

# PLANNING COMMISSION

## AGENDA

### MAY 9, 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**

**May 9, 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)**

**30. Minutes**

30.1 Consideration for approval of minutes from the April 25, 2019, hearing.

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

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

**50. Public Hearings**

Comments are limited to a total of 10 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. All others will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**

**Continuance Request**

- 50.1 **ZC-18-189** Consideration of a request for a zone change of a 1.89-acre parcel located at 4199 Rachel Way from SFR-00 (Single-Family Residential, one dwelling unit per lot) to SFR-4 (Single-Family Residential, four dwelling units per gross acre) (371W22400); Applicant: Jane Erin Griffin-Hagle; Planner: Dustin Severs. **The applicant has requested to continue this item to the Thursday, May 23, 2019 Planning Commission meeting.**
- 50.2 **DCA-18-144** An amendment to portions of Chapter 10, the Medford Land Development Code (MLDC), to create standards that will allow for the development cottage housing. Allowing for the development of cottage housing was identified and recommended by the Housing Advisory Committee (HAC) as a high priority project in the City's efforts to address housing affordability. One of the ways to address this issue is to allow for a wider variety of housing types. Cottage housing can be generally defined as a development of small, detached, single-family dwelling units that are clustered around a central outdoor common space within a coordinated site plan. In addition to the common outdoor space, each cottage also has its own small private yard and a covered porch. Applicant: City of Medford; Planner: Seth Adams. **This item has been continued to the Thursday, June 27, 2019 Planning Commission meeting.**
- 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

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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](mailto:ada@cityofmedford.org) at least three business days prior to the meeting to ensure availability. For TTY, dial 711 or (800) 735-1232.

(372W35DC Tax Lot 3300). Applicant: Gary McFarlane and Timothy McFarlane; Agent: Neathamer Surveying Inc.; Planner: Liz Conner. **The applicant has requested to continue this item to the Thursday, June 27, 2019 Planning Commission meeting.**

#### **Old Business**

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

#### **New Business**

- 50.5 **ZC-18-192** Consideration of a zone change from SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on approximately 1 acre located south of Westwood Drive, approximately 375 feet west of Orchard Home Drive (372W35DD700). Applicant & Agent: Judith Ann Hogue; Planner: Steffen Roennfeldt.

#### **60. Reports**

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

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

#### **80. Remarks from the City Attorney**

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

#### **100. Adjournment**



## Planning Commission

# Minutes

From Public Hearing on **April 25, 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  
Bill Mansfield  
David McFadden  
Jared Pulver  
Jeff Thomas

### Staff Present

Kelly Evans, Assistant Planning Director  
Madison Simmons, Senior Assistant City Attorney  
Alex Georgevitch, City Engineer  
Terri Richards, Recording Secretary  
Steffen Roennfeldt, Planner III

### Commissioners Absent

David Culbertson, Excused Absence  
E.J. McManus, Excused Absence  
Patrick Miranda, Excused Absence

10. Roll Call

20. Consent Calendar/Written Communications.

**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.

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

Moved by: Commissioner Foley

Seconded by: Commissioner McFadden

Voice Vote: Motion passed, 6-0.

30. Minutes

**30.1** The minutes for April 11, 2019, were approved as submitted.

40. Oral and Written Requests and Communications. None.

The Quasi-Judicial was not read by Madison Simmons, Senior Assistant City Attorney. There were no persons in the audience and the public hearing items were continuances.

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, May 9, 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 May 9<sup>th</sup> 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 May 9th. 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 Thursday, May 9, 2019, Planning Commission meeting.

Moved by: Commissioner Foley

Seconded by: Commissioner McFadden

Voice Vote: Motion passed, 6-0.

### 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.

Chair McKechnie stated that after publication staff received a continuance request on this agenda item to Thursday, May 9, 2019. Is there anyone that would like to participate on this agenda item that will not be able to attend the May 9th meeting? Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on May 9th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued PUD-18-152, per the applicant's request, to the Thursday, May 9, 2019 Planning Commission meeting.

Moved by: Commissioner Foley

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 6-0.

### 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.

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.

Chair McKechnie stated that after publication staff received a continuance request on this agenda item to Thursday, May 9, 2019. Is there anyone that would like to participate on this agenda item that will not be able to attend the May 9th meeting? Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on May 9th. There will be no decisions made this evening on this agenda item.

a. Bob Neathamer, Neathamer Surveying, Inc., 3126 State Street, Suite 203, Medford, Oregon, 97504. Mr. Neathamer was present but did not speak.

Motion: The Planning Commission continued LDS-19-029, per the applicant's request, to the Thursday, May 9, 2019 Planning Commission meeting.

Moved by: Commissioner Foley

Seconded by: Commissioner McFadden

Voice Vote: Motion passed, 6-0.

60. Reports

#### **TAKEN OUT OF ORDER**

##### **60.2 Transportation Commission**

Commissioner Pulver reported that the Transportation Commission met Wednesday, April 24, 2019 and they discussed a citizen request to make Valley View a one-way between Hillcrest and Capital. The Commission is making a recommendation that it be classified as a Yield Roadway. The speed limit will be decreased to 20 miles per hour. There will be signage indicating yielding to cars and pedestrians.

They also discussed concurrency. Currently, if an intersection drops below an appropriate service level the developer is required to fix those or there is a limitation imposed on the amount of development they can do until said item is fixed. The idea is along the lines the State does which takes into consideration the new TSP Tier One projects and take credit for those being done. SDCs will be collected to help provide funding to make those projects happen.

They also reviewed the ethics power point presentation.

#### **TAKEN OUT OF ORDER**

##### **60.1 Site Plan and Architectural Commission.**

Kelly Evans, Assistant Planning Director reported that the Site Plan and Architectural Commission met Friday, April 19, 2019. They approved a four-story hotel located east of

Garfield Street and Center Drive. The also approved plans for Phase V of the Combined Transport complex at Crater Lake Avenue and Justice Road.

Next week the Site Plan and Architectural Commission has a hearing on the controversial Circle K proposed on the corner of Springbrook and McAndrews.

### **TAKEN OUT OF ORDER**

#### **60.3 Planning Department**

Ms. Evans reported that the next Planning Commission study session is scheduled for Monday, May 13, 2019. Discussion will be on the draft language for cottage housing and concurrency amendments.

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

There has been no Planning business before the City Council.

At the City Council's next meeting they will hear the Asante GLUP map amendment and a public utility easement vacation related to McKenzie Village Subdivision.

Ms. Evans asked, would the Planning Commission like to do a field trip to review cottage housing? The Planning Commission consensus was favorable.

Commissioner Pulver asked, is the cottage housing consistent with what the Planning Commission discussed in a study session? Ms. Evans responded that the cottage housing is different than the examples that they have seen constructed. The examples that have been seen in the City is wartime housing. It is late 1940's or 1950's. It will show how it can work. They are not 1,200 or 1,500 square feet units that is working through the system now. They can see the concept.

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 5:46 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

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Terri L. Richards  
Recording Secretary

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Mark McKechnie  
Planning Commission Chair

Approved: May 9, 2018



City of Medford

# Planning Department

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

## STAFF REPORT – CONTINUANCE REQUEST

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

Project Hagle Zone Change  
Applicant: Jane Erin Griffin-Hagle

File no. ZC-18-189

To Planning Commission *for May 9, 2019 hearing*

From Dustin Severs, Planner III

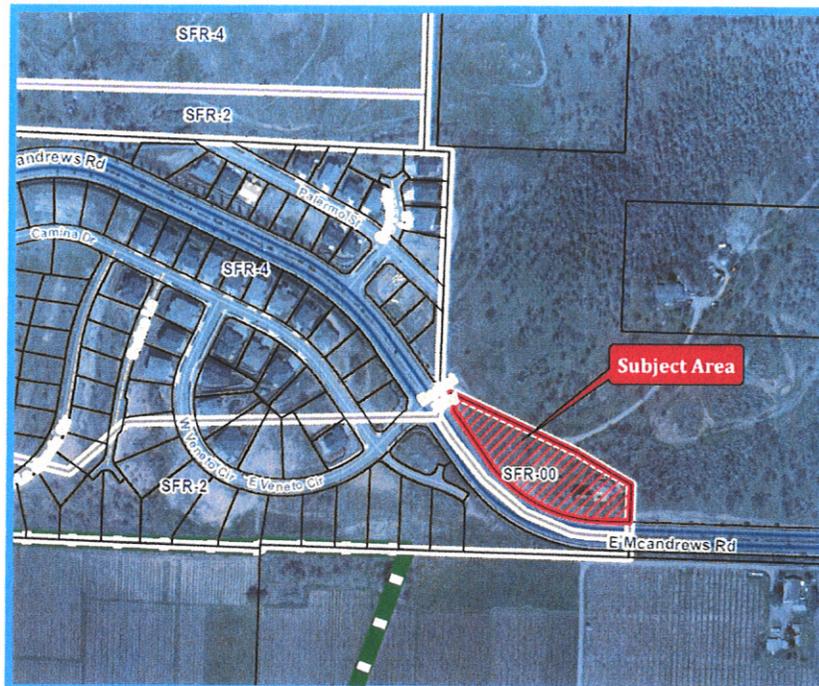
Reviewer Kelly Evans, Assistant Director

Date May 2, 2019

### BACKGROUND

#### Proposal

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



Request

The applicant has requested that the item be continued to May 23, 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**

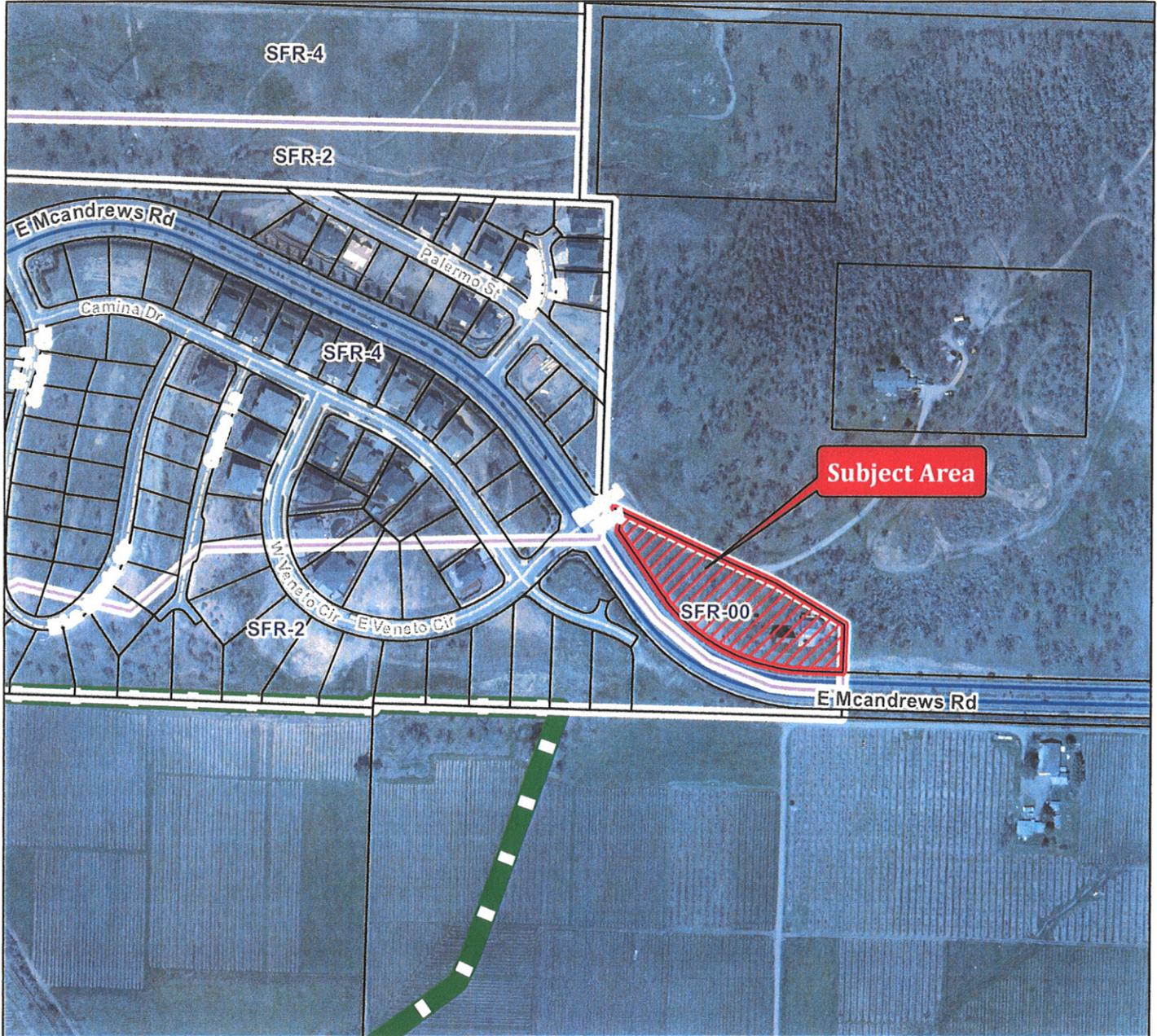
**MARCH 14, 2019**

**MARCH 28, 2019**

**April 11, 2019**

**April 25, 2019**

**May 2, 2019**



Project Name:

**Griffin-Hagle  
 Zone Change**

Map/Taxlot:

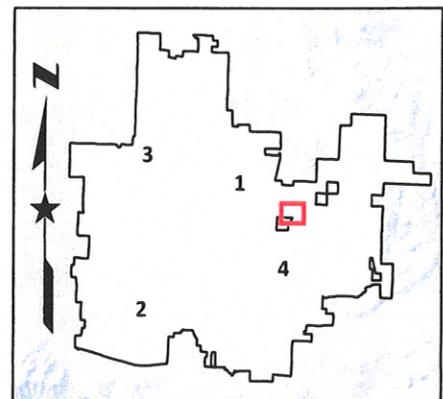
**371W22 TL 400**



**Legend**

-  Subject Area
-  Zoning Districts
-  Tax Lots

12/19/18





**STAFF REPORT – CONTINUANCE REQUEST**

Project Cottage Housing Code Amendment  
File no. DCA-18-144  
To Planning Commission *for May 9, 2019 hearing*  
From Carla Angeli Paladino, Principal Planner *CAP*  
Date May 2, 2019

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**PROPOSAL**

Cottage Housing

Planning staff is working on a legislative code amendment that would permit cottage housing as an allowable housing type within the City. The project was inadvertently scheduled for two different Planning Commission hearing dates with May 9<sup>th</sup> being an old date.

**Since the project was already noticed, it is requested the Planning Commission formally continue the hearing for this project until June 27, 2019 so an additional notice is not required.**



Example of Cottage Housing in Washington State

**COMMISSION AGENDA: May 9, 2019**





## NEATHAMER SURVEYING, INC.

May 2, 2019

Sent via email to: [liz.conner@cityofmedford.org](mailto:liz.conner@cityofmedford.org)

### **CITY OF MEDFORD PLANNING DEPARTMENT**

Attn: Elizabeth Conner, Planner II  
200 South Ivy Street, Lausmann Annex  
Medford, OR 97501

Re: *Ione's View Subdivision*  
*City of Medford File No. LDS-19-029*

Dear Elizabeth,

On behalf of our clients and applicants, Tim McFarlane and Gary McFarlane, the intent of this letter is to request a continuance for the City of Medford Planning Commission meeting scheduled on May 9, 2019, for the referenced project.

The applicants are requesting the referenced application be continued to the City of Medford Planning Commission meeting scheduled for June 27, 2019.

Based on the provided staff report, prepared for the April 25, 2019 meeting, the applicants are requesting the continuance to allow an opportunity to address matters contained in said report. The applicants have requested this office meet with City of Medford Planning, Engineering and Fire Department staff members to discuss matters contained in the prepared staff report.

Upon approval of this continuance request, the applicant is willing to extend the 120-day rule by an additional 50 days to allow the city time to review the updated proposal.

Thank you for your consideration. Please contact this office should any questions arise or if any additional information is necessary.

Respectfully,

Neathamer Surveying, Inc.

By: *Robert V. Neathamer*  
Robert V. Neathamer, President



Project Name:

**Ione's View  
 Subdivision**

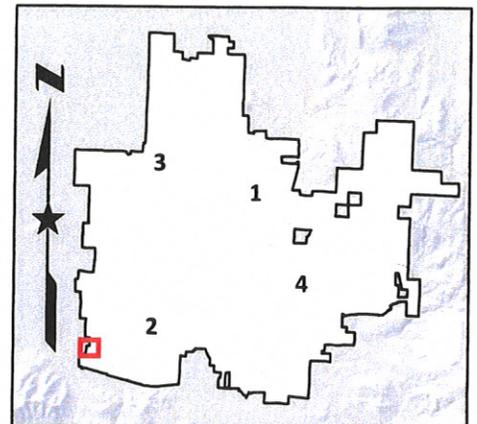
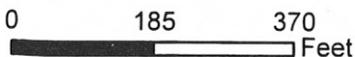
Map/Taxlot:

**372W35DC TL 3300**

**Legend**

-  Subject Area
-  Zoning Districts
-  Tax Lots

03/12/2019





**SECOND 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 05/09/2019 hearing*

From Steffen Roennfeldt, Planner III

Reviewer Kelly Evans, Assistant Planning Director

Date May 2, 2019

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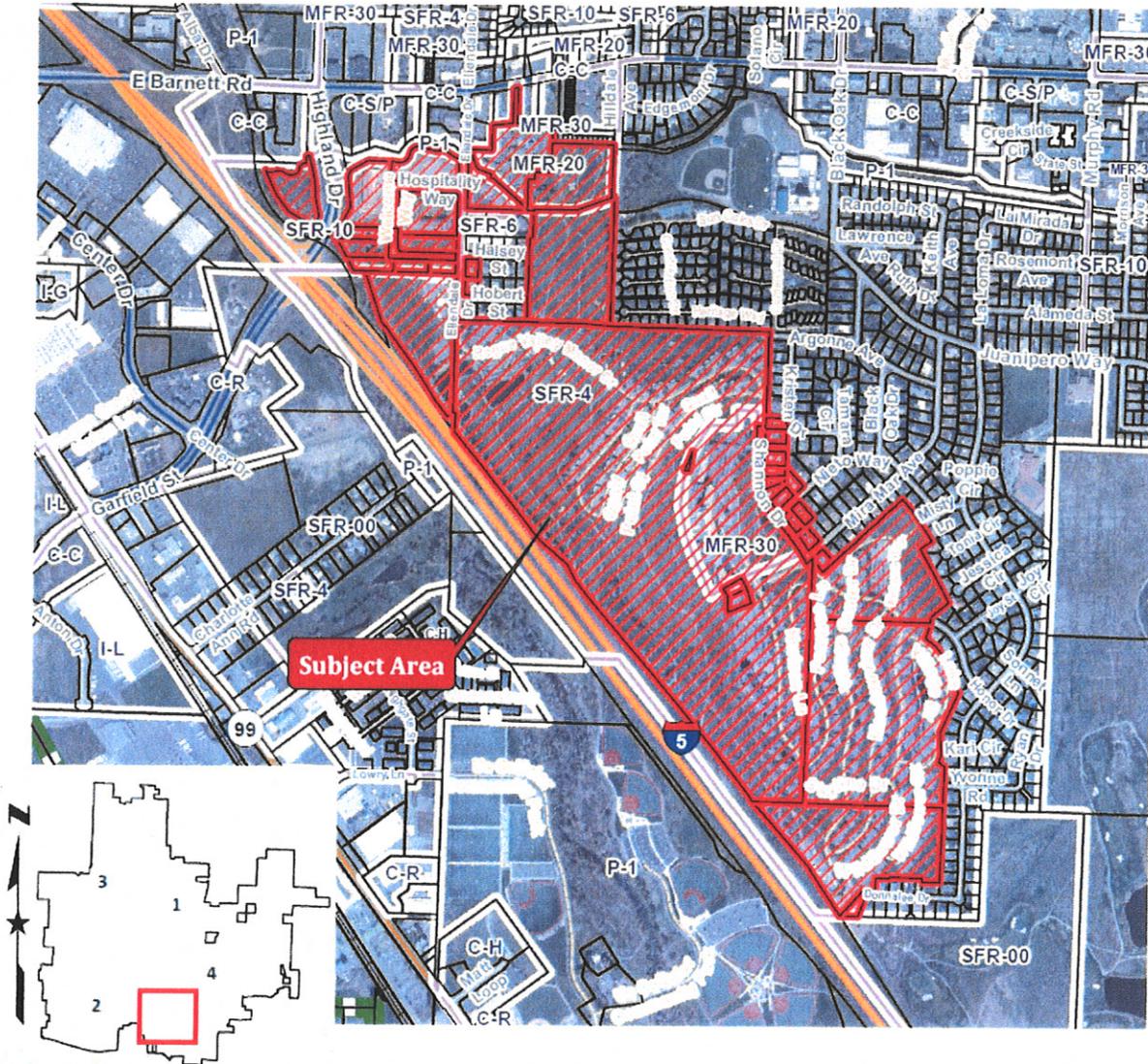
**BACKGROUND**

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 of 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

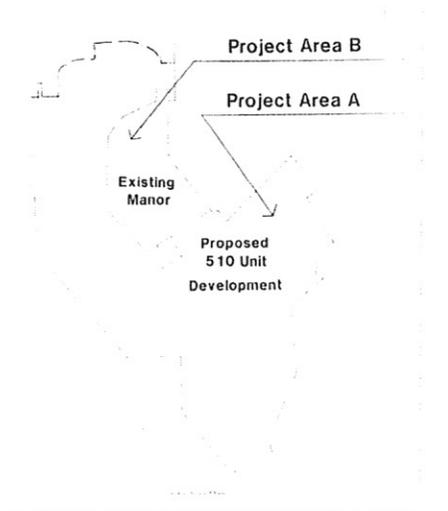
Steven R. Rinkle is the Registered Agent for Pacific Retirement Services, Inc. according to the Oregon Secretary of State Business Registry. Larry Boeck is listed as the President and Doug Spani is listed as the Secretary.

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.

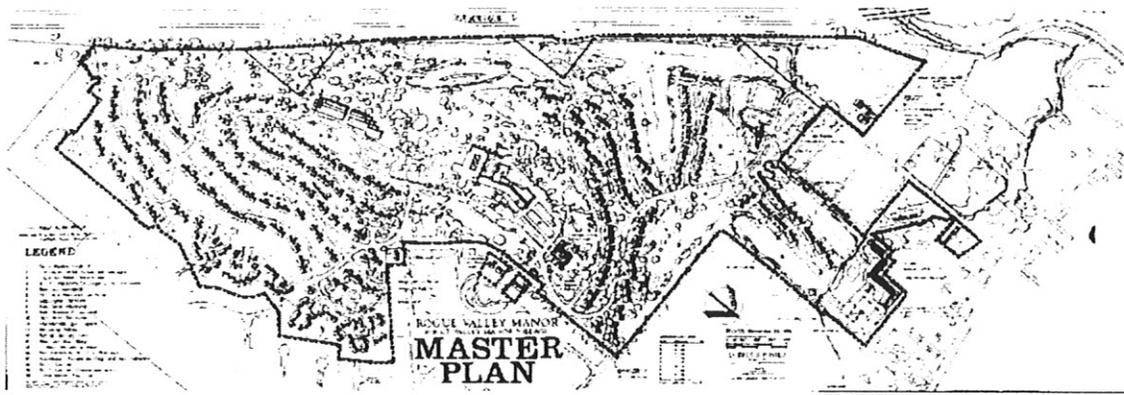


In July 1991, a minor revision was approved by the Planning Director to allow a 12,000 square foot expansion to the congregate dining facility.

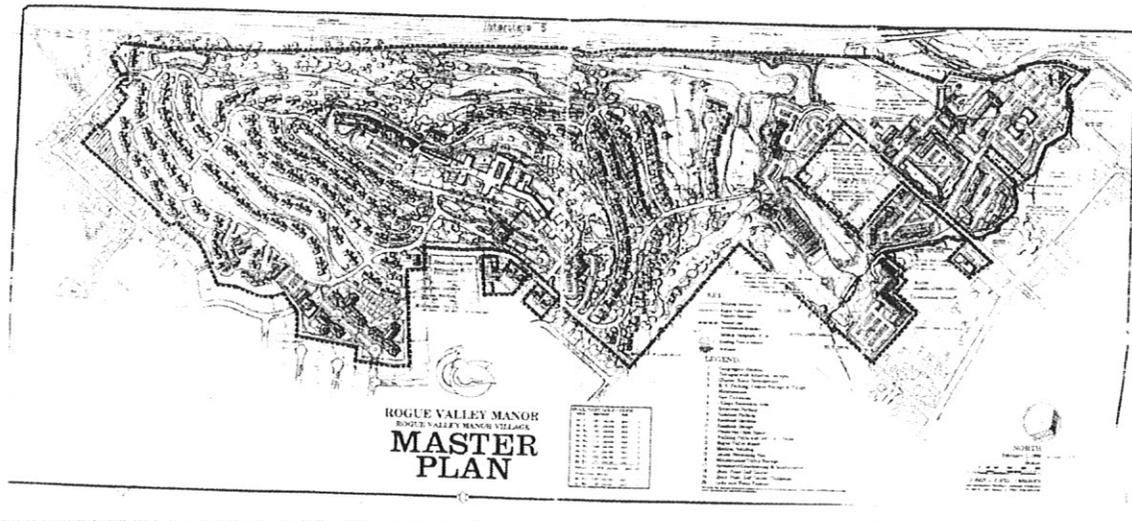
On April 28, 1994, the Planning Commission approved a revision to the PUD which increased the project area to 213.3 acres and 1,096 dwelling units.

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.

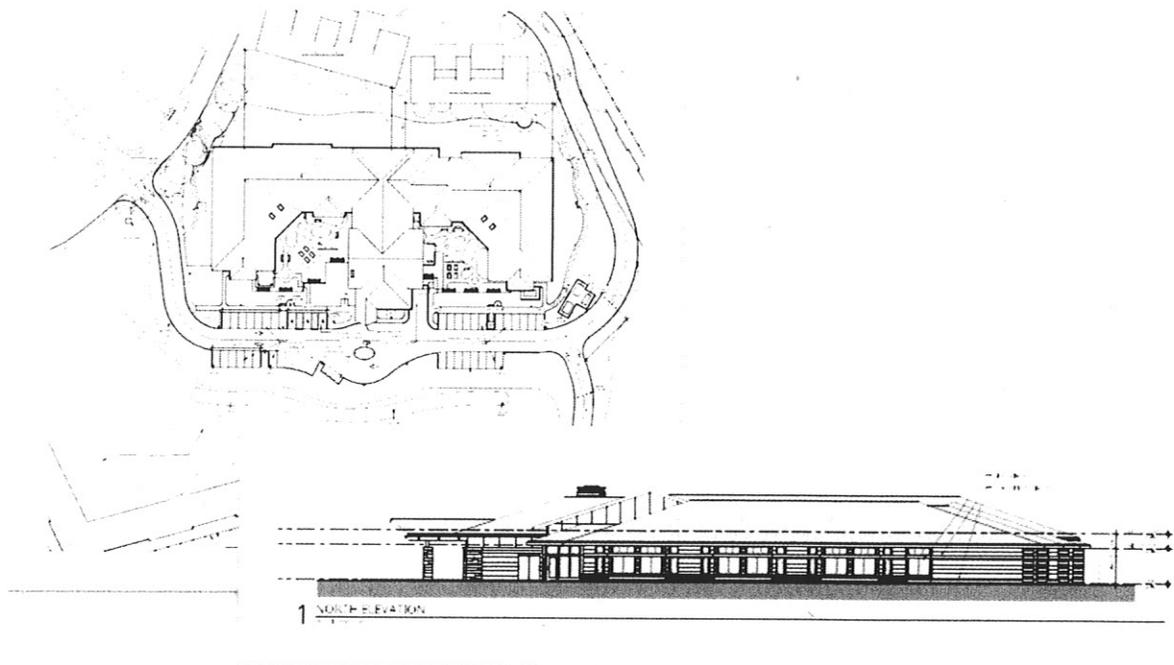
PUD-08-086: The four main objectives of this request for minor PUD amendment include (1) the reduction of acreage in the overall size of the PUD and reduction by one phase. The Oregon Department of Transportation purchased approximately 4.3 acres of property within Phase 21 for the Highland Drive Overpass.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

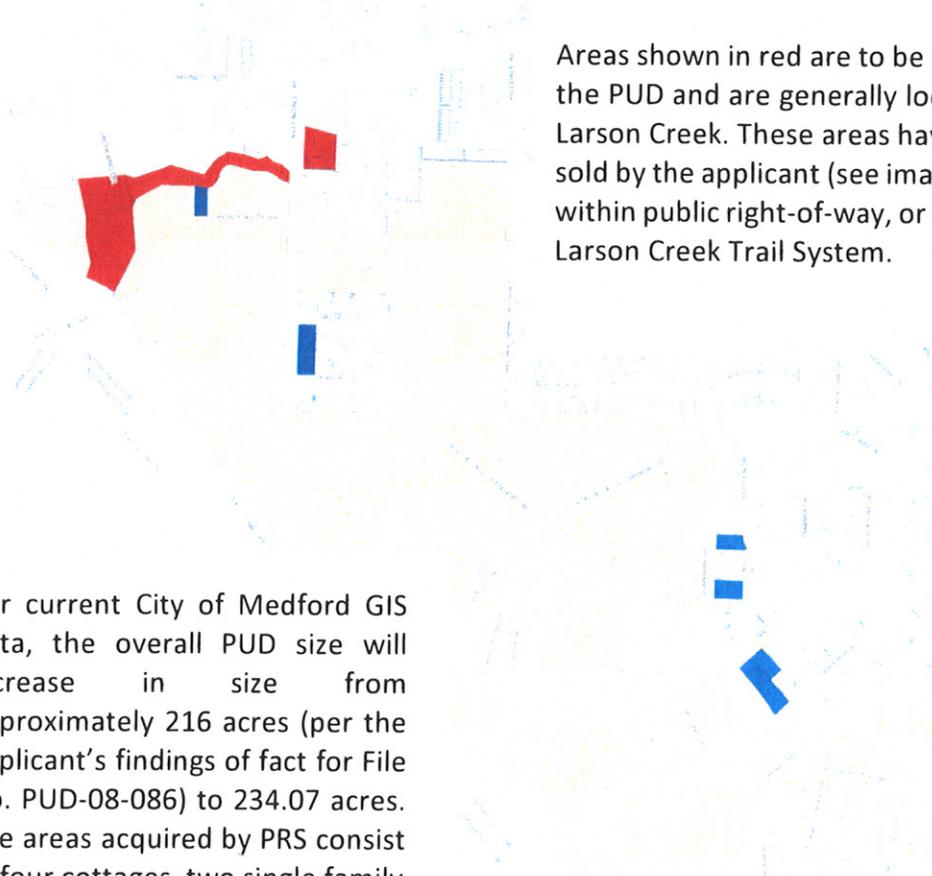
All land uses for the Rogue Valley Manor PUD have already been approved by the Planning Commission and there are no changes requested to these approved uses as part of this application. There are also no land divisions, new structures, or architectural plans proposed.

**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*

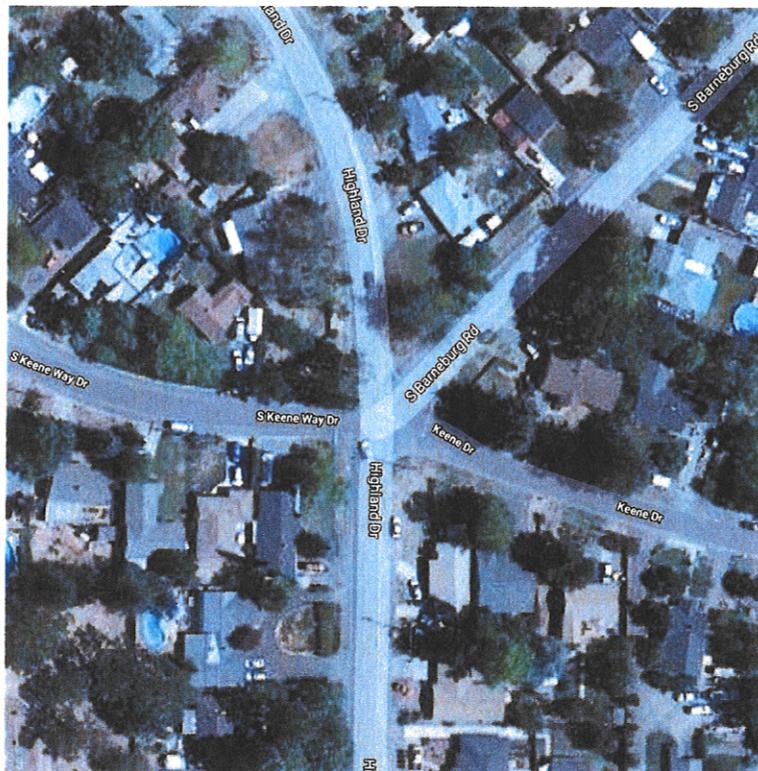
As part of the approval for PUD-08-086, the existing trip cap for the Commercial Village was increased from 138 p.m. peak hour trips to 192 p.m. peak hour trips. According to the applicant, the *"Medford Planning Commission applied a vehicle trip cap for the development of the Commercial Village. This 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):



*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.

**On April 30, 2019, staff received a letter from ODOT (Exhibit W) containing revised conditions pertaining to the application. Revised Condition #3 now reads:**

**'Prior to exceeding the current 192 PM Peak Hour Trip Cap, applicant shall provide to the City a letter from ODOT approving their proposed transportation system mitigation – a signed cooperative improvement agreement shall suffice for this condition.'**

**Subsequently, staff received an E-Mail (Exhibit X) from Brian McLemore, President/CEO of Pacific Retirement Services, stating that the applicant cannot accept the 'open ended' letter & that it is unfortunate to have reached this impasse.**

At the March 14, 2019 public hearing, 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*

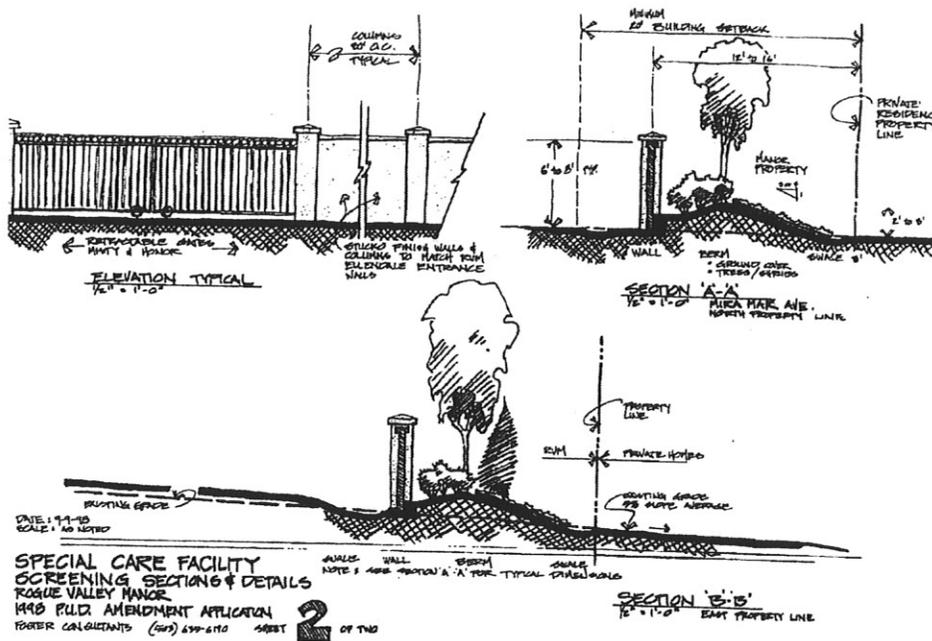
Approval of this request will allow the applicant to install a sign within the Commercial Village (see Areas R through X on 2018 PUD Master Plan (Exhibit D)), consistent with the Freeway Overlay District provisions per Section 10.1710. Approval will allow the applicant to install the sign anywhere within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

<b>Land Use Designation</b>	<b>Acres</b>	<b>Min. Density</b>	<b>Max. Density</b>	<b>Potential Min. Dwelling Units</b>	<b>Potential Max. Dwelling Units</b>
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
<b>Total</b>	<b>234.07</b>			<b>979</b>	<b>1519</b>
<b>20% Density Bonus</b>					<b>1823</b>
Minus SFR-10 Commercial Development	16.55	100	166		
Minus SFR-4 Commercial Development	7.55	19	30		
<b>Updated Total</b>	<b>209.97</b>			<b>860</b>	<b>1323</b>
<b>20% Density Bonus</b>					<b>1588</b>

### *Acreege 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 W**).'

### **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 X 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-2** Revised Conditions of Approval, dated May 2, 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
- W Revised Letter with conditions from ODOT, received April 30, 2019**
- X E-Mail from Brian McLemore, received April 30, 2019**  
Vicinity map

**PLANNING COMMISSION AGENDA:**

**MARCH 14, 2019**  
**APRIL 28, 2019**  
**MAY 9, 2019**

EXHIBIT A-2

Rogue Valley Manor  
PUD-18-152  
Conditions of Approval  
May 2, 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 April 30, 2019 (Exhibit W).**

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



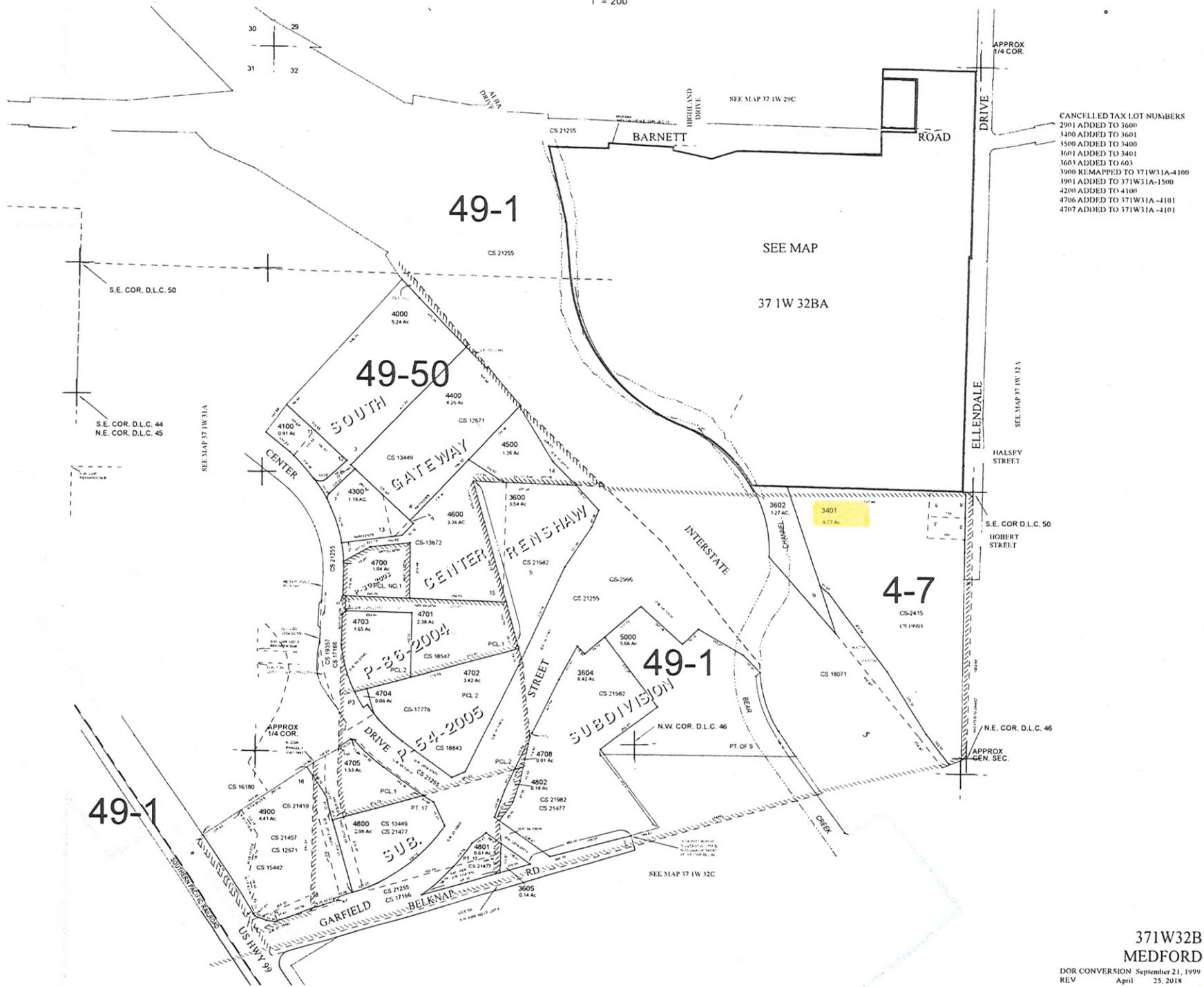
CANCELLED TAX LOT NUMBERS  
 1100  
 1400 ADDED TO 1300  
 1500 KILLED TO ROAD  
 2000  
 2500  
 2600  
 2702  
 2800  
 2801  
 2900  
 2901  
 3000  
 3100  
 3101  
 3102  
 3103  
 400  
 900

Page 40

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

GIS DATA  
05/16/2018 7:45:10 AM thompson

371W32BA  
MEDFORD  
NEW MAP April 2, 2010  
REV April 23, 2018



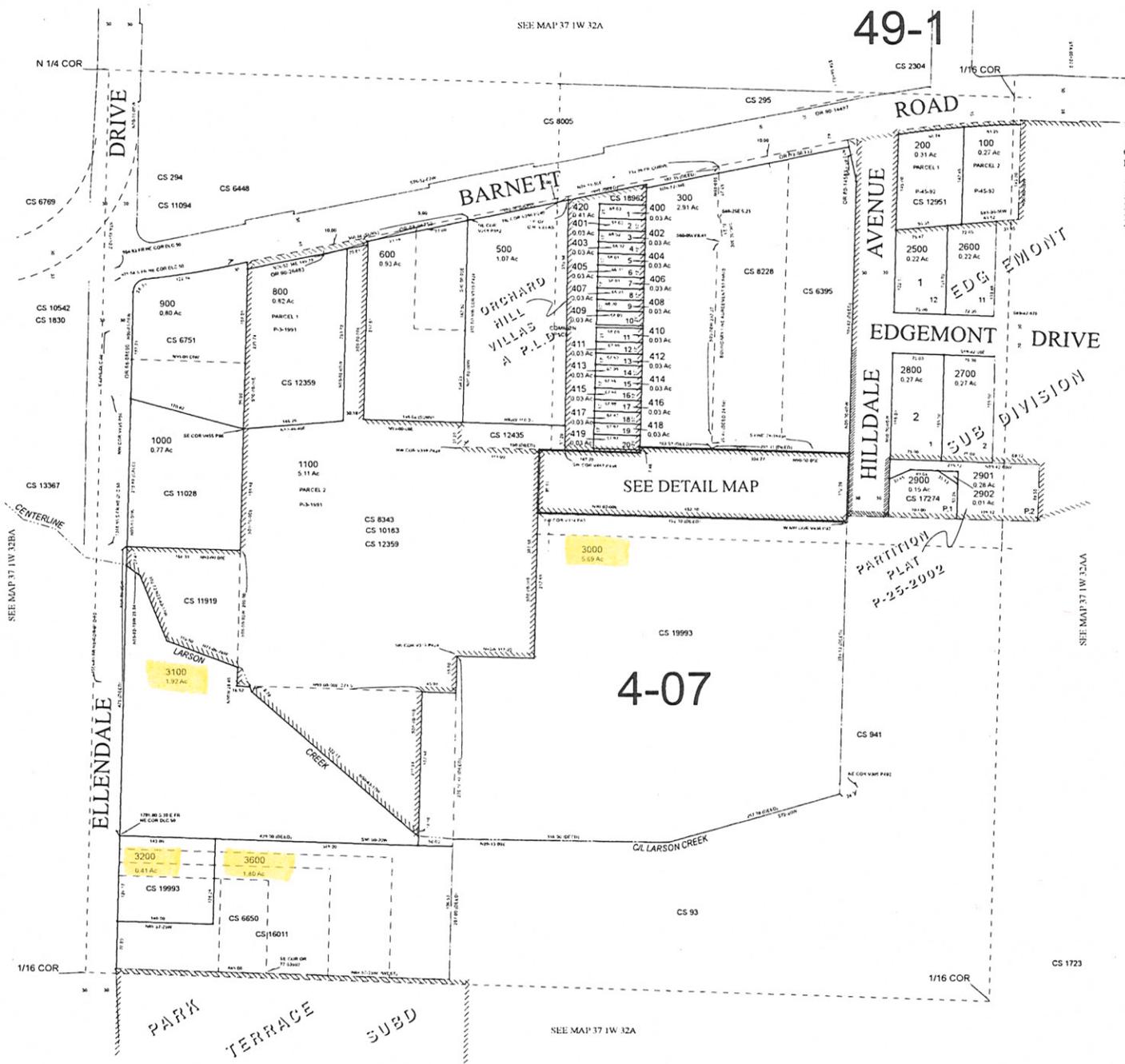
CANCELLED TAX LOT NUMBERS  
 2901 ADDED TO 3600  
 3400 ADDED TO 3601  
 3500 ADDED TO 3400  
 3601 ADDED TO 3401  
 3603 ADDED TO 3401  
 3900 REMAPPED TO 371W31A-4100  
 3901 ADDED TO 371W31A-1500  
 4200 ADDED TO 4100  
 4706 ADDED TO 371W31A-4101  
 4707 ADDED TO 371W31A-4101

Page 41

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

FOR ASSESSMENT AND  
 TAXATION ONLY

37 1W 32AB  
 MEDFORD



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

37 1W 32AB  
 MEDFORD

NEW MAP JANUARY 01, 1995  
 REV JANUARY 19, 2006

FOR ASSESSMENT AND TAXATION ONLY

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

37 1W 33CC  
MEDFORD

APPROX.  
1/16 COR.

SEE MAP 37 1W 33CB

APPROX.  
1/16TH COR.

2200  
30.50 AC

CANCELLED TAX  
LOT NUMBERS  
100 REMAPPED TO 371W33CA  
1300-1400 REMAPPED TO 371W33CD  
1500 REMAPPED TO 371W33CA  
200-600 REMAPPED TO 371W33CD

4-7

MONT  
CREST  
SUB.  
UNIT NO. 4

SEE MAP 37 1W 33CD

SEE MAP 37 1W 33D

32 33  
5 4

SEE MAP 38 1W 4

SEE MAP 38 1W 4BB

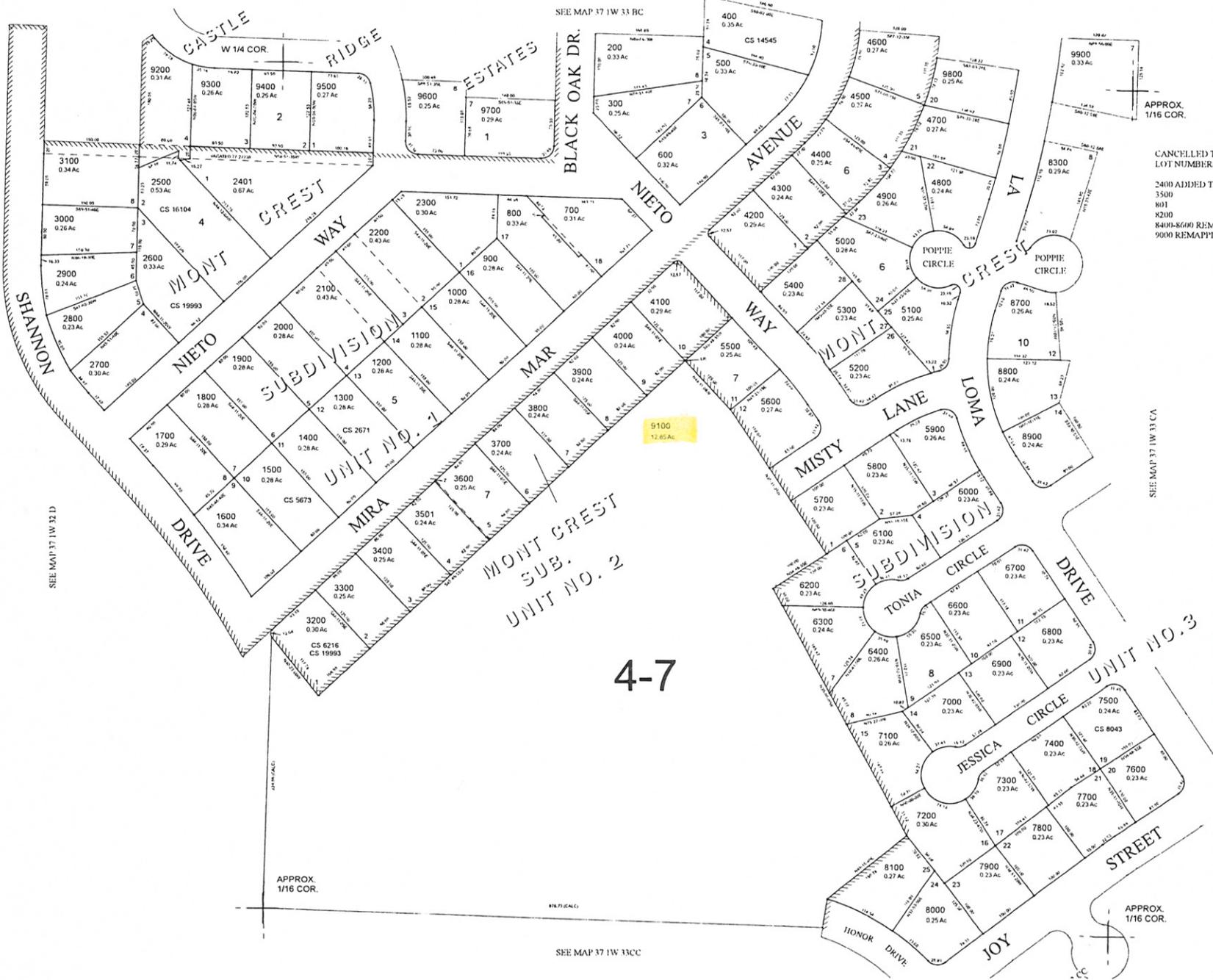
APPROX.  
1/16 COR.

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

FOR ASSESSMENT AND TAXATION ONLY

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

37 1W 33CB MEDFORD



APPROX. 1/16 COR.

CANCELLED TAX LOT NUMBERS:  
 2400 ADDED TO 371W33BC 10300  
 3500  
 8011  
 8200  
 8400-8600 REMAPPED TO 371W33CA  
 9000 REMAPPED TO 371W33CA

SEE MAP 37 1W 33 CA

SEE MAP 37 1W 32 D

APPROX. 1/16 COR.

SEE MAP 37 1W 33 CC

APPROX. 1/16 COR.

37 1W 33CB MEDFORD

NEW MAP MARCH 30, 2010

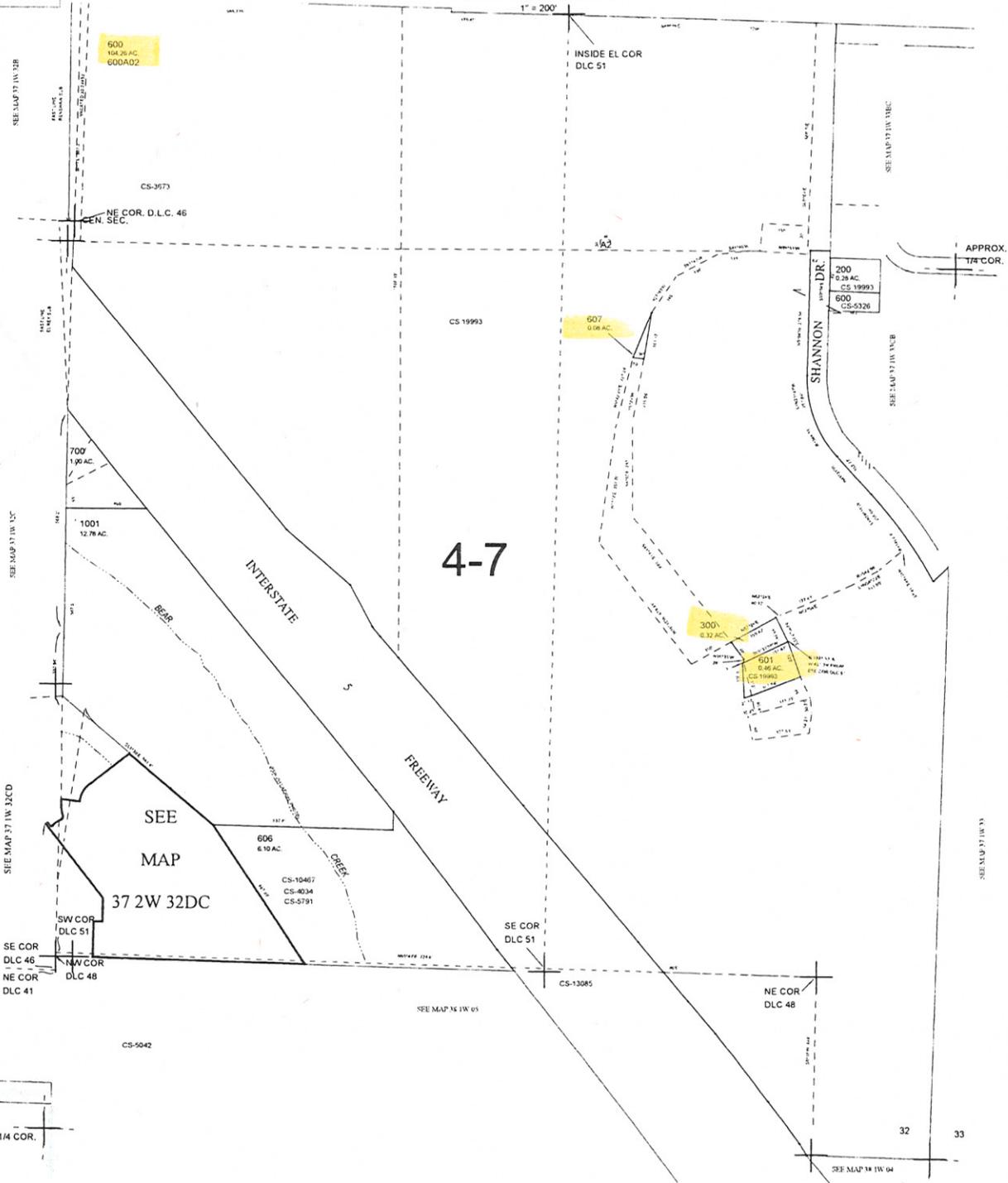


S.E. 1/4, SEC. 32, T.37S., R.1W., W.M.  
JACKSON COUNTY

37 1W 32D  
& INDEX  
MEDFORD

FOR ASSESSMENT AND  
TAXATION ONLY

1" = 200'



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

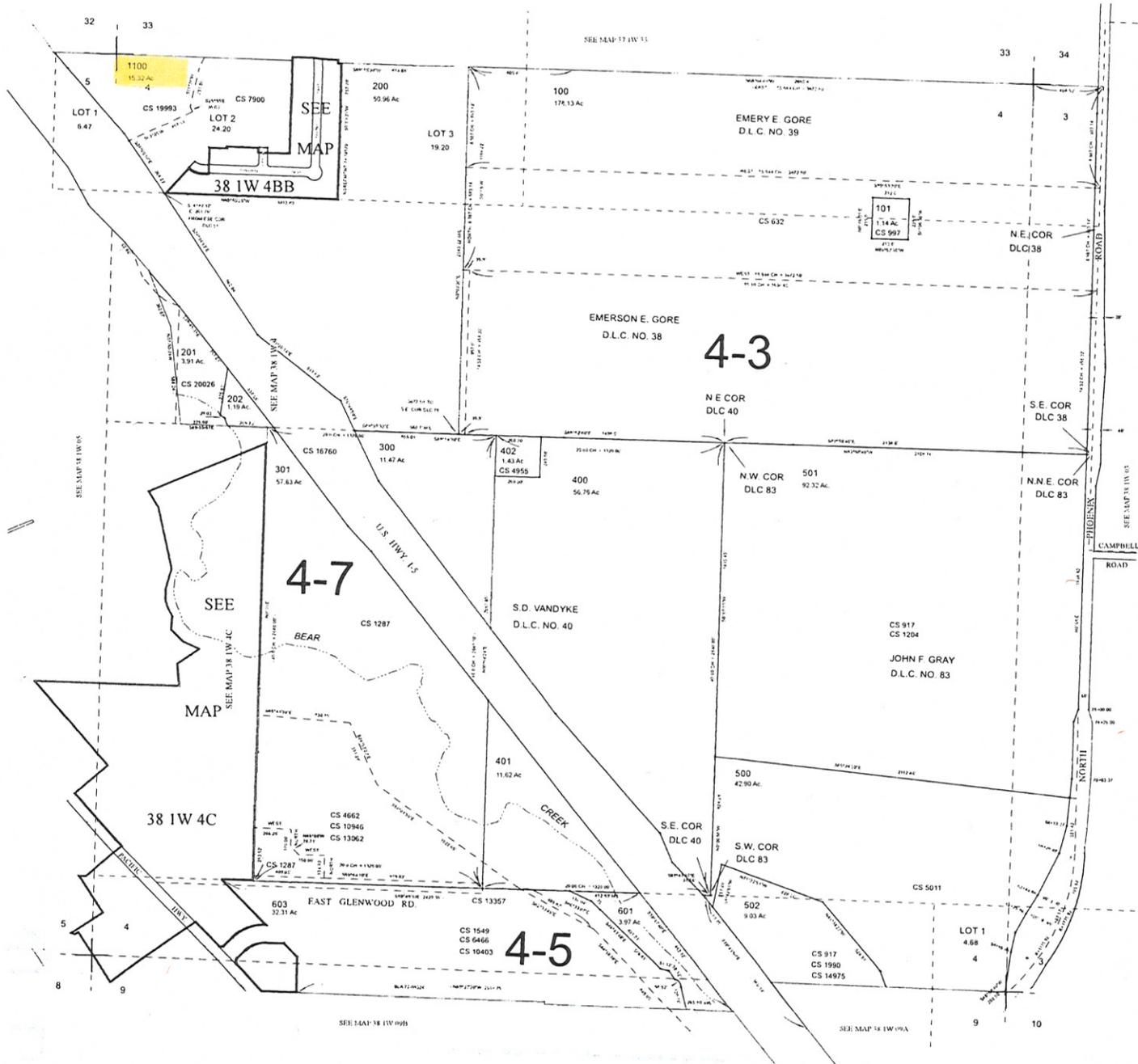
37 1W 32D  
& INDEX  
MEDFORD

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



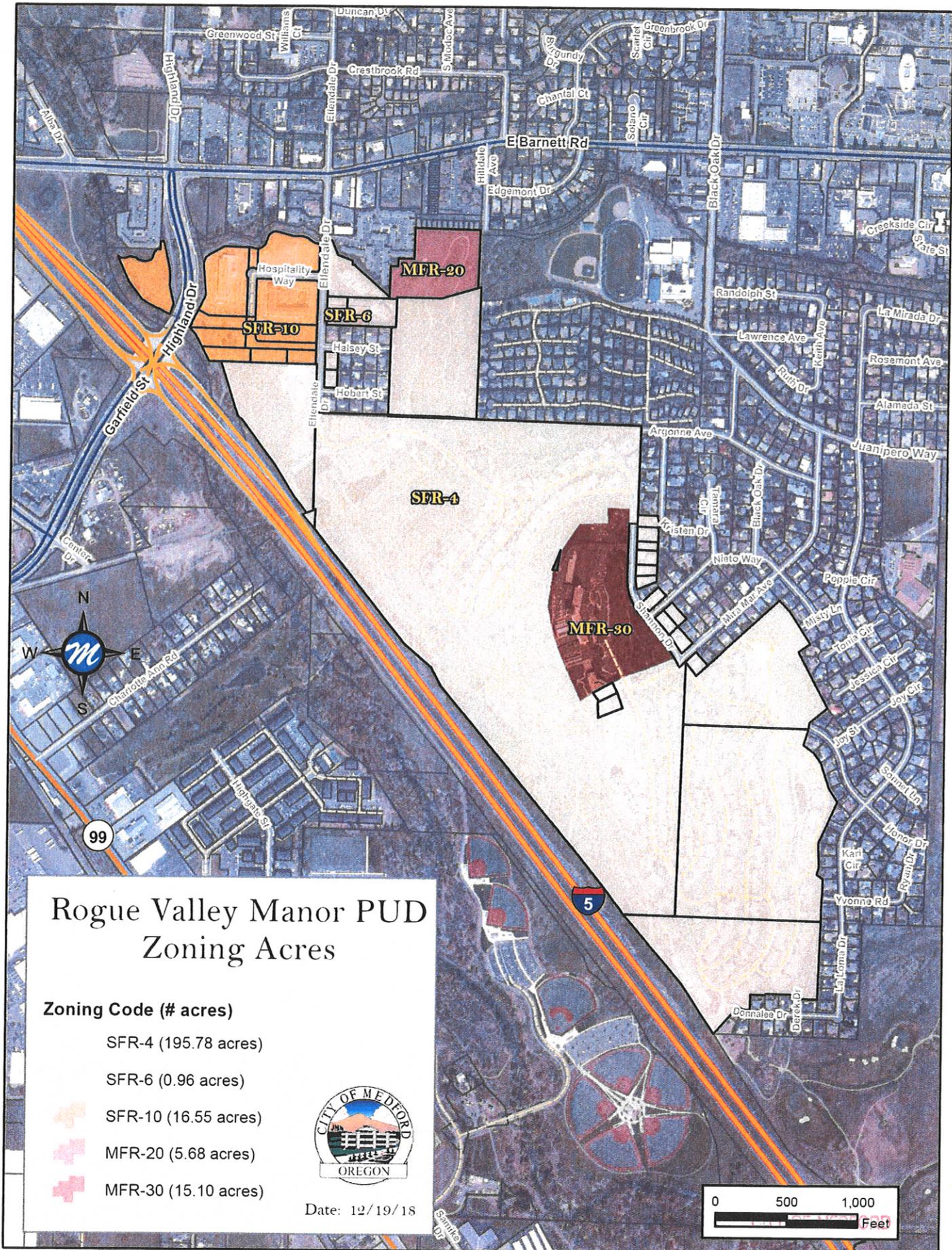
CANCELLED TAX LOT NUMBERS

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

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

Page 47

GIS DATA  
10/21/2016 9:56:14 AM - jphsowwh



File # P40-18-152



# Manor PUD Amendment



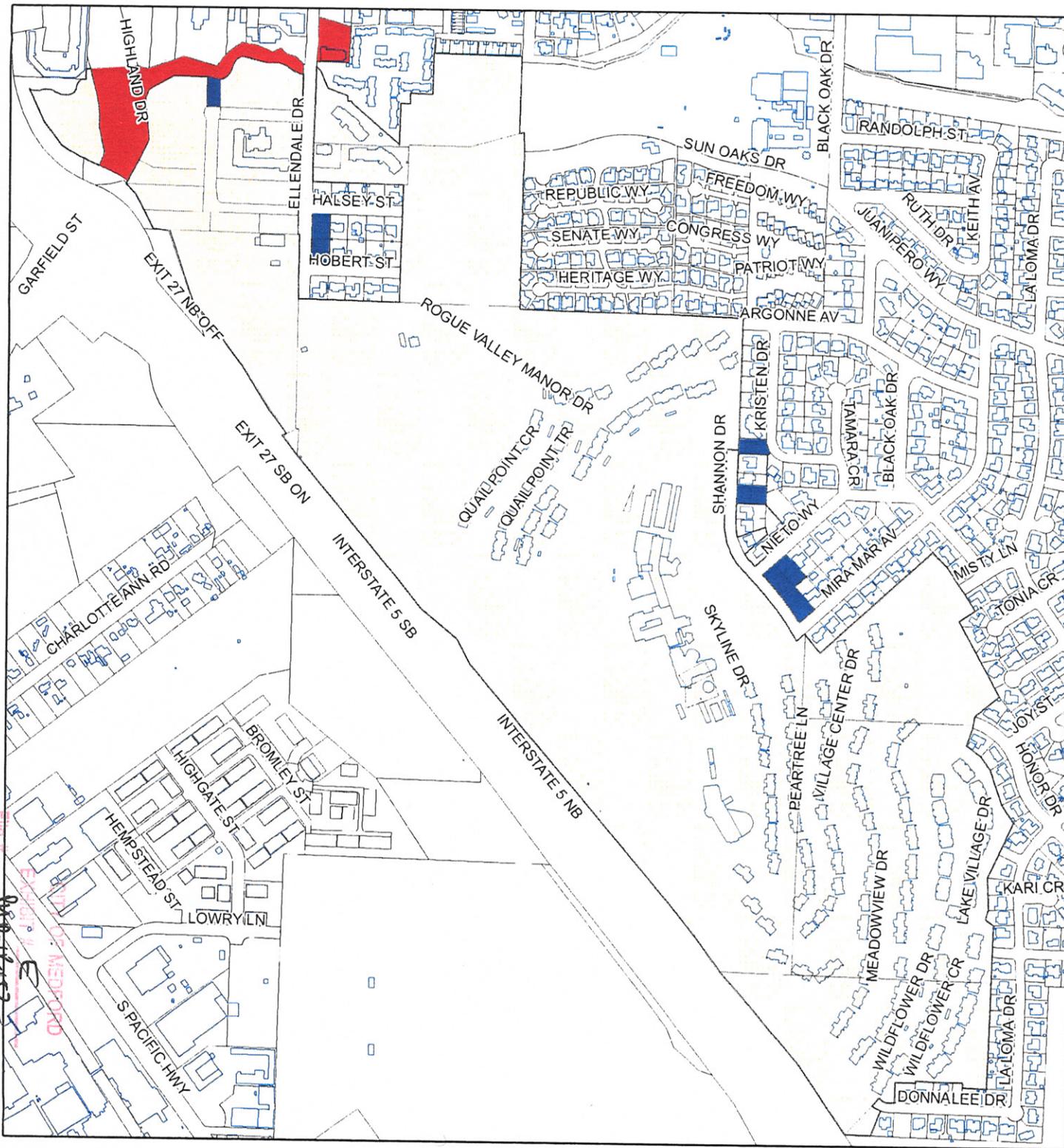
## Legend

-  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**



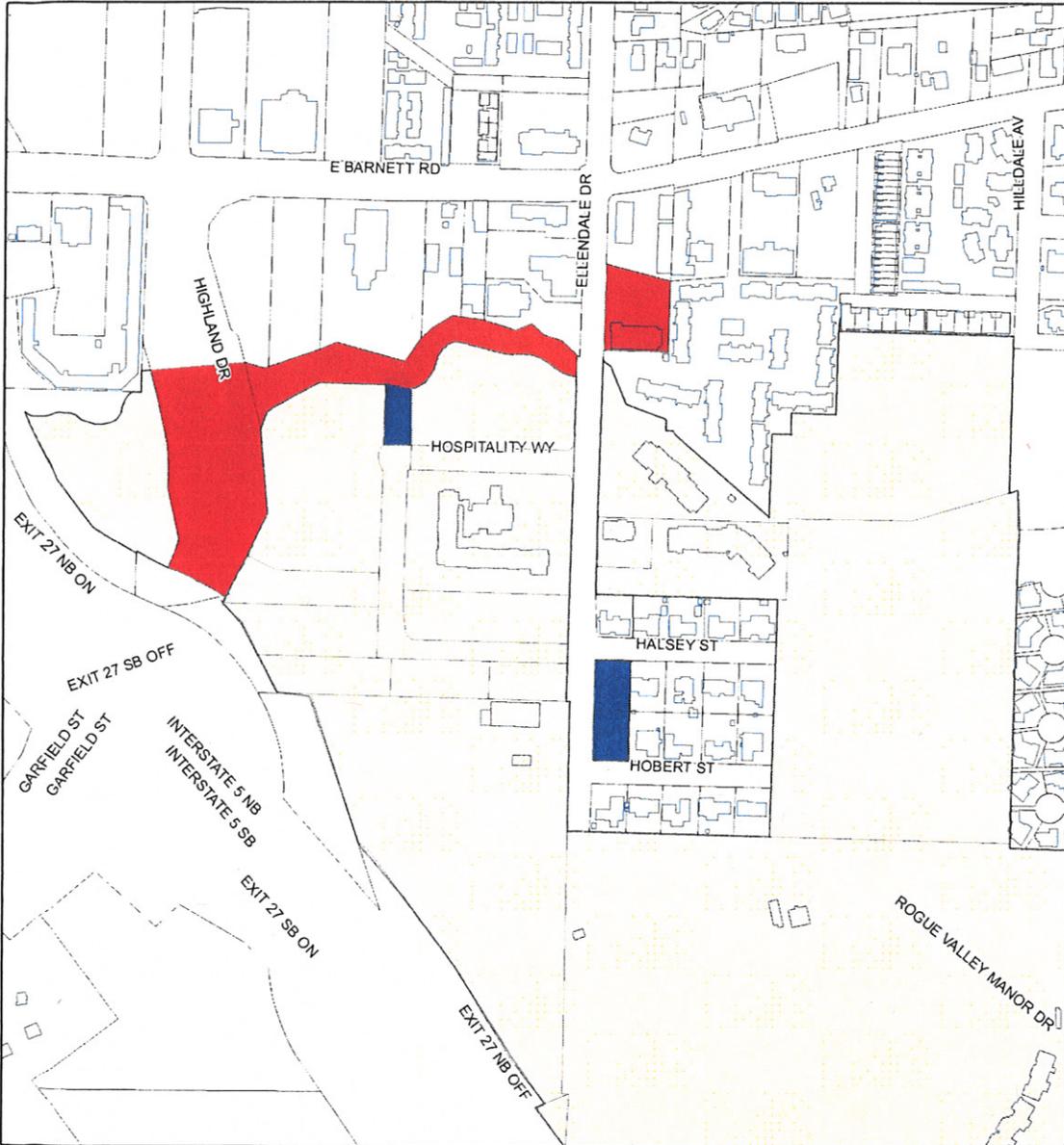
**Legend**

-  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



10

RECEIVED

DEC 05 2018

PLANNING DEPT.

# Manor PUD Amendment



### Legend

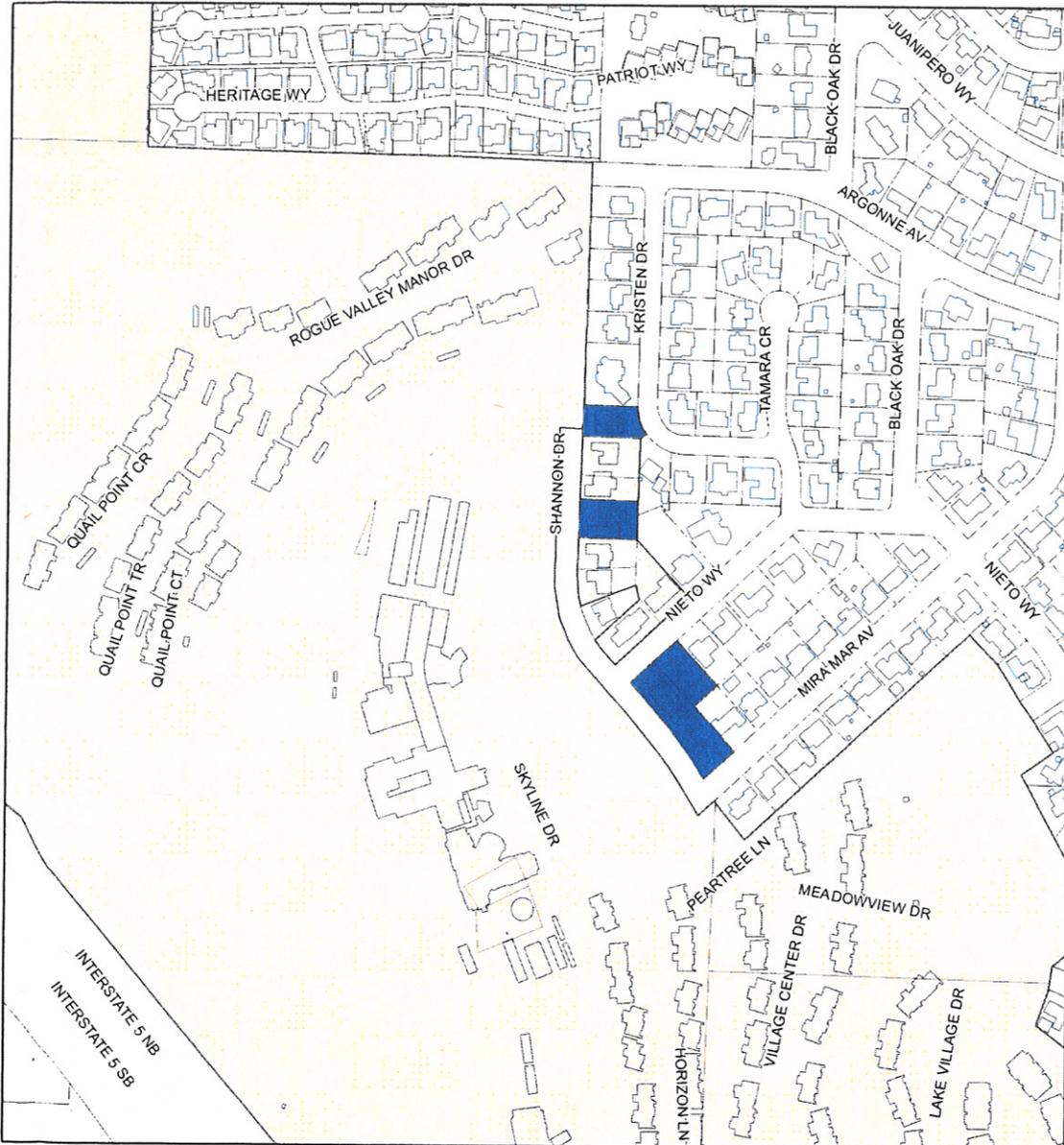
-  Manor PUD
-  Add to PUD
-  Tax Lots
-  Building Footprints

0 175 350  
Feet

1 inch = 350 feet



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



RECEIVED

OCT 11 2018

PLANNING DEPT.

**Rogue Valley Manor PUD**  
**Project Narrative**

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

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

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

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

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

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

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

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

**RECEIVED**  
**OCT 11 2018**  
**PLANNING DEPT.**

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

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

**AMENDMENT**  
**FINDINGS OF FACT**  
**PUD-98-23**

**RECITALS:**

---

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

**CITY OF MEDFORD**  
**EXHIBIT # 6**  
**FILE # PUD-18-152**

## 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 "Clark Stevens". The signature is fluid and cursive, with a large loop at the end.

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 ASTORIA  
 DEPT. OF PLANNING  
 H  
 Pu0-18-152

Account Sequence	Map TL Sequence	Assessment Year <b>2018</b> ▼	<b>Print Window</b>	<b>Close Window</b>
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**Assessment Info for Account 1-002175-0 Map 371W32D Taxlot 600**  
Report For Assessment Purposes Only Created October 05, 2018

<b>Account Info</b>		<b>Tax Year 2017 Info</b>		<b>Land Info</b>	
Account	1-002175-0	<b>Pay Taxes Online</b>		Tax Code	4-07
Map Taxlot	371W32D 600	Tax Report	<b>Details</b>	Acreage	104.26
Owner	ROGUE VALLEY MANOR	Tax Statement	<b>Details</b>	<b>Zoning</b>	
Situs Address		Cor Tax Statement	<b>Details</b>	<b>Land Class</b>	
1200 MIRA MAR AVE MEDFORD	R	Tax History	<b>Details</b>	UNK 104.26 Ac	
Mailing Address	ROGUE VALLEY MANOR 1200 MIRA MAR AVE MEDFORD OR, 975048546	Tax Code 4-07		Property Class	201
Associated Taxlots	3 Acct	Tax Type	Due Date	Amount	
4-07 R	1-002176-8 371W32D 601 ACTIVE	Advalorem	11/15/17	\$950,325.44	
4-03 R	1-078738-5 371W32D 600 PURGED	Tax Rate		14.6754	
4-07 R	1-094903-4 371W32D 600 A2 ACTIVE	District Rates		<b>Details</b>	
Appraiser	164	Tax Details		<b>Details</b>	
		Tax Rates		<b>Details</b>	

Sales Data (AS 400)			
Last Sale	Sale Date	Instrument Number	Sales History
\$1,337,500.00	6/15/1983	1983-09451 <b>Details</b>	<b>Details</b>

**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 <b>Details</b>		Total:	\$ 73,195,000	\$ 73,195,000	\$ 68,645,180	\$ 68,645,180
Value Summary Details						
Value History						

**Improvements**

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

**Photos and Scanned Documents**

Type	Item Number	Image Files	<b>PDF</b>
ACCOUNT PHOTO	1	1	<b>PDF</b>
ACCOUNT PHOTO	2	1	<b>PDF</b>
ACCOUNT PHOTO	3	1	<b>PDF</b>

P10-18-152

ACCOUNT PHOTO	4	1	<a href="#">PDF</a>
ACCOUNT PHOTO	5	1	<a href="#">PDF</a>
ACCOUNT PHOTO	6	1	<a href="#">PDF</a>
ACCOUNT PHOTO	7	1	<a href="#">PDF</a>
ACCOUNT PHOTO	8	1	<a href="#">PDF</a>
ACCOUNT PHOTO	9	1	<a href="#">PDF</a>
ACCOUNT PHOTO	10	1	<a href="#">PDF</a>
ACCOUNT PHOTO	11	1	<a href="#">PDF</a>
ACCOUNT PHOTO	12	1	<a href="#">PDF</a>
ACCOUNT PHOTO	13	1	<a href="#">PDF</a>
ACCOUNT PHOTO	14	1	<a href="#">PDF</a>
ACCOUNT PHOTO	15	1	<a href="#">PDF</a>
ACCOUNT PHOTO	16	1	<a href="#">PDF</a>
ACCOUNT PHOTO	17	1	<a href="#">PDF</a>
ACCOUNT PHOTO	18	1	<a href="#">PDF</a>
SCANNED ASSESSOR DOCUMENTS 	(See new portal)	(See new portal)	<a href="#">Portal</a>
ALL IN ONE REPORT? 			
<input checked="" type="checkbox"/> <b>Improvement Comments</b>			
<input checked="" type="checkbox"/> <b>Commercial</b>			
<input checked="" type="checkbox"/> <b>Appraisal Maintenance</b>			
<input checked="" type="checkbox"/> <b>Account Comments</b>			
<input type="checkbox"/> <b>Exemptions / Special Assessments / Notations / Potential Liability</b>			
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	
<input type="checkbox"/> <b>Location Map</b>			



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.

P:\Staff Reports\PUD\2018\PUD-18-152 Rogue Valley Manor PUD Revision (re PUD-08-023)\PUD-18-152 Staff Report-Revised.docx Page 1 of 12

PUBLIC WORKS DEPARTMENT  
ENGINEERING & DEVELOPMENT DIVISION

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CITY OF MEDFORD  
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PUD-18-152

**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 signage 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 26<sup>th</sup>, 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

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 26<sup>th</sup>, 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:

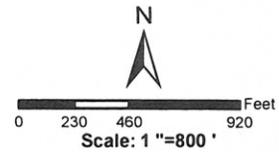
**CONDITIONS**

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.

CITY OF MEDFORD  
PLANNING DEPARTMENT  
PUD-18-152  
Page 1 of 1



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

**Legend**

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

**Water Meters:**

- Active Meter
- On Well
- Unknown
- Vacant

**Water Valves:**

- ⊗ Butterfly Valve
- ⊗ Gate Valve
- ⊗ Tapping Valve

**Water Mains:**

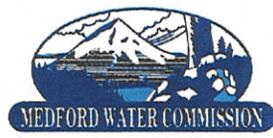
- Active Main
- - - Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

**Boundaries:**

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

**MWC Facilities:**

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



This map is based on a digital address compiled by Medford Water Commission from a variety of sources. Medford Water Commission cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.  
Date: 11/02/18  
Path: O:\Mapping\MAD\LD Map Water - RG.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

#### Conditions

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

### Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when 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](http://www.medfordfirerescue.org)

L  
PUD-18-152

# Memo



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

---

## **Building Department:**

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

## **Residential Notes:**

1. Applicable Building Codes are 2017 ORSC; 2017 OPSC; and 2014 OMSC. For list of applicable Building Codes, please visit the City of Medford website: [www.ci.medford.or.us](http://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](http://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](mailto: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](mailto: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](http://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](http://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

PUD-18-152<sup>N</sup>



# 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:

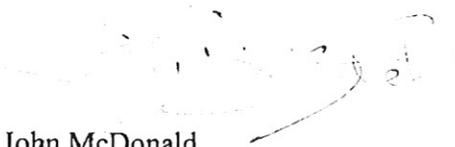
1. Any construction work within the state right of way will require a Misc. or Utility permit – please contact Julee Scruggs at Julee.Y.Scruggs@odot.state.or.us or 541-864-8811 to secure the permit.
2. Applicant shall provide a letter from the Oregon Department of Transportation, prior to site development, 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

SEARCHED  
INDEXED  
SERIALIZED  
FILED  
MAR 11 2019  
MEDFORD  
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"> <li>• 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.</li> <li>• All-red time seems to be excessively long at SPUI Is this from timing sheets?</li> <li>• Lost time adjust for a SPUI should be increased 1- 2 s as more complex intersections generally have longer lost times.</li> </ul>

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

*pu 0-18-152*

## 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

V

CITY OF MEDFORD  
Page iii  
PUD-18-152

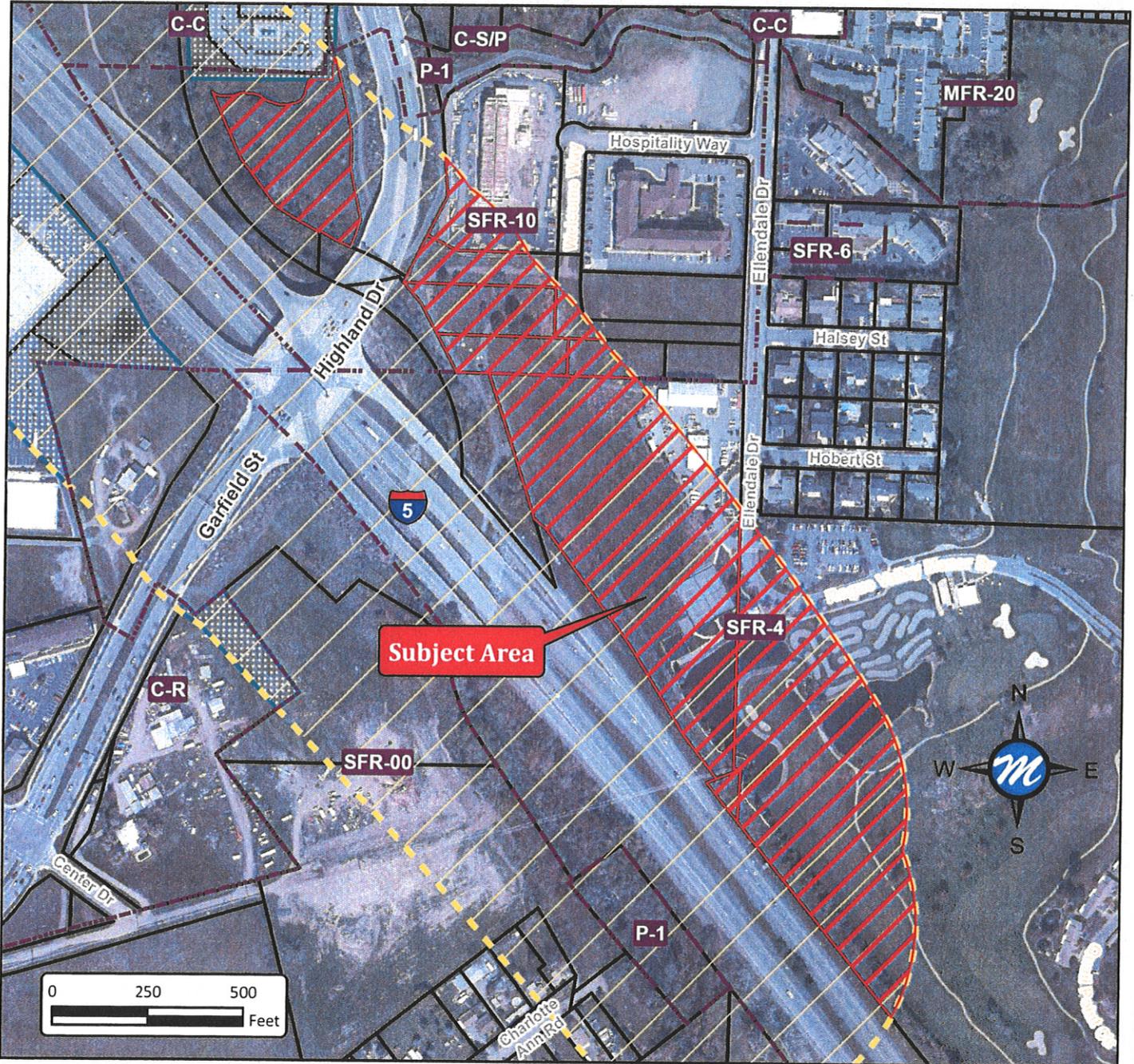
share of the potential mitigation costs. The anticipated project share at this intersection is approximately 4.3 percent.

- **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.

7

# 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



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.
John Harris	740 Hillside Ave.
Leod Eisner	1379 Ryan Drive
Jan Sinner	1393 Ryan Dr.
DAVE FOOTDALE	2139 ROBERT ST
DENUSE FOOTDALE	2139 ROBERT ST
Grant Appleton	1159 Mira mar ave
Dianne Appleton	1159 mira mar ave
Charles More	Novor 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.

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

# NEIGHBORHOOD MEETING ATTENDANCE

## ROGUE VALLEY MANOR PUD

JUNE 13, 2018

Name:	Address:
Wayne & Toni Wiedeman	2768 Donna Lee Dr.
Diana Bordner	2834 Yvonne Rd
GREG McNEILLY	2747 TOWNA CIR
Fred + Sandra Smith	750 Hilldate Ave.
Gayle Clason	2854 Yvonne Rd
David Turner	1143 Mira Mar Ave
	
JOHN BECKER	1466 LaLoma Dr.
RUTH 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

[Signature]  
Mayor

CITY OF MEDFORD  
EXHIBIT # 4-R  
File # AC-16-108

1 of 20

Resolution No. 1998-249

CITY OF MEDFORD  
PUD-18-152

P:\JWP\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.

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 Supplemental Findings~~ of Fact and Conclusions of Law - Exhibit Z3.

RECEIVED  
CITY OF MEDFORD  
RECORDERS OFFICE

001 16 1998  
A.M. 7 8 9 10 11 12 1 2 3 4 5 6 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

**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*)

**Consolidated Applications:** As the property is to remain under a single ownership (*Exh. "B" Page 16*) and city zoning exists on all of the property, no application for a land division or change of zone has been included as part of this proposal.

**Common Area/Ownership:** As the property is to remain under a single ownership (including that of a subsidiary or an affiliate of the Rogue Valley Manor) (*Exh. "B" Pages 16, 28, and 45*), establishment of a Homeowners' Association is not required.

**Deviations from Standards:**

**Lots and Parcels** As several of the existing parcels and associated tax lot lines will conflict with proposed building locations (e.g., Phase 13), a condition has been included to consolidate parcels, within each phase as it develops, with evidence thereof submitted at the time of final plan approval. No parcels less than the minimum lot sizes are proposed.

**Yards, Setbacks, and Building Height:** The applicant proposes that several of the buildings be allowed to exceed the 35-foot height limitation of the underlying residential zoning districts. This would include the Hotel/Conference Center (*B*), Office Building (*C*), Multi-Family and Congregate Housing (*I, K, O, Q, S, and T*), Medical Center (*P*), and Auditorium (*R*). Distance from the adjoining streets and/or from the nearest project boundary, or compatibility with anticipated commercial uses on adjoining property, is cited as the primary mitigating factor in terms of impacts on adjoining uses (*Exh. "B" Page 30-31*). The congregate housing on Ellendale (*I*) was originally to be set back only 20 feet from the side property line as depicted on the master plan (Exhibit "A"). The design details for this have been revised in response to neighborhood concerns which has resulted in a much greater setback for the 3-story structure (Exhibit "E"). Although comments in the findings (*Exh. "B" Page 31*) identify an existing 10 foot change in grade as a mitigating factor, the increased setback from adjoining residences has also been incorporated. Additional discussions regarding the height of buildings is included later in this report.

**Parking, Bicycles, and Pedestrians:** Residential parking is proposed to meet the standards for retirement facilities (*Exh. "B" Page 31 to 35 and Table Five*). A combined overall parking reduction of 8 percent at the various nonresidential support facilities is proposed and will be offset by provision of shuttle service throughout the development. Parking strategies are not expected to impact any areas outside of the development. Bicycle parking and pedestrian facilities will be required as prescribed by code as no specific deviations are requested.

**Frontage, Access, Landscaping, and Signs:** The applicant has not identified what, if any, specific deviations are sought (*Exh. "B" Page 35*). It is assumed that in the context of mixed uses within the development, signage would be requested that would not otherwise be permitted in the underlying residential zones. Such signage would be identified at the time of final plan approval. The Commission should consider what, if any, standards should be

applied to signs within the PUD, particularly those where uses not allowed in the underlying zone are proposed. It is suggested, for simplicity sake, that the signage standards for the zone in which the use typically occurs be used.

**Decision:** The Planning Commission deferred review of the signage to the Site Plan and Architectural Commission.

**Streets:** All existing streets within the boundaries of the PUD are private except for Ellendale Drive, a designated collector, and Shannon Drive, which turns into Rogue Valley Manor Drive approximately 1,000 feet north of Mira Mar Avenue. All new streets proposed within the revised PUD are proposed to be private as well. All private streets are subject to Fire Marshal approval in terms of emergency vehicle access. In fact, adjoining sidewalks have been specially constructed along some of the existing one-way streets to provide the requisite fire lane.

The applicant proposed to add a gated access on the end of Misty Lane to provide a secondary access to the Alzheimer/Clinic facility (Exh. "B" Page 25). There are existing gated accesses at the ends of Argonne Avenue and Donnalee Drive. All other streets that end at the Manor property will remain as dead-end streets with no access allowed. The Public Works Director (Exhibit "F") had suggested that gates on Misty Lane and Argonne Avenue be left open during the day to help reduce traffic impacts on streets serving the main entrances. Availability of secondary (local) access points into the PUD could help distribute trips such as would be accomplished by an interconnected street system. The Commission weighed this recommendation and, in light of the resultant additional traffic into adjoining neighborhoods, decided to leave the access points at Honor Drive, Misty Lane, and Argonne Avenue closed.

The Public Works Director initially recommended that an area for a roadway connection to the south project boundary be reserved for future access to adjoining lands also owned by the Manor and within the Urban Growth Boundary. This was intended to provide an alternative to using Donnalee Drive (and associated impacts of such use). Three cottage units would have had to be adjusted to accommodate the roadway. The recommendation was removed due to topographic constraints.

**Decision:** The Planning Commission required that Honor Drive, Misty Lane, and Argonne Avenue remain closed.

A 100-foot wide strip of land shall be deeded to the city for the southward extension of Highland Drive as part of the anticipated Highland/Garfield connection. The area beneath the portion of the street extension that will contain an overpass shall be reserved for such use by an easement. The proposed master plan identifies this area and proposes to locate parking in the area beneath the overpass.

Contingency  
Gradings  
Building  
Demolition

Misty Lane  
closed

"R"  
9 of 20

**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

"R"  
10 of 20

September 24, 1998

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 (I)** - 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.

The structure, which is to replace four existing single-family residences, is proposed to be three stories in height, exceeding the 35-foot height limitation of the underlying SFR-4 zone. The building was originally proposed to be set back 20 feet from the adjoining residential properties as depicted on the master plan (Exhibit "A"). Due to concerns over the visual impact of this building on the adjoining properties, the applicant has revised the site design placing the structure away from the project boundary (Exhibit "E"). The other tall structures in the PUD are far enough from the project boundaries that the extra height above the height limit does not exacerbate the line of sight obstruction that would be created by a structure located within the allowable setbacks of the underlying zone, as viewed from a neighboring property. It is recommended that sight line elevations be submitted at the time of Final Plan approval request demonstrating that any structure, if over 35 feet high, will not exceed the visual impacts of a 35-foot high, multiple-family residential structure built at the minimum setback of 20 feet from the project boundary. The Commission should also consider the overall size and bulk of the structure when assessing impacts on adjoining residences and an appropriate setback.

**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.

It is recommended that sight line elevations be submitted at the time of Final Plan approval request demonstrating that any structure, if over 35 feet high, will not exceed the visual impacts of a 35-foot high structure built at the minimum setback of 20 feet from the project boundary. This does not include buildings previously approved that exceed the 35-foot height limit.

**Conclusion:**

Several portions of the proposed plan have concurrence from both the City of Medford staff and ODOT in meeting the required criteria. This includes the residential portion of the project that is consistent with the underlying zoning and that portion of the project that includes commercial development equivalent to the trips (138 PM peak hour) that would otherwise be generated by the underlying residential zoning.

ODOT and the City of Medford staff do not support approval of the third part of the proposal to conditionally approve the balance of the commercial development.

**Decision.** The Planning Commission found the project to meet the required criteria with the required revisions and the conditions of approval.

**Commission Action:**

Approval of PUD-98-23, per the Revised Commission Report dated September 24, 1998; including:

- Exhibit "A" - Master Plan Map (with amended portion contained in Exhibit "Z3");
- Exhibit "B" - Application to Amend the Planned Unit Development (Findings) received February 27, 1998;
- Exhibit "C" - Supplemental Information Regarding Transportation Issues submitted June 26, 1998;
- Exhibit "D" - Additional Operational Analysis (Supplemental Traffic Study) received April 6, 1998;
- Exhibit "E" - Phase 13 Site Plan, Elevations, and Landscape Plan;
- Exhibit "F" - Special Report from the Public Works Director No. PUD-98-23b dated July 16, 1998;
- Exhibit "G" - Memorandum from the Bureau of Fire Prevention dated April 10, 1998;
- Exhibit "H" - Letter from Bear Creek Valley Sanitary Authority dated April 8, 1998;
- Exhibit "I" - Memorandum from the Medford Water Commission dated March 31, 1998;
- Exhibit "J" - Letter from Oregon Department of Fish and Wildlife dated April 14, 1998;
- Exhibit "K" - Letter from Oregon Trout dated June 2, 1998;
- Exhibit "L" - Letter from RVCOG dated June 2, 1998;
- Exhibit "M" - Special Report from the Public Works Director No. PUD-98-23a (Phase 13) dated May 19, 1998;
- Exhibit "N" - Memorandum from the Bureau of Fire Prevention (Phase 13) dated July 8, 1998;
- Exhibit "O" - Memorandum from the Medford Water Commission dated July 8, 1998;
- Exhibit "P" - Memorandum from Medford Parks and Recreation (Phase 13) dated June 1, 1998;
- Exhibit "Q" - Letter from Mike Arneson ODOT (Oregon Department of Transportation) dated April 28, 1998;

- Exhibit "R" - Letter from Mike Arneson (ODOT) dated May 5, 1998;  
 Exhibit "S" - Letter from Mike Arneson (ODOT) dated July 13, 1998;  
 Exhibit "T" - Letter from Mike Arneson (ODOT) dated July 22, 1998.  
 Exhibit "U" - Letter from Mike Arneson (ODOT) dated July 23, 1998.  
 Exhibit "V" - Letter from Mike Arneson (ODOT) dated August 25, 1998.  
 Exhibit "W"- Memo from Public Works Department dated August 20, 1998.  
 Exhibit "X" - Letter from Tom Becker, Rogue Valley Manor, dated June 25, 1998.  
 Exhibit "Y" - Letter from Tom Becker, Rogue Valley Manor, dated August 27, 1998.  
 Exhibit "Z" - Letter from Chuck Fustish (Oregon Department of Fish and Wildlife) dated August 27, 1998.  
 Exhibit "Z1"- Letter from Mike Arneson (ODOT) dated September 3, 1998.  
 Exhibit "Z2"- Letter from Brian McLemore, Rogue Valley Manor (rebuttal), dated September 10, 1998.  
 Exhibit "Z3"- Letter from Brian McLemore, Rogue Valley Manor, dated September 17, 1998 including Revised Partial Master Site Plan (commercial portion to comply with the 138 PM peak hour trip limitation), and  
 Exhibit "Z4"- Supplemental Findings dated September 10, 1998;

and subject to the following conditions:

1. The revised Rogue Valley Manor Planned Unit Development includes uses that will generate vehicle trips in excess of the standard residential development allowed in the underlying zones. In order to maintain an acceptable Level of Service (LOS) at the Barnett Road/Stewart Avenue/Interstate 5 interchange, development of the nonpermitted uses shall be subject to the following:
  - A. The proposed nonpermitted uses set forth in Table S6 of the Rogue Valley Manor application (Exhibit "C") entitled Supplemental Information Regarding Transportation Issues (submitted June 25, 1998) can be developed if they are consistent with the Revised Partial Master Site Plan (Exhibit "Z3") and provided that the PM peak hour trips generated by the nonpermitted uses do not exceed a threshold limit of 138 PM peak hour trips.
2. A minimum setback of 50 feet shall be maintained along the Larson and Bear Creek frontages. This area shall remain natural or be planted with vegetation, approved by Oregon Department of Fish and Wildlife, that does not require irrigation.
3. Fire protection facilities and access shall be provided per Exhibit "G." All private streets are subject to Fire Marshal approval for adequacy of emergency vehicle access.

4. Comply with Special Report from the Public Works Director No. PUD-98-23b dated July 16, 1998 (Exhibit "F") with the following requirements deleted:
  - A. Revise the Master Plan to show a roadway extending to the southwest project boundary.
  - B. A 100-foot wide strip of land shall be deeded to the city for the southward extension of Highland Drive and the area beneath the portion of the street extension that will contain an overpass shall be reserved for such use by an easement.
5. Rogue Valley Manor shall record documents containing assurances that the common areas (elements) will be improved and maintained for their intended purpose.
6. Signage for nonresidential uses shall be subject to Site Plan and Architectural Commission review.
7. Exterior illumination for all nonresidential uses and congregate living facilities within the PUD shall not cause glare on any residential property that is not part of the PUD. Construction plans submitted for such uses shall include design specifications for all exterior lighting including a photometric site illumination plan consistent with the standards contained in Section 10.764.
8. All exterior mechanical equipment and trash collection facilities for uses within 100 feet of PUD boundaries that adjoin residential zones, excluding that for individual cottage units, shall be located within enclosures designed to conceal such facilities from view and maintain noise levels at or below those prescribed by Section 10.753 New Noise Sources.
9. Construction plans for all structures, except for those previously approved, that exceed the 35-foot height limitation shall include sight line elevations demonstrating that any such structure will not exceed the visual impacts of a 35-foot high structure built at the minimum setback of 20 feet from an exterior project boundary, excluding changes in grade (slopes).
10. Boundary line adjustments or lot consolidation of existing tax lots, shall be completed prior to final plan approval for each phase, where proposed buildings are located over lot lines with evidence thereof submitted at the time of final plan approval.
11. Prior to final plan approval, existing water lines shall be shown on a master plan to prevent conflicts with future building.

12. The Alheimers' 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 Alheimers' Clinic/Skilled Nursing Facility shall be screened from the adjoining neighborhood as proposed in Exhibit "Z2."
14. Honor Drive, Misty Lane, and Argonne Avenue shall remain closed.
15. All HVAC (heating ventilation and air conditioning) equipment for buildings shall be located on the ground and concealed from view.
16. The review and approval of detailed building elevations and landscape plans is delegated to the Site Plan and Architectural Commission for all new development, except Phase 13 ( HUD project).
17. Affordable Retirement Facility and Office - Phase 13 Site Development.

Apply for, and receive, Final Plan Approval pursuant to Section 10.240 per the approved design as shown in Exhibit "E" - Site Plan (revised), Elevations, and Landscape Plan; and the following:

- A. Comply with conditions contained in: Exhibit "M" - Special Report from the Public Works Director # PUD-98-23a dated May 19, 1998; Exhibit "N" - Memorandum from the Bureau of Fire Prevention dated July 8, 1998; Exhibit "O" - Memorandum from Medford Water Commission dated July 8, 1998; and Exhibit "P" - Memorandum from Parks and Recreation dated June 1, 1998; and including, but not limited, to the following:
- B. Prior to issuance of the first building permit, revised site and landscape plans shall be submitted for staff review showing:
  - (1) A different shrub species substituted for the Hawthorne.
  - (2) Specifications for root barriers for all trees within six (6) feet of hardscapes.
  - (3) Specifications for an automatic irrigation system including the location of an approved backflow prevention device.

- (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.

112"  
19 of 20

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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20 of 20

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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. 8<sup>th</sup> St.  
Medford, OR 97504

**VIA UPS OVERNIGHT**

Re: Rogue Valley Manor Planned Unit Development Amendment  
Supplemental Information Regarding Transportation Issues

Dear Jim and Mark:

Enclosed please find the Supplemental Information regarding the transportation issues associated with the Rogue Valley Manor's application to amend its planned unit development. We believe this additional information demonstrates compliance with Section 10.235 C.7. of the Medford Code regarding the allowance of certain non-permitted uses within the planned unit development ("PUD") and the adequacy of transportation facilities to accommodate that development.

As we have discussed, our approach to demonstrating compliance with Section 10.235 C.7. is to create a three-step process addressing the various uses proposed by Rogue Valley Manor in its application. Simply stated, the three-step process accomplishes the following:

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

**Step 2:** Identifies all proposed non-permitted uses in the underlying zoning that is specifically authorized in the PUD ordinance at Section 10.230 D.9.b. as "permitted uses." We have conducted an equivalency test examination of these proposed non-permitted uses as authorized under Section 10.235 C.7. and determined that the permitted uses in the underlying zone (SFR-10) would generate a threshold limit of 138 PM peak hour trips. As a result, under Step 2 of our analysis, Rogue Valley Manor would be entitled to apply this threshold to any of

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PUD-18-152

Jim Eisenhard  
Mark Gallagher  
June 25, 1998  
Page 2

5.4, page 68



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

A handwritten signature in cursive script that reads 'Gregory S. Hathaway'.

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

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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 25<sup>th</sup> 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 and was 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.



# Oregon

Kate Brown, Governor

Department of Transportation  
Region 3 Planning and Programming Unit  
3500 NW Stewart Parkway  
Roseburg, OR 97470  
Phone: (541) 957-3688

FILE CODE: PUD-18-152; DRS 8709

April 30, 2019

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

RE: PUD-18-152, Requested Conditions of Approval

Dear Mr. Roennfeldt,

We request the City of Medford impose the following conditions of approval:

1. Applicant shall provide to the City an Oregon Department of Transportation (ODOT) permit for any work within the state right of way
2. Applicant shall provide to the City a letter from ODOT, prior to site development, approving storm water / drainage calculations and plans
3. Prior to exceeding the current 192 PM Peak Hour Trip Cap, Applicant shall provide to the City a letter from ODOT approving their proposed transportation system mitigation – a signed cooperative improvement agreement shall suffice for this condition.

Please do not hesitate to contact me with any questions.

Sincerely,

John McDonald  
Development Review Planner

W  
PUD-18-152

**Steffen K. Roennfeldt**

---

**From:** Brian McLemore <Brian@retirement.org>  
**Sent:** Tuesday, April 30, 2019 4:54 PM  
**To:** MCDONALD John  
**Cc:** Steffen K. Roennfeldt; GRIFFIN Jeremiah M; Brian N. Sjothun; cstevens@mind.net; Sarah Lynch; Eric Sholty; bob@mayers5.com  
**Subject:** Re: PUD-18-152 Condition of Approval Letter

We don't see much difference from the prior letter. We cannot accept this open ended letter. We plan to proceed objecting to this proposal. In our opinion you have known about this since December and still have not defined mitigation. We will also be contacting our state legislators from Southern Oregon as your lack of solutions on this issue will have a huge negative impact on the southern Oregon economy. It is unfortunate we have reached this impasse.

On Apr 30, 2019, at 1:50 PM, MCDONALD John <[John.MCDONALD@odot.state.or.us](mailto:John.MCDONALD@odot.state.or.us)> wrote:

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Steffen,

Please find attached the letter with the requested conditions of approval. It was our hope that we could provide more specificity, but we are still working on some fine details – ensuring the project meets state and federal standards, drafting a cooperative improvement agreement, etc.

Having said that, the conditions in the letter will allow the City process to move forward while the Manor and ODOT proceed with completing the details for the project and negotiating a cooperative improvement agreement.

I will be out of the office the rest of the week (long National Guard drill for an upcoming deployment), but will be back in the office Monday.

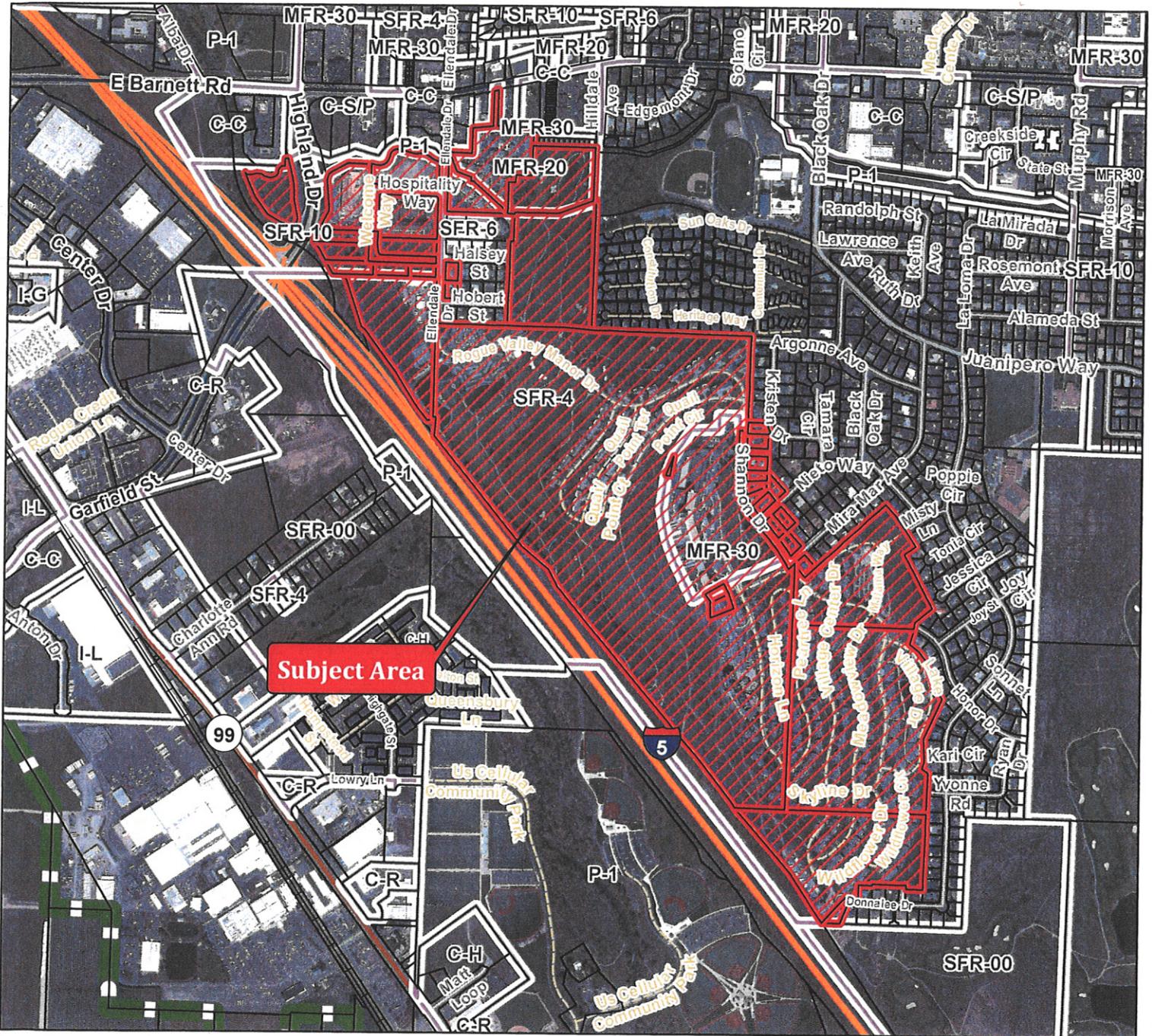
Sincerely,

John McDonald  
Development Review Planner  
ODOT Southwestern Region  
541-957-3688

<Mimecast Attachment Protection Instructions>

<PUD-18-152 requested conditions letter.pdf>

PUD-18-152



Project Name:

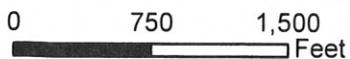
**Rogue Valley Manor Revision  
 PUD-98-23**

Map/Taxlot:

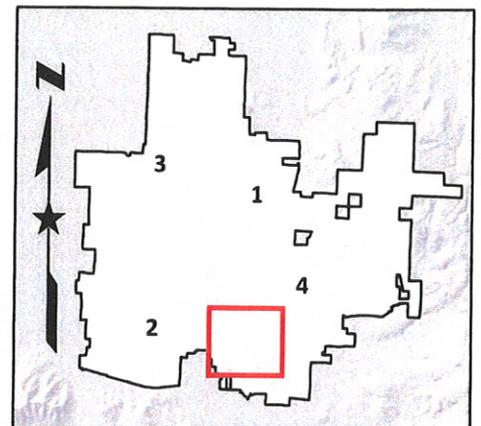
**Various Tax lots**

**Legend**

-  Subject Area
-  Zoning Districts
-  Tax Lots



10/24/2018





## STAFF REPORT

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

Project Judith Ann Hogue  
Applicant/Agent: Judith Ann Hogue

File no. ZC-18-192

To Planning Commission

*May 9, 2019 hearing*

From Steffen Roennfeldt, Planner III

Reviewer Kelly Evans, Assistant Planning Director

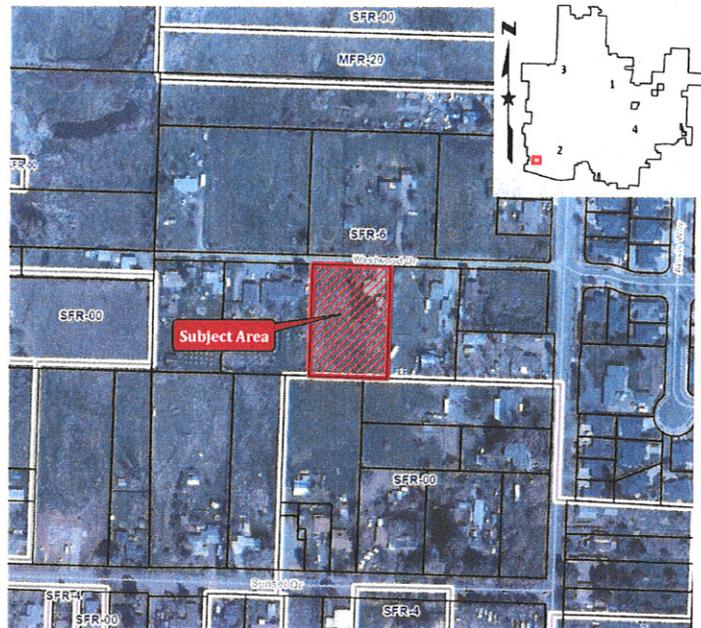
Date May 2, 2019

## BACKGROUND

### Proposal

Request for consideration of a zone change from SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on approximately 1 acre located at 1987 Westwood Drive (372W35DD700).

### Vicinity Map



*Figure 1: Vicinity Map*

Subject Site Characteristics

Zoning	SFR-6	Single Family Residential (4 to 6 dwelling units per gross acre)
GLUP	UM	Urban Medium Density Residential
Use		One single family dwelling

Surrounding Site Characteristics

North	Zone:	SFR-6
	Use:	Low density residential
South	Zone:	SFR-00 (Single Family Residential – 1 dwelling unit per parcel)
	Use:	Low density residential
East	Zone:	SFR-6
	Use:	Low density residential
West	Zone:	SFR-6
	Use:	Low density residential

Related Projects

A-03-88	Ostovar Annexation
ZC-04-76	Ostovar Zone Change from SR-2.5 (County Zoning to SFR-6)
CP-13-32	UGBA, Phase 1: Internal Study Area GLUP Amendment
PA-17-100	Pre-Application for zone change

Applicable Criteria

Medford Municipal Code §10.204 Zone Change Criteria

**ZONE CHANGE APPROVAL CRITERIA – MEDFORD LAND DEVELOPMENT CODE SECTION 10.204**

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

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

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

\*\*\*

- (3) *It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive Plan.*
- (a) *Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.*
- (b) *Adequate streets and street capacity must be provided in one of the following ways:*
- (i) *Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or*
- (ii) *Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or*
- (iii) *If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated land use, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs:*
- a. *the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or*
- b. *an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.*

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

## **ISSUES AND ANALYSIS**

### Background

The subject parcel was annexed to the City in 2003 and rezoned from the County zoning designation to SFR-6 in 2004. Nine years later, the site was included in the UGBA Phase 1: Internal Study Areas General Land Use Plan (GLUP) Amendment (File No. CPA-13-032). The GLUP Map designation was subsequently changed from UR (Urban Residential) to UM (Urban Medium Density Residential).

The proposed MFR-15 zoning is the only zoning district permitted within the UM GLUP map designation.

## Urban Services and Facilities

### *Sanitary Sewer*

The subject property lies within the Rogue Valley Sewer Services (RVSS) service area and is currently served by an 8-inch sewer main in Westwood Drive. RVSS (Exhibit J) has indicated that the sewer line facilities have adequate capacity to serve the property when developed under the proposed MFR-15 zoning.

### *Storm Drainage*

The subject site lies within the Elk Creek Drainage Basin and currently drains to the northwest. The proposed zone change to MFR-15 has the potential to increase storm drainage flows to down gradient properties. The Public Works Department (Exhibit F) recommends this zone change be denied, or the applicant stipulate to only develop so the total storm drainage flows do not exceed current zoning limitation, or the developer provide evidence of storm drainage easements to Little Elk Creek.

### *Traffic*

The Public Works Department staff report (Exhibit F) states that no vertical construction shall be allowed until a minimum 20-foot wide paved width has been provided for access to an improved public street.

At this time, Westwood Drive is an unimproved 20-foot wide right-of-way. Widening may involve acquiring right-of-way dedication and/or easements from the neighboring parcels.



*Figure 2 - Westwood Drive (as seen on Google Street View in 2012)*

### *Water*

The Medford Water Commission (Exhibit G) has indicated that off-site water line installation will be required at time of future site development review. To serve domestic water to the subject site, the developer will be required to install approximately 270 feet of 8-inch water line in Orchard Home Drive, and approximately 600 feet of 8-inch water line in Westwood Drive.

### *Location Standards*

There are no locational standards for zone changes to MFR-15

### Other Agency Comments

None

### Committee Comments

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

## **FINDINGS AND CONCLUSIONS**

Staff has reviewed the Applicant's Findings (Exhibit E) and recommends the Commission adopt the findings as modified by staff below:

- With regard to Criterion 3, the applicant shall stipulate to only develop so the total storm drainage flows do not exceed current zoning limitation.

## **RECOMMENDED ACTION**

Adopt the Findings as recommended by staff and direct staff to prepare the Final Order for approval of ZC-18-192 per the staff report dated May 2, 2019, including Exhibits A through L.

## **EXHIBITS**

- A Conditions of Approval, dated May 2, 2019
- B GLUP Map, dated May 2, 2019
- C Zoning Map, dated May 2, 2019
- D Assessor Map, received December 28, 2019
- E Applicant's Findings of Fact, received December 28, 2019
- F Public Works Department Staff Report, revised April 12, 2019
- G Medford Water Commission Staff Memo, dated February 20, 2019
- H Building Department Memo, dated February 13, 2019
- I Medford Fire Department Staff Report, dated February 7, 2019

- J Rogue Valley Sewer Services Letter, dated February 11, 2019
- K City Surveyor Memo, dated February 6, 2019
- L Revised Legal Description, received March 20, 2019 Vicinity map

**PLANNING COMMISSION AGENDA:**

**MAY 9, 2019**

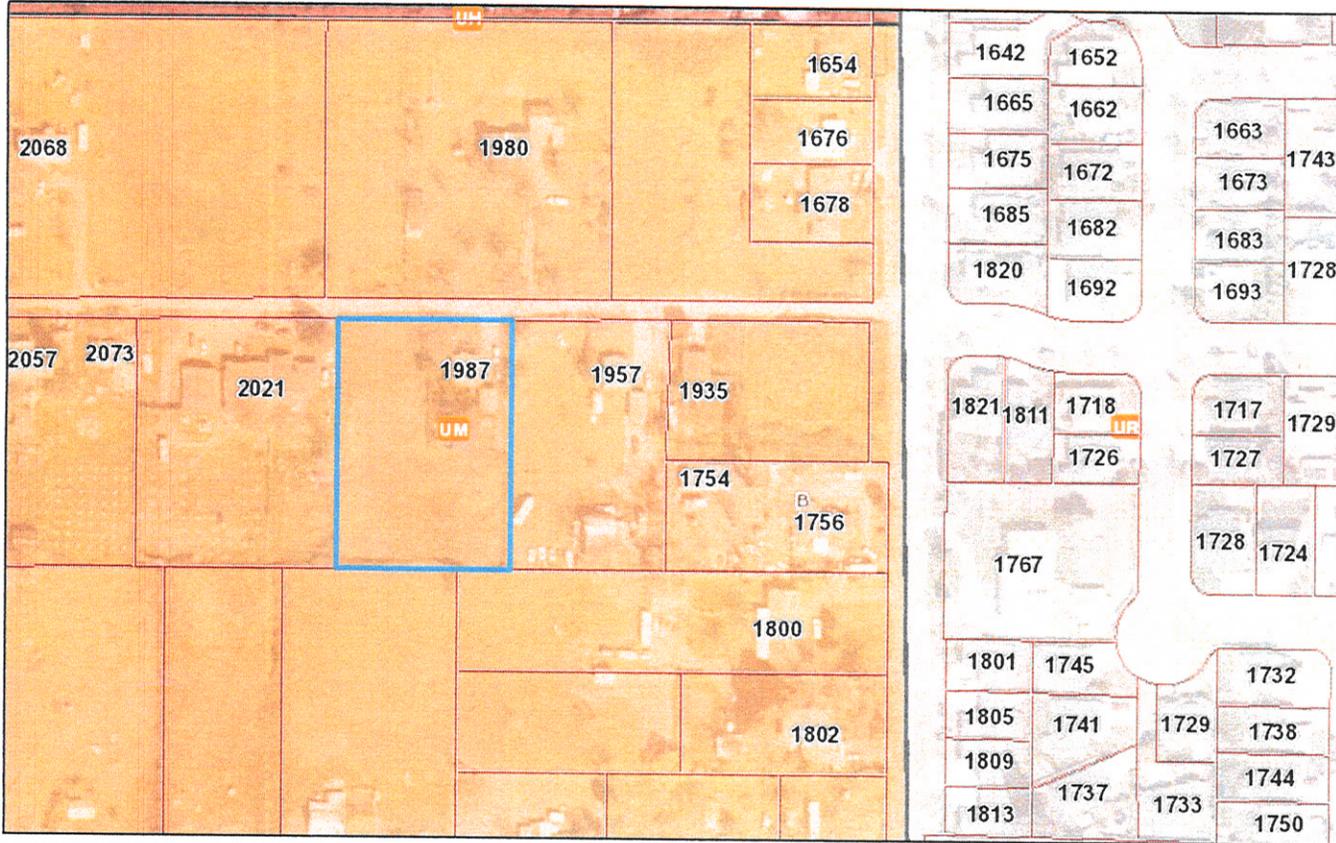
## **EXHIBIT A**

Judith Ann Hogue  
ZC-18-192  
Conditions of Approval  
May 2, 2019

### **CODE CONDITIONS**

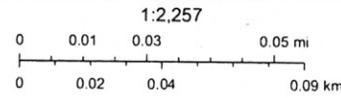
1. Comply with the Public Works Department Staff Report, revised April 12, 2019 (Exhibit F).
2. The applicant shall stipulate to only develop so the total storm drainage flows do not exceed current zoning limitation.
3. A deed restriction or covenant in a form acceptable to the City Attorney must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department within 30 days of the zone change becoming effective.

# GLUP - City of Medford Map



2/1/2019, 2:38:55 PM

- Override 1
- Taxlots
- Site Addresses
- General Land Use - Shaded
  - A- AIRPORT
  - CC-CITY CENTER
  - GI-GENERAL INDUSTRIAL
  - PS-PARKS & SCHOOLS
  - CM-COMMERCIAL
  - SC-SERVICE COMMERCIAL
  - HI-HEAVY INDUSTRIAL
  - LS-LIMITED SERVICE AREA



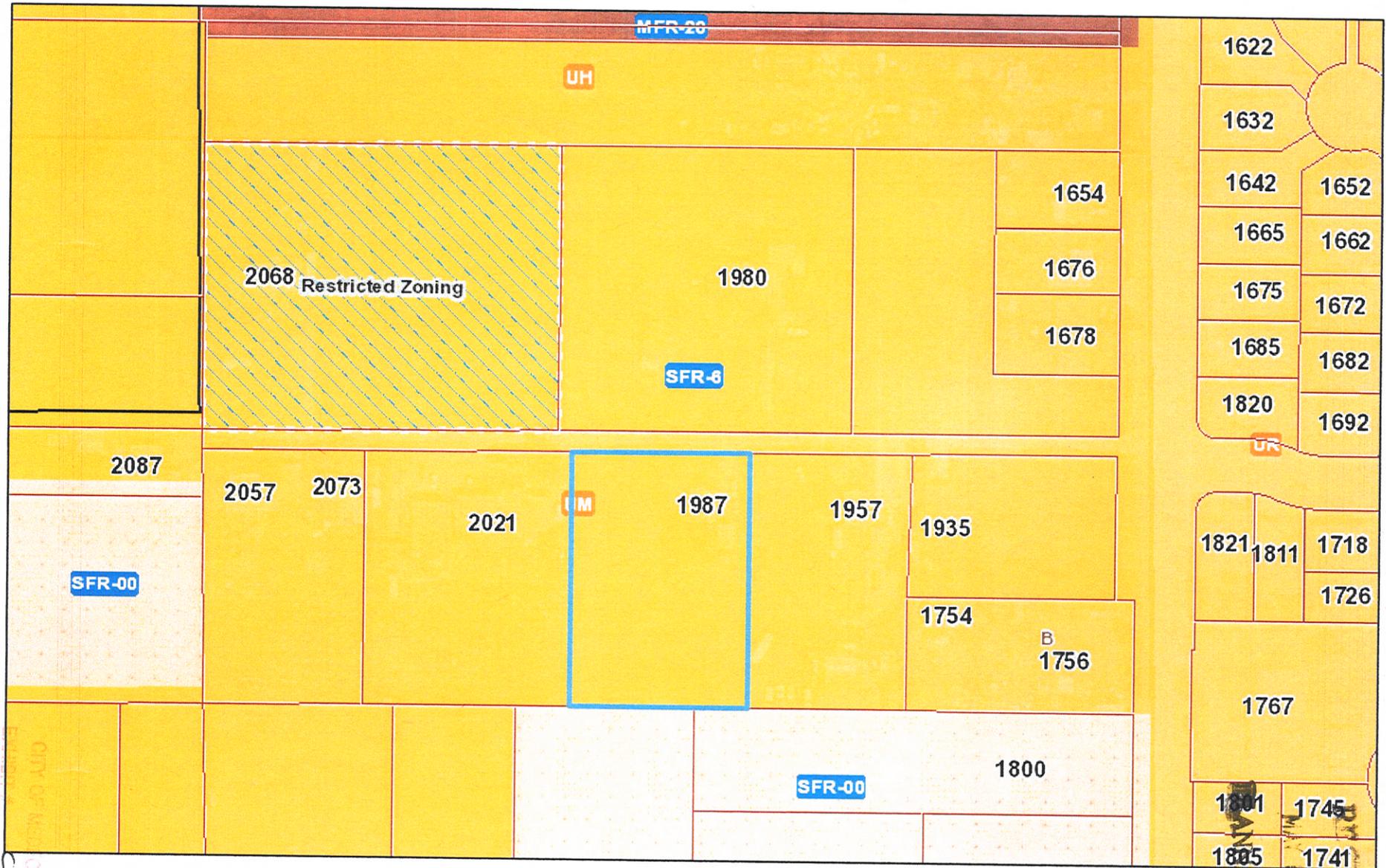
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, Medford Land Information system  
 County of Jackson, OR, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | City of Medford | Google and Jackson County | City of Medford, Jackson

Page 131

City of Medford  
 Planning Department  
 2018-192  
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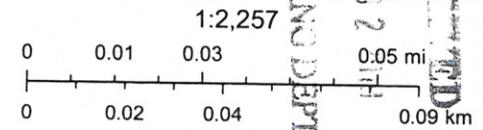
**RECEIVED**  
 MAY 02 2019  
 PLANNING DEPT.

# Zoning - City of Medford Map



2/1/2019, 2:14:12 PM

- Override 1
- Zoning Districts - Shaded
- Public Park
- Taxlots
- Multiple-Family Residential - 20 Units
- Multiple-Family Residential - 15 Units
- Multiple-Family Residential - 30 Units
- Single-Family Residential - 10 Units
- Site Addresses



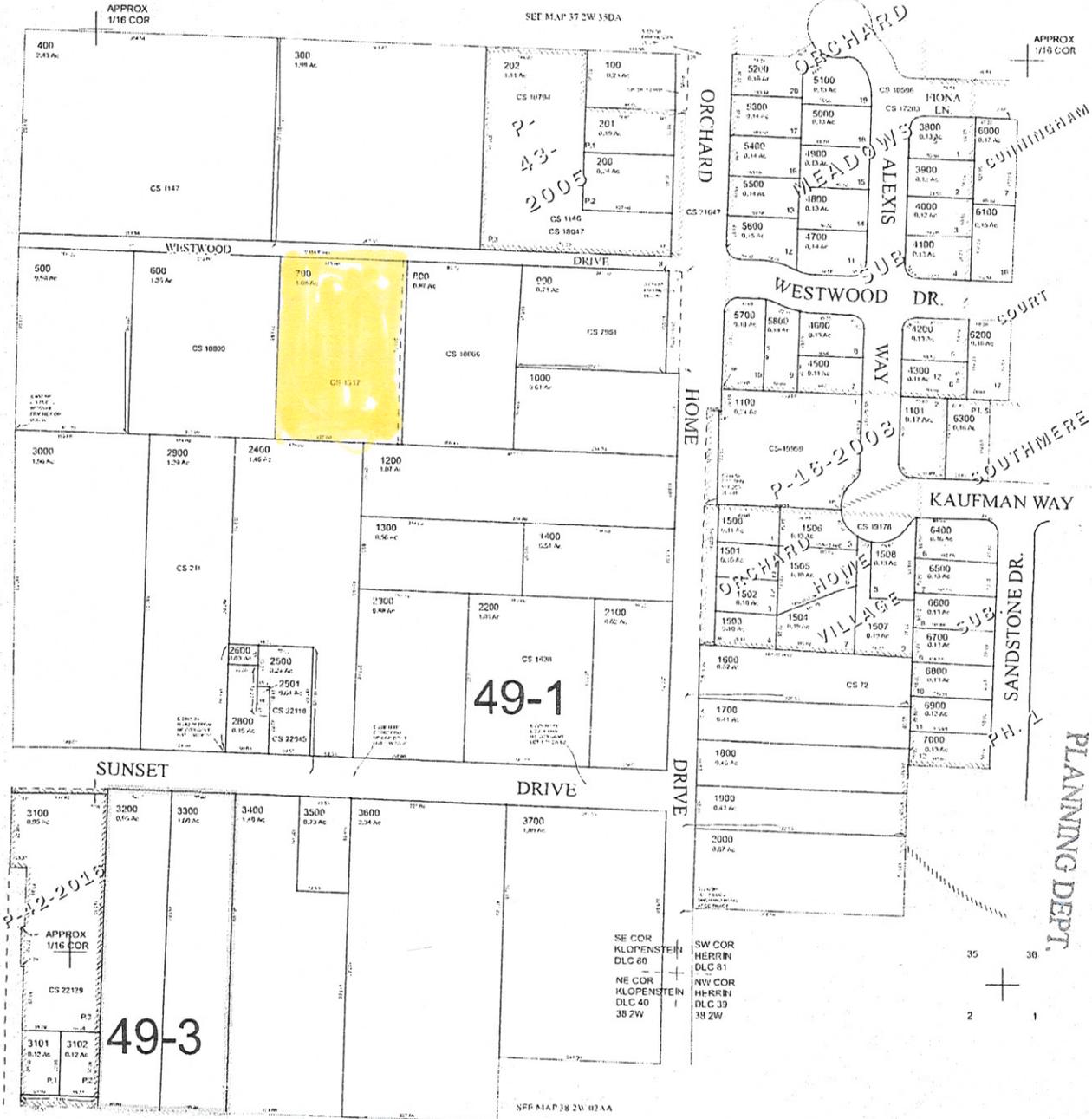
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

File # 20-18-192

FOR ASSESSMENT AND TAXATION ONLY

S.E.1/4, S.E.1/4, SEC.35, T.37S., R.2W., W.M.  
JACKSON COUNTY  
1" = 100'

37 2W 35DD  
MEDFORD



CANCELLED TAX LOT NUMBERS:  
2700 ADDED TO 2400  
4400 KILLED TO STREET  
5900 ADDED TO 1100

RECEIVED  
DEC 28 2018  
PLANNING DEPT.

37 2W 35DD  
MEDFORD  
NEW MAP AUGUST 09, 2007  
REV JULY 21, 2017

Page 133

CITY OF MEDFORD  
EXHIBIT # D  
FILE # ZC-18-192

GIS DATA  
09/09/2017 8:25:25 AM jphriscow

8

372W35DD Tax Lot 700 1987 Westwood Drive

RECEIVED

DEC 28 2018

PLANNING DEPT.

The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660 and the General Land Use Plan Map designation (GLUP).

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 standard for Category "A" services and facilities are contained in the MLDC and goal 3 Policy of the Comprehensive Plan Public Facilities Element.

- A. Storm drainage, sanitary sewer, and water and facilities must be already adequate in condition, capacity, and location, to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
- B. Adequate streets and street capacity must be provided in one of the following ways:  
Streets which serve the subject property, as defined in Section 10.467(2) exist and have adequate capacity;

FINDINGS:

The applicant's findings of fact are hereby incorporated by this reference and attached here as exhibit "A." The applicant's findings include a discussion of the above zone change criteria with additional comments to availability of the urban service included in analysis that follows.

PROJECT REVIEW :

Comprehensive Plan/Transportation Planning Rule: The proposal General Land Use Plan (GLUP) Map in that the subject area is designated Urban Residential (UR) and the MFR-15 zoning area is one of the UR zones allowed within the UR designation. A TIA (Traffic Impact Analysis) is not required based on the number of trips per residences (15) allowed on Tax Lot 700. On December 4, 2014 The Medford City Council voted to change the GLUP map designation of Westwood Drive to MFR 15 (Multi-Family Residential- 15 dwelling units per gross acre). Therefore I respectfully request a zone change from SFR-6 (Single Family Residential ( 6 units per gross acre to MFR 15 ( Multi Family Residential (15 dwelling units per gross acre.)

CITY OF MEDFORD  
EXHIBIT # E  
FILE # ZC-18-192

Location Standard:

372W35DD Tax Lot 700 (1987 Westwood Drive)

The applicants purpose for seeking a zone change from (SFR-6 Single Family Residential -6 units per gross acre) to MFR-15 (Multi-Family Residential 15 dwelling units per gross acre) will make it ready for development. The subject property is approximately 300 feet from Orchard Home Drive on the west side.

RELEVANT SECTIONS OF THE LAND DEVELOPMENT CODE:

Prior to approval for a zone change the proposal must be found to meet the pertinent decisional criteria listed in Section 10.227 "ZONE CHANGE CRITERIA" as follows:

1. The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the (General Land Use Plan) (GLUP) designation.
2. It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection below. The minimum standards for Category "A" services and facilities are contained in the MLDV and GOAL 3 of the COMPREHRNSIVE PLAN "Public Facilities Element."
3. 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.
4. Adequate streets and street capacity must be provided in one of the following ways:
5. (i) Streets which serve subject property, as defined in Section 44.46(2) presently exist and have adequate capacity.

### Storm Drainage

The subject site lies within the Elk Creek Drainage Basin. The applicant will need to obtain legal access to the main stem of Elk Creek for drainage to the city of Medford. The city of Medford has existing storm drain facilities in Orchard Home Drive. This site should be able to connect to these facilities at the time of development. Some locations may require easements. The property on the North side of Westwood Drive has access to the Elk Creek Drainage and may be able to work with other developers on easement access at time of development. There is also drainage access on Orchard Home Drive.

### Water Service:

Findings: This property is currently using a private well for domestic water. According to the Medford Water Commission there is adequate water supply for the proposed zone change. The Medford Water Commission has indicated that a 12 inch water main exists at the intersection of Orchard Home Drive and Orchard Home Court. When development begins all properties will be required to have metered water service. Access to the Medford water lines are available.

#### Urban Services and Facilities:

The "Public Facilities Elements of the Comprehensive Plan lists two categories of public facilities. Category "A" facilities include sanitary sewer, storm drain, and water systems; and transportation (streets) These facilities are minimum necessary to support development and must, therefore, be available upon development.

Category "B" facilities include fire and police protection, parks, schools, solid waste management, (garbage) and health services. These facilities enhance and protect development within the city limits and provided in response to development that occurs, rather than, prior to approval of development. No findings regarding availability of Category "B" facilities are therefore, required prior to approval of this zone change application.

#### "Category "A" Facilities

##### Sanitary Sewer

This subject property lies within the (Rogue Valley Sewer Services) area and is currently served by an 8-inch sewer main in Westwood Drive. Rogue Valley Sewer Services has indicated that the sewer line facilities have adequate capacity to serve the property when developed under the proposed SFR-15 zoning. Please see the attached letter from RVSS stating facilities have adequate capacity to serve the property when developed under the proposed MFR-15.

**Streets:**

Orchard Home Drive is designated as a major collector street with bike lanes, sidewalks, gutters and curbs. Westwood Drive is designated as a County Local Access road, is an unpaved gravel roadway (lacking curbs, gutters and sidewalks on both sides of the road. The unpaved gravel road is maintained by the residents that front on the road. The maintenance of Orchard Home Drive is done Jackson County.

Westwood Drive is designated as a standard residential street with a 63 foot right of way. The design standards for a standard residential street do not include a bike lane. The circulation plan in the adopted TSP includes Westwood Drive being developed to connect to Thomas Road to the west with Orchard Home to the east. When development does start on Westwood Drive there will be new standards to meet.

Rapid transit is available from Rogue Valley Transportation District (TVTD) via a scheduled stop every ½ hour at the corner of Stewart Avenue and in front of South Medford High School. Connection to Interstate 5 is approximately 2.9 miles. Rogue Valley International Airport is approximately 6.5 miles from the Properties.

A new Fire Station is located approximately 1 mile from Westwood Drive and a fire hydrant is at the corner of Orchard Home and Westwood Drive.



Medford – A fantastic place to live, work and play

**CITY OF MEDFORD**

LD Date: 2/20/2019  
Revised Date: 4/12/2019  
File Number: ZC-18-192  
(Reference: PA-17-100)

**PUBLIC WORKS DEPARTMENT STAFF REPORT  
1987 Westwood Drive – Zone Change  
(TL 700)**

**Project:** Request for consideration of a zone change from SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on approximately 1 acre.

**Location:** Located south of Westwood Drive, approximately 375 feet west of Orchard Home Drive (372W35DD700).

**Applicant:** Applicant & Agent: Judith Ann Hogue; Planner, Steffen Roennfeldt

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

**I. Sanitary Sewer Facilities**

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

**II. Storm Drainage Facilities**

This site lies within the Little Elk Creek Drainage Basin. The subject property currently drains to the northwest. The proposed zone change to MFR-15 has the potential to increase storm drainage flows to down gradient properties. Based on this information, the Public Works Department recommends this zone change be denied, or the applicant stipulate to only

ZC-18-192

develop so the total storm drainage flows do not exceed current zoning limitation, or the Developer provide evidence of storm drainage easements to Little Elk Creek.

### III. Transportation System

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

No conditions pertaining to streets, street capacity, or access are requested by Public Works at this time. **However, no vertical construction shall be allowed on the subject parcel until a minimum 20-foot wide paved width has been provided for access to an improved public street. Because Westwood Drive is an unimproved 20-foot wide existing right-of-way, this may involve acquiring right-of-way dedication and/or easements from the neighboring parcels.**

Prepared by: Jodi K Cope  
Reviewed by: Doug Burroughs  
Revised by: Jodi K Cope

The above report is based on the information provided with the Zone Change Application submittal and is subject to change based on actual conditions, revised plans and documents or other conditions. A full report with additional details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection shall be provided with a Development Permit Application.



BOARD OF WATER COMMISSIONERS

**Staff Memo**

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

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

**SUBJECT:** ZC-18-192

**PARCEL ID:** 372W35DD TL 700

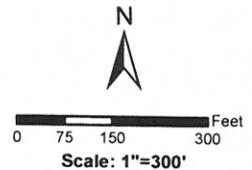
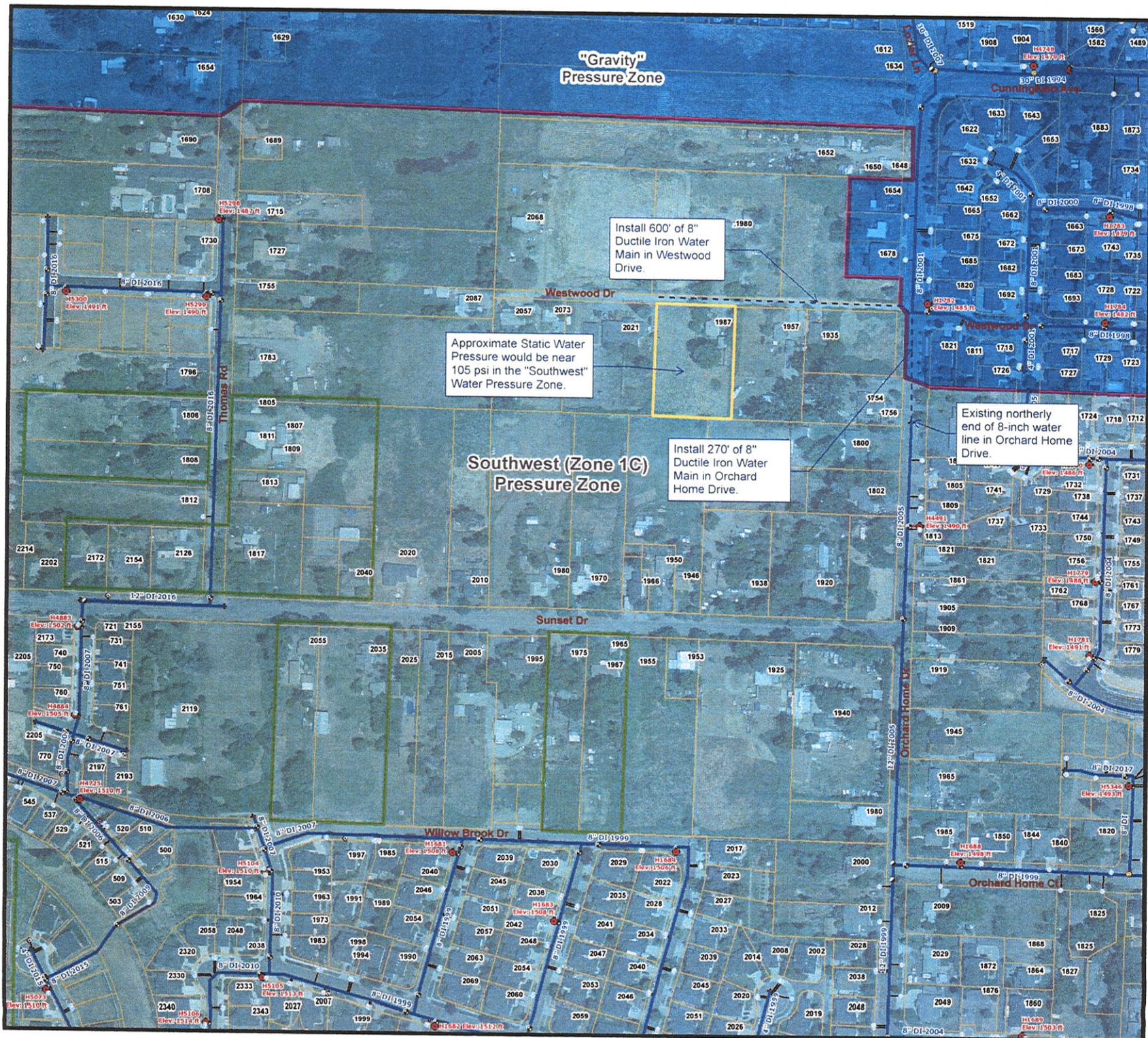
**PROJECT:** Request for consideration of a zone change from SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on approximately 1 acre located south of Westwood Drive, approximately 375 feet west of Orchard Home Drive (372W35DD700); Applicant & Agent: Judith Ann Hogue; Planner, Steffen Roennfeldt

**DATE:** February 20, 2019

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

**COMMENTS**

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. The MWC water distribution system does have adequate capacity to serve this property.
3. MWC-metered water service does not exist to this property currently.
4. This Lot along the south side of Westwood Drive is located in MWC's "Southwest Zone 1C" pressure zone, and High-Level System Development Fees (SDC's) apply to these properties. Applicant can coordinate with MWC Engineering Staff on the amount of System Development Fees for this property.
5. "Off-site" water line installation will be conditioned at time of future proposed site development review. To serve domestic water to the Lot located at 1987 Westwood Drive the developer would be required to install approximately 270-feet of 8-inch water line in Orchard Home Drive, and approximately 600-feet of 8-inch water line in Westwood Drive. (See provided Water Facility Map)
6. The existing well on this property will be conditioned to be abandoned at time of future land division, or the installation of appropriate State of Oregon approved backflow assembly.
7. Access to MWC water lines is available. The nearest "Zone 1C" water line is located in Orchard Home Drive approximately 270-feet to the south of Westwood Drive where an 8-inch water line is currently "stubbed" for future extension to the north. (See Comment 5 above)



**Water Facility Map for ZC-18-192**  
February 20, 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



This map is based on a digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission cannot accept any responsibility for errors, omissions, or outdated or incorrect information. There are no warranties, expressed or implied.

Date: 2/20/2019  
Path: G:\MISD\WMC Map.mxd MWC\_SDE\_Letter.LS Jan 1 2018.mxd

# Memo



**To:** Steffen Roennfeldt, Planning Department  
**From:** Mary Montague, Building Department  
**CC:** Judith Ann Hogue, Applicant & Agent  
**Date:** February 13, 2019  
**Re:** ZC-18-192

---

## **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](http://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](http://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. No comments for Zone Change.
4. Permits required for any development.



**Medford Fire-Rescue Land Development Report**

**Review/Project Information**

**Reviewed By:** Kleinberg, Greg

**Review Date:** 2/7/2019  
**Meeting Date:** 2/20/2019

**LD File #:** ZC18192

**Planner:** Steffen Roennfeldt

**Applicant:** Judith Ann Hogue

**Project Location:** South of Westwood Drive, approximately 375 feet west of Orchard Home Drive (372W35DD700);

**Project Description:** Request for consideration of a zone change from SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on approximately 1 acre

**Specific Development Requirements for Access & Water Supply**

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

**Construction General Information/Requirements**

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when 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](http://www.medfordfirerescue.org)

ZC-18-192



# ROGUE VALLEY SEWER SERVICES

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

February 11, 2019

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

**Re: ZC-18-192, Judith Ann Hogue (372W35D – 700)**

ATTN: Steffen,

The subject property is within the RVSS service area. There is an 8 inch sewer main running along Westwood Dive to the north and a 4 inch service extended to the subject property. Currently, there is adequate system capacity for the proposed zone change. Future development must be reviewed for compliance with RVSS standards.

Please feel free contact me with any questions.

Sincerely,

*Nicholas R. Bakke*

Nicholas R. Bakke, P.E.  
District Engineer

*ZC-18-192-7*



99-34129

86115jp

EXHIBIT A

Commencing at a point 907.50 feet South of the northeast corner of Donation Land Claim No. 80 in Township 37 South, of Range 2 West of the Willamette Meridian in Jackson County, Oregon; thence West 420.64 feet to the true point of beginning; thence continue West 169.0 feet; thence North 271.98 feet; thence East 169.0 feet; thence South 271.98 feet to the true point of beginning.

(Code 49-03, Account #1-44028-9, Map #372W35DD, Tax Lot #700)

RECEIVED

DEC 28 2018

PLANNING DEPT.

Jackson County, Oregon  
Recorded  
OFFICIAL RECORDS

JUN 25 1999

2:10 PM  
*[Signature]*  
COUNTY CLERK

Z.L.D 455/243

2-

CITY OF MEDFORD  
EXHIBIT #  
FILE # ZC-18-192

7



Project Name:

**Zone Change  
 1987 Westwood Drive**

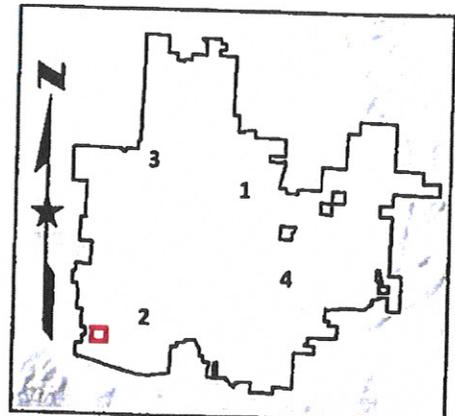
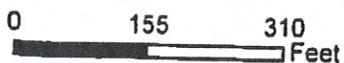
Map/Taxlot:

**372W35DD TL 700**

**Legend**

-  Subject Area
-  Zoning Districts
-  Tax Lots

01/18/2019



10  
5  
11

After recording return to:  
Lawyers Title Insurance Corporation  
1555 E. McAndrews Road, Suite 100  
Medford OR 97504

Until a change is requested, all tax statements shall be sent to Grantee at the following address:

1987 Westwood Dr.  
Medford OR 97501

RECEIVED

MAR 20 2019

PLANNING DEPT.

PROPERTY LINE ADJUSTMENT DEED

Judith Ann Hogue

, Grantor, conveys to  
Judith Ann Hogue

, Grantee, the following described real property:  
See Exhibit "A" attached hereto and made a part hereof

The true consideration for this conveyance is \$ 0.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 19 day of November, 2003

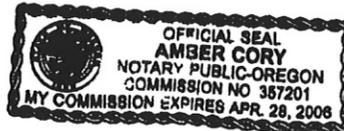
Judith Ann Hogue  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

STATE OF OREGON  
COUNTY OF Jackson

The foregoing instrument was acknowledged before me this 19 day of November 2003, by  
Judith Ann Hogue

Amber Cory  
Notary Public for Oregon  
My commission expires 4/28/06



1

20-18-192

03 81955

Jackson County, Oregon  
Recorded  
OFFICIAL RECORDS

EXHIBIT A

DEC 03 2003  
2:10 PM  
*Darrell L. Huck*  
COUNTY CLERK

Commencing at the Northeast corner of Donation Land Claim No. 80 in Township 37 South, Range 2 West, Willamette Meridian, Jackson County, Oregon; thence along the east boundary of said claim, South 00°05' West 635.52 feet; thence WEST 414.24 feet; thence South 00° 05' West 10.00 feet to a 5/8 inch iron pin situated on the southerly boundary of Westwood Drive for the **POINT OF BEGINNING**; thence South 00°05' West 261.98 feet to a 5/8 inch iron pin situated on the southerly boundary of that tract of land described in Instrument No. 93-10199, official records of Jackson County, Oregon; thence along said southerly boundary, WEST 6.00 feet to the southeast corner of that tract of land described in Instrument No. 99-34129 of said official records; thence along the southerly boundary of said tract, WEST 169.00 feet to the southwest corner thereof; thence along the westerly boundary of said tract, North 00°05' East 261.98 feet to the southerly boundary of the aforesaid Westwood Drive; thence along said southerly boundary, EAST 175.00 feet to the point of beginning.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Darrell L. Huck*

OREGON  
FEBRUARY 4, 1993  
DARRELL L. HUCK  
2023

Darrell L. Huck  
L.S. 2023 - Oregon  
Renews 06/30/05  
Hoffbuhr & Associates, Inc.

Oct. 16, 2003  
Adj. TL 700  
(00053des2.doc)

2



Project Name:

**Zone Change  
1987 Westwood Drive**

Map/Taxlot:

**372W35DD TL 700**

**Legend**

-  Subject Area
-  Zoning Districts
-  Tax Lots

01/18/2019

