset Drive.
10. Storm water should meet City of Medford requirements that also include water quality. Please note that there are drainage problems in this area and the City of Medford maintains the storm water system.
11. 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.
12. Jackson County concurs with any right-of-way dedication required by the City of Medford.

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

Sincerely,



Chuck DeJanvier, PE
Construction Engineer

DENSITY CALCULATION FORM
For all residential LDP, LDS, PUD, and AC Application Files

SQ FT
AC 0.16 6969.6
0

File No. LDS-19-029
Planner Liz Conner
Date March 8, 2019

GROSS ACREAGE	
Tax Lot Numbers	
382W02AA200	1.92 AC
	AC
	AC
	AC
	AC
Existing ROW to Centerline	0.10 AC
Gross Acres	2.02 AC
Effective Acres (Gross - Subtracted)	2.02

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

DENSITY RANGE	
Zoning District	SFR-6
Density Range	
Minimum	4
Maximum	6
No. DU Proposed	
No. DU Permitted Min.	8
No. DU Permitted Max.	12
Minimum	8.09
Maximum	12.14
Percentage of Maximum	0.00%

EXISTING R-O-W CALCULATION				
Street Name	LF	Width	SF	Acreage
Orchard Home Drive	150.00	30.00	4,500.00	0.10
Sunset Drive			-	-
Diamond St			-	-
			-	-
			4,500.00	0.10

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CITY OF MEDFORD
EXHIBIT # N1
FILE # LDS-19-029

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



Project Name:

**Ione's View
 Subdivision**

Map/Taxlot:

372W35DC TL 3300



Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots

03/12/2019

