PLANNING COMMISSION AGENDA

MAY 10, 2018

Commission Members

David Culbertson

Joe Foley

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Patrick Miranda

Alex Poythress

Jared Pulver

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

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380

Agenda

Public Hearing
May 10, 2018
5:30 PM
Council Chambers, City Hall, Room 300
411 West Eighth Street, Medford, Oregon

10. Roll Call

20. Consent Calendar/Written Communications (voice vote)

20.1 LDP-18-023 Final Order of a request for tentative plat approval of a proposed three-lot partition on a 42.4-acre parcel located at 3202 Cheltenham Way within the SFR-6 (Single-Family Residential, six dwelling units per gross acre) and the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning districts (371W081101); Applicant: Delta Waters Properties, LLC; Agent: CSA Planning Ltd.; Planner: Dustin Severs.

20.2 LDP-17-165 / E-17-164 Final Orders of a request for tentative plat approval for a proposed three lot partition with an Exception to standard street improvements on 1.73 acres located at the southeasterly corner of South Riverside Avenue and Earhart Street within the C-H (Heavy Commercial) zoning district (371W30DB TL 8800). Applicant: Hamlin Properties, LLC; Agent: Polaris Land Surveying, LLC; Planner: Liz Conner.

20.3 CUP-18-026 Consideration for a revision of an existing CUP to allow for a firewood ministry accessory use of Westminster Presbyterian Church located at 2000 Oakwood Drive on the southeast corner of Oakwood Drive and South Barneburg Drive within a SFR-4 (Single Family Residential – four dwelling units per gross acre) zoning district (371W29BD TL 3700). Applicant: Westminster Presbyterian Church, Barnabas Sprinkle; Planner: Liz Conner.

20.4 LDS-15-044 Consideration of request for a time extension for High Cedars Subdivision, a 176-lot residential subdivision on 116.58 acres located on the south side of Cedar Links Drive, approximately 1,000 feet west of Foothill Drive within the SFR-4/PD (Single Family Residential, four dwellings per gross acre/Planned Unit Development Overlay) zone district. Applicant: Cedar Investment Group LLC; Agent: CSA Planning, Ltd.; Planner: Kelly Akin.

30. Minutes

30.1 Consideration for approval of minutes from the April 26, 2018, 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

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

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.**

New Business

50.1 **LDP-18-028** Consideration of a request for tentative plat approval of a proposed two-lot partition on a 0.44-acre parcel located at 2815 Lone Pine Road within the SFR-4 (Single-Family Residential, four dwelling units per gross acre)) zoning district (371W17DD1400); Applicant: Tom Gaffey; Agent: Hoffbuhr & Associates Inc.; Planner: Dustin Severs.

60. Reports

60.1 Site Plan and Architectural Commission

60.2 Joint Transportation Subcommittee

60.3 Planning Department

70. Messages and Papers from the Chair

80. Remarks from the City Attorney

90. Propositions and Remarks from the Commission

100. Adjournment

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL FOR	)	
	)	**ORDER**
DELTA WATERS PROPERTIES, LLC [LDP-18-023]	)	

ORDER granting approval of a request for tentative plat approval of *File No. LDP-18-023*, as follows:

Tentative plat approval of a proposed three-lot partition on a 42.4-acre parcel located at 3202 Cheltenham Way within the SFR-6 (Single-Family Residential, six dwelling units per gross acre) and the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning districts (371W081101).

WHEREAS:

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

2. The Medford Planning Commission has duly held a public hearing on the request for consideration of tentative plat approval described above, with a public hearing a matter of record of the Planning Commission on April 26, 2018; and

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

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

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for *Delta Waters Properties, LLC*, stands approved per the Planning Commission Report dated April 26, 2018, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated April 26, 2018.

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

Accepted and approved this 10th day of May, 2018.

CITY OF MEDFORD PLANNING COMMISSION

_____

Planning Commission Chair

ATTEST:

_____

Planning Department Representative

City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

PLANNING COMMISSION REPORT

for a type-C quasi-judicial decision: Land Division – Partition

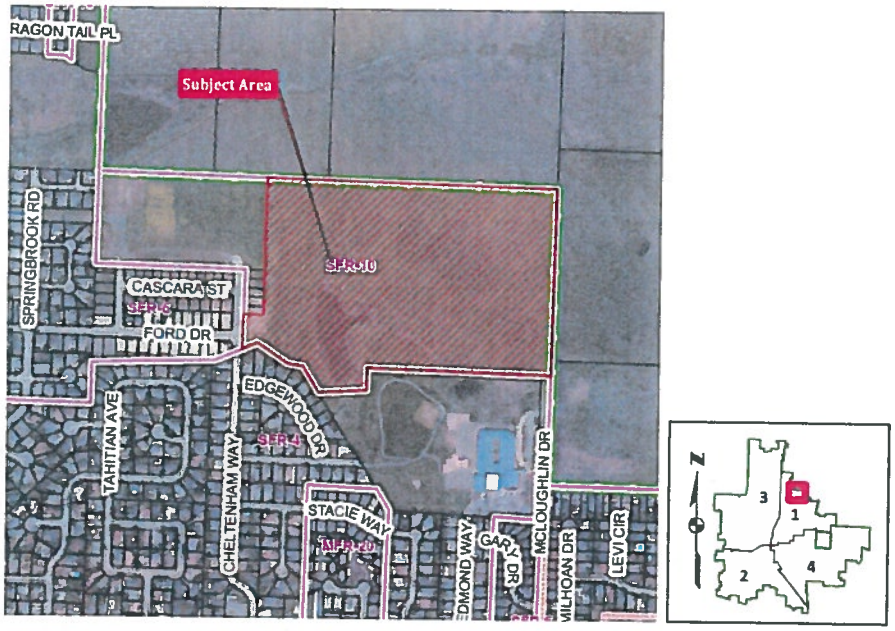
PROJECT	Delta Waters Properties - Partition Applicant: Delta Waters Properties, LLC. Agent: CSA Planning Ltd.
FILE NO.	LDP-18-023
DATE	April 26, 2018

BACKGROUND

Proposal

Consideration of a request for tentative plat approval of a proposed three-lot partition on a 42.4-acre parcel located at 3202 Cheltenham Way within the SFR-6 (Single-Family Residential, six dwelling units per gross acre) and the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning districts (371W081101).

Vicinity Map



Subject Site Characteristics

Zoning: SFR-10 (Single-Family Residential, ten dwelling units per gross acre) and SFR-6 (Single-Family Residential, six dwelling units per gross acre).

GLUP: UR (Urban Residential)

Overlay(s): AC (Airport Area of Concern) and RZ (Restricted Zoning)

Use(s): Vacant

Surrounding Site Characteristics

North Zone: Jackson County EFU (Exclusive Farm Use)
Use(s): Single-family residence/low intensity agriculture

South Zone: SFR-4 (Single-Family Residential, four dwelling units per gross acre)
Use(s): Edgewood Estates subdivision, Abraham Lincoln Elementary School

East Zone: Jackson County EFU (Exclusive Farm Use)
Use(s): Single-family residence/low intensity agriculture

West Zone: SFR-6
Use(s): Delta Estates Subdivision Phases 1-3

Applicable Criteria

MLDC 10.270: Land Division Criteria

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

(1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;
(2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;
(3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;
(4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land

divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;
(5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;
(6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

Corporate Names

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

ISSUES AND ANALYSIS

Site History

SITE HISTORY

FILE #	DATE	DESCRIPTION
ZC-10-078	February 10, 2011	Zone change from SFR-00 to SFR-10
LDP-13-086	September 15, 2014	Final plat approval for a 3-lot partition on 65.55-acres, including the subject 42.4-acre property.
LDP-13-086	February 5, 2016	Final plat approval for Delta Estates – Phase 1
LDS-16-090 ZC-16-089	November 10, 2016	Tentative plat approval for Delta Estates – Phases 3-5, a 93-lot residential subdivision, and a zone change from SFR-10 to SFR-6.
PLA-17-072	August 21, 2017	Property line adjustment altering the boundaries of property and separating the subject 42.4-acre property from the approved Delta Estates – Phases 1-3.
LDP-13-086	March 1, 2018	Final plat approval for Delta Estates – Phase 2 & 3

The subject 42.4-acre parcel is a part of the larger Delta Estates subdivision (65.5 acres), which was first platted as a 3-lot partition (with oversized reserve parcels) in 2014 (LDP-13-086) with the subject 42.4-acre site then split between parcels 3 and 4 and identified as "Residual Parcels" on the final plat (Exhibit K).

Delta Estates – Phase I, identified as Parcel 1 on the 2014 partition plat, received final plat approval on February 5, 2016 (Exhibit L). The remaining area of the original 65.5-acre Delta

Estates site received tentative plat approval on November 10, 2016 (LDS-16-090, Exhibit M) for a 93-lot subdivision, which included future phases 3-5.

The tentative plat of Delta Estates – Phases 3-5 included the westerly 10.41-acre portion of the subject site identified as Parcel I on the tentative plat for the subject application (Exhibit B), and identified as future Phases 4 and 5 on the approved tentative plat from November 10, 2016 (LDS-16-090, Exhibit M). Delta Estates – Phase 2, received final plat approval on March 1, 2018 (Exhibit O). Delta Estates – 4 and 5, identified as the westerly 10.41-acre Parcel I on the subject tentative plat (Exhibit B), has yet to receive final plat approval.

The approval of the subject request will not terminate the previous tentative plat approval of Parcel I - tentatively approved as future Phases 4-5 (LDP-16-090); rather, the subject partition will simply establish a property line boundary around these tentatively approved future phases (the tentative plat approval of Phases 4-5 are set to expire in 2021).

A Property Line Adjustment was approved on August 21, 2017 (PLA-17-072), which adjusted the east/west boundary line of the site and created the subject 42.4-acre parcel as it is currently configured (Exhibit N).

Current Proposal

The applicant is now requesting to create a 3-lot partition on the remaining 42.4-acre parcel of the Delta Estates subdivision. The three resulting parcels identified on the submitted tentative plat (Exhibit B) will consist of a 10.41-acre parcel identified as Parcel I, a 12.23-acre parcel identified as Parcel II, and a 19.76-acre parcel identified as Parcel III. The applicant's submitted *Findings of Fact and Conclusions of Law* (Exhibit C) state the purpose of the partition is for business and estate planning purposes and no development will result from approval of this application. The applicant's findings further state that the intended land use for the subject site – in the short-term – is to seek final plat approval for Parcel I, which has already received tentative plat approval for Delta Estates - Phases 4 and 5 (LDS-16-090), and to develop the remaining Parcels 2 and 3 in the future as a phased residential development.

Reserve Acreage

All three parcels identified on the submitted tentative plat exceed the maximum lot area range allowed for the site's underlying SFR-10 and SFR-6 zoning districts, as found in MLDC 10.710. The applicant's submitted *Findings of Fact and Conclusions of Law* (Exhibit C) state that the applicant will stipulate that no new dwelling units may be constructed on the resulting lots unless and until a subsequent plan authorization is issued by the City that will result in dwelling unit counts that are between the minimum and maximum under the applicable zoning district standard. The applicant's findings go on to state that if said stipulation is unacceptable to the City, then the applicant would opt to designate the parcels as Reserve Acreage, pursuant to MLDC 10.708(A)(3)(a). At the Land Development meeting held on March 28, 2018, it was staff's recommendation to the applicant that simply designating all three parcels as Reserve Acreage – allowing the area to be removed from the density calculation at the developer's discretion and developed at later time – would be the most expeditious approach. The applicant agreed to said stipulation.

While the construction of public improvements along all abutting rights-of-way are required of subdivisions prior to final plat approval, designating the parcels as Reserve Acreage will allow the applicant to delay the construction of the public improvements until the time at which the properties are developed, pursuant to MLDC 10.708(A)(3)(a).

As a condition of approval, the applicant will be required to submit a revised tentative plat identifying all three parcels as reserve acreage, prior to final plat approval.

Restricted Zoning (RZ) Overlay

At the time of zone change approval (ZC-10-078), the subject property was analyzed for transportation facility adequacy, which resulted in the applicant stipulating to a trip cap on the property based on the projected number of dwelling units constructed on the site in the future. The subject partition application will have no impact on the trip cap stipulated on the property; however, the applicant will be required to coordinate with the City as the site is further subdivided in the future to assure compliance with the trip cap.

Per MLDC 10.413, titled *Restricted Zoning Administrative Mapping Category, RZ*, the Restricted Zoning Administrative Mapping overlay will be removed from the property upon satisfaction of the conditions of approval or stipulations of the zone change approval.

Agricultural Buffering

Per MLDC 10.801, land proposed for urban development which abuts and has a common lot line with other land which is zoned EFU requires agricultural buffering. The subject property shares a common lot line along both its easterly and northerly border with land located outside of both the City and the Urban Growth Boundary (UGB), and zoned EFU. The applicant submitted an Agricultural Impact Assessment as part of their tentative plat approval in 2016 (LDS-16-090), which determined that the abutting EFU lands are used primarily for passive agriculture. Required mitigation for passive agriculture includes: a 6-foot fence or wall, a deed declaration regarding the adjoining passive agriculture, and measures to mitigate adverse impact of periodic natural run off and agricultural irrigation run off. These mitigation measures will be required to be completed prior to the issuance of building permits for vertical construction, and the subject application is not germane to the future implementation of these measures.

Facility Adequacy

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

Committee Comments

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

DECISION

At the public hearing held on April 26, 2018, the Commission voted unanimously to approve the request while including three new exhibits into the record: a revised tentative plat submitted by the applicant showing a modified boundary between parcels 1 and 2 (Exhibit B-1), a memorandum from the applicant's agent explaining the revision made to the tentative plat (Exhibit P), and a map provided by the applicant illustrating the revised boundary in greater detail (Exhibit Q).

FINDINGS AND CONCLUSIONS

Staff finds the partition plat consistent with the Comprehensive Plan and all applicable design standards set forth in Articles IV and V. Furthermore, the partition will not prevent development of the remainder of the property under the same ownership or of adjoining land; Criteria 4 and 5 are not applicable to the subject development; and the partition will not cause an unmitigated land use conflict, as the applicant has already submitted an Agricultural Impact Assessment identifying future measures to be undertaken by the applicant in order to minimize or mitigate the adverse potential impacts associated with the proximity of urban and agricultural land uses. Staff recommends that the Commission adopt staff's Findings of Fact as presented.

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare a Final Order for approval of LDP-18-023 per the Planning Commission Report dated April 26, 2018, including Exhibits A through Q.

EXHIBITS

A Conditions of Approval, dated April 19, 2018.
B-1 Tentative Plat - Revised, received April 26, 2018.
C Applicant's Findings of Fact, received February 28, 2018.
D Accessor's Map, received February 28, 2018.
E Adopted North Medford Circulation Plan, received February 28, 2018.
F General Land Use Map, received February 28, 2018.
G Zoning Map, received February 28, 2018.
H Public Works Staff Report, received March 28, 2018.
I Medford Water Commission memo, received March 28, 2018.
J Oregon Department of Aviation (ODA) email, received March 21, 2018.
K Final plat for Delta Waters Properties 3-lot Partition, dated September 15, 2014.
L Final plat for Delta Estates – Phase 1, dated February 5, 2016.
M Tentative plat for Delta Waters - Phases 3-5, dated November 10, 2016.
N Final plat – Property Line Adjustment, dated August 21, 2017.
O Final plat – Delta Estates Phase 2 & 3, dated March 1, 2018.
P Memorandum from applicant, received April 26, 2018.

Q **Map illustration, received April 25, 2018.**
Vicinity map

PLANNING COMMISSION

APRIL 26, 2018
MAY 10, 2018

MEDFORD PLANNING COMMISSION

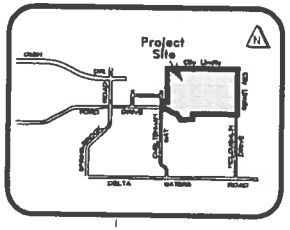
_____
Patrick Miranda, Chair

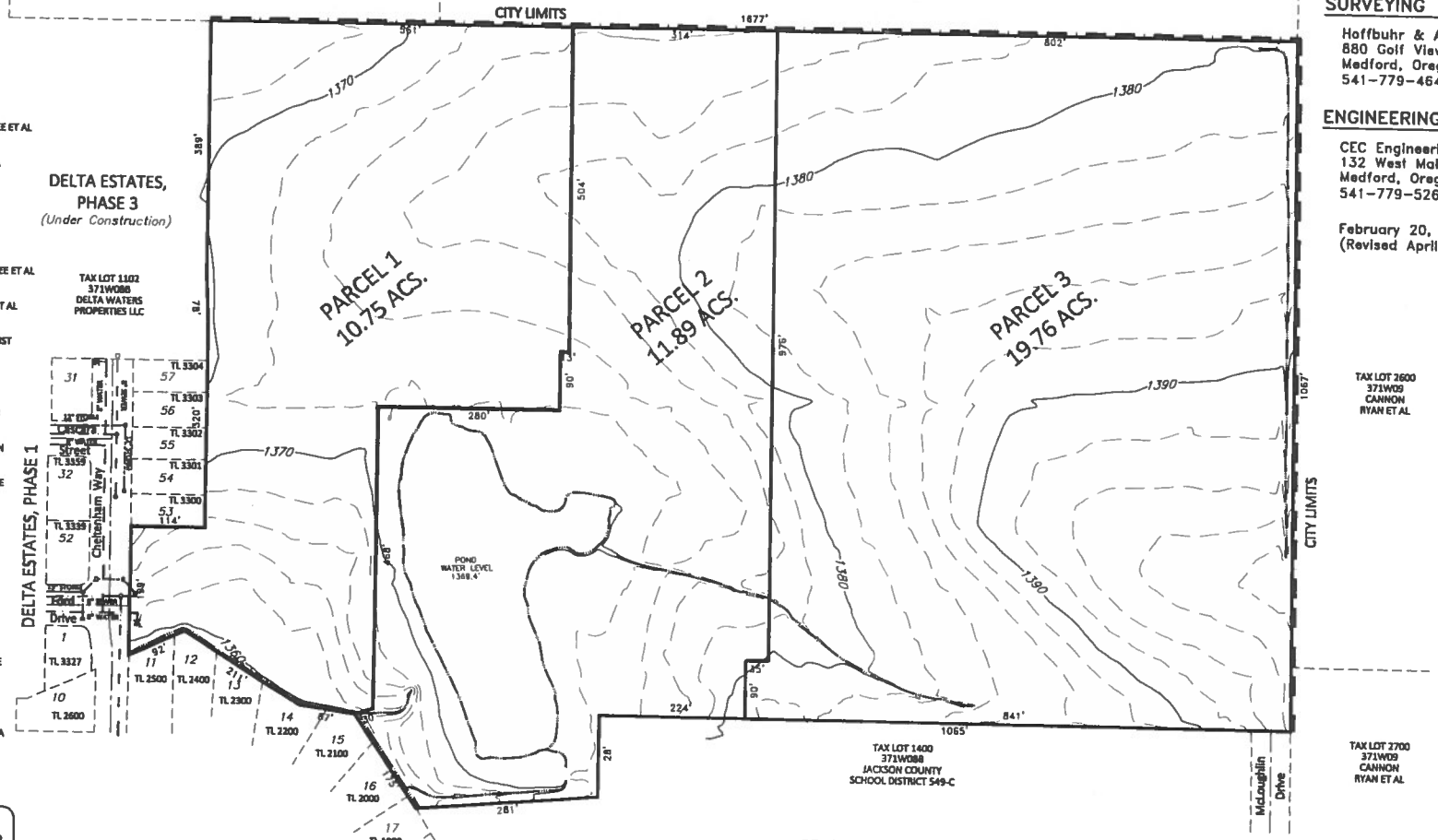
LAND PARTITION
TENTATIVE PLAT

Located in:
In the S.E. 1/4 of Section 8 (8D)
Township 37S., R1W., W.M.,
City of Medford
Jackson County, Oregon
3202 Cheltenham Way
Tax Lot 1101

SCHOOL DISTRICT: 549C (MEDFORD)
IRRIGATION DISTRICT: R.R.V.I.D.
SANITATION DISTRICT: CITY OF MEDFORD
AREA: GROSS = 42.54 ACS-USABLE = 42.40 ACS
ZONING: SFR-6/RZ - SFR-10/RZ
EXISTING USE: VACANT
PROPOSED USE: RESIDENTIAL

VICINITY MAP





ADJOINERS

371W08DB
TL 1800
BOYLE DANIEL J

371W08DB
TL 1900
PEARSON BRENT TRUSTEE ET AL

371W08DB
TL 2000
MYERS JOSHUA/MELISSA

371W08DB
TL 2100
SURGEON SCOTT/TRACY

371W08DB
TL 2200
GREER LINDA S

371W08DB
TL 2300
DAVIS JEANNETTE TRUSTEE ET AL

371W08DB
TL 2400
BARR VALERIE TRUSTEE ET AL

371W08DB
TL 2500
KUHN FAMILY LIVING TRUST

371W08DB
TL 2600
MATHEWS ALAN L

371W08DB
TL 3300
WILKUS GERALD/SHARON

371W08DB
TL 3301
RIPPLINGER CRYSTAL LYNN

371W08DB
TL 3302
MAHON BARBARA/ARCHIE

371W08DB
TL 3303
DURANT MARK/ANGELA

371W08DB
TL 3304
SIMONE JULIEANNE ET AL

371W08DB
TL 3337
CROWL MICHAEL/BONNIE

371W08DB
TL 3338
CITY OF MEDFORD

371W08DB
TL 3339
ALBERTSON BRYSON/GALE

371W08DB
TL 3359
ORTIZ LISA N

371W08DD
TL 5900
[illegible]NCE JORDAN/MICHAELA

OWNER/APPLICANT

DELTA WATERS PROPERTIES, LLC
P.O. Box 430
Medford, Oregon 97501

AGENT

Beverly Thruston-CSA Planning
4497 Brownridge Terrace #101
Medford, Oregon 97504
541-779-0569

SURVEYING

Hoffbuhr & Associates
880 Golf View Dr., Suite 201
Medford, Oregon 97504
541-779-4641

ENGINEERING

CEC Engineering
132 West Main
Medford, Oregon 97501
541-779-5268

February 20, 2018
(Revised April 25, 2018

GRAPHIC SCALE

120 0 60 120 240 480

(IN FEET)
1 inch = 120 ft.

REGISTERED PROFESSIONAL LAND SURVEYOR
ELECTRONIC SIGNATURE
OREGON
JULY 24, 1986
DAVID M. MINNECI
2349
EXPIRES 12/31/18

37S 1W 08 TL 11101

HOFFBUHR & ASSOCIATES, INC.
CONSULTING ENGINEERS
880 GOLF VIEW DR. SUITE 201
MEDFORD, OR 97504
(541) 779-4641
FAX (541) 779-5875

BY: DAVID MINNECI	LS 2349
DATE:	FEBRUARY 20, 2018
PROJECT:	
PROJECT NO.	18-027
DRAWING FILE NO.	18027TENT2.DWG
SCALE:	1" = 120'
REVISION NO.	ONE
REVISION DATE:	APRIL 25, 2018
BASIS OF BEARING:	
DRAWN BY:	DMM
REVIEWED BY	
SHEET 1 OF 1	

EXHIBIT # B-1
CITY OF MEDFORD
File # LDP-18-023

CSA Planning, Ltd
4497 Brownridge, Suite 101
Medford, OR 97504
Telephone 541.779.0569
Fax 541.779.0114
Jay@CSAplanning.net

Memorandum

To: Medford Planning Commission

Attn: Dustin Severs Planner III

Date: April 26, 2018

Subject: Revised Tentative Partition Plan

Over the last two months, the Delta Waters Properties LLC (Owner) and Hayden Homes (Developer) have been evaluating options to deal with the legacy irrigation holding pond on the property. Some potential options would include filling the pond to support single-family development. This option brought up the need to adjust, slightly, the boundary between Parcel 1 and Parcel 2 on the south boundary of the project. Attached is the revised tentative for that area. Also, the tentative now reflects the request to have the parcels designated "Reserve Acreage".

The change is very minor and has no effect on the findings or compliance with the criteria.

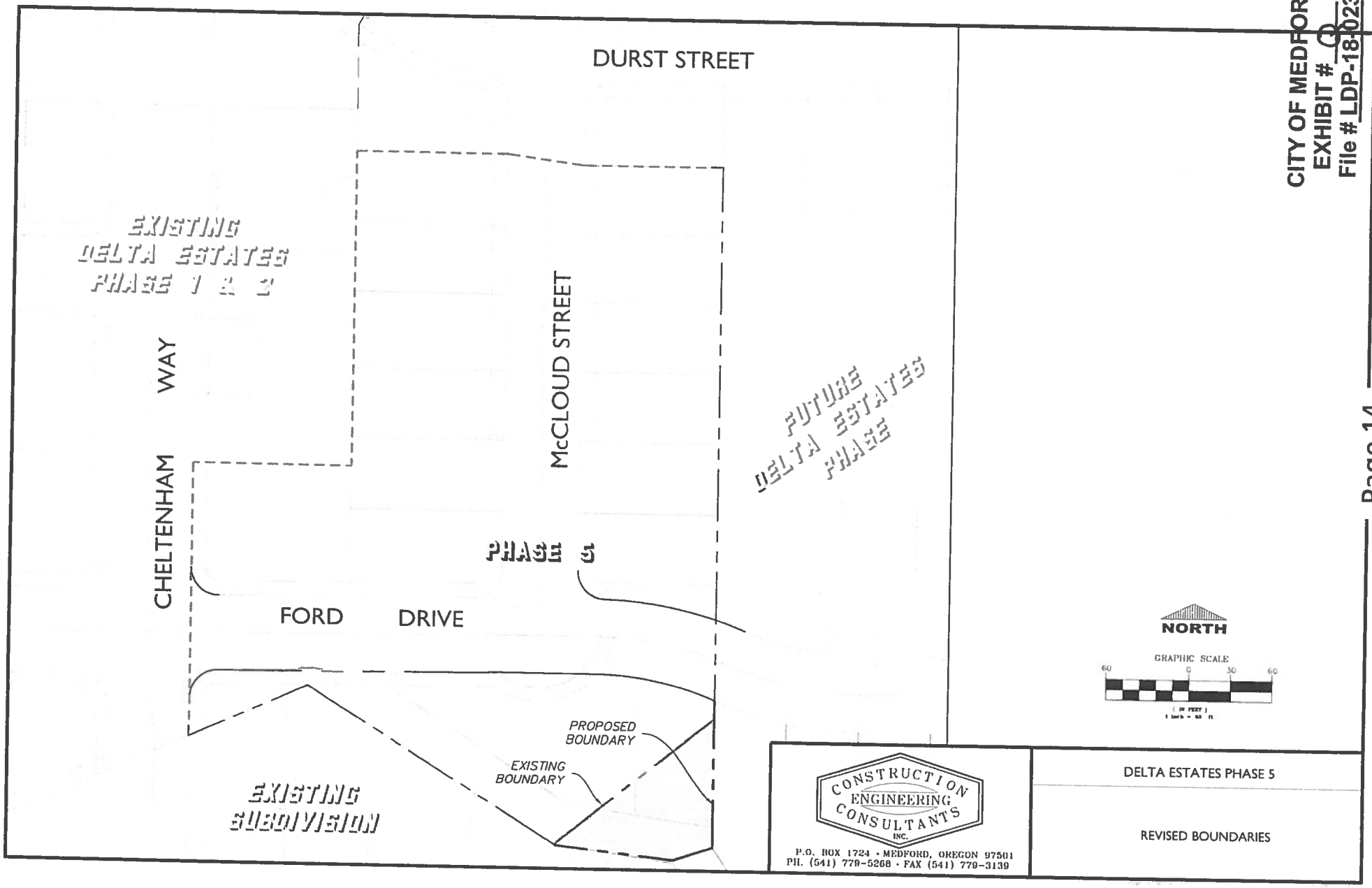
Please add this revised plat to the record and transmit this memo and the attached tentative to the Commission via email. We will bring hard copies to the hearing tonight.

CSA Planning, Ltd.

Jay Harland
President

cc: File

CITY OF MEDFORD
EXHIBIT # P
File # LDP-18-023



CITY OF MEDFORD
EXHIBIT # 9
File # LDP-18-023

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL FOR	)	
	)	**ORDER**
HAMLIN PROPERTIES, LLC [LDP-17-165]	)	

ORDER granting approval of a request for tentative plat approval of *File No. LDP-17-165*, as follows:

Tentative plat approval for a proposed three lot partition with an Exception to standard street improvements on 1.73 acres located at the southeasterly corner of South Riverside Avenue and Earhart Street within the C-H (Heavy Commercial) zoning district (371W30DB TL 8800).

WHEREAS:

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

2. The Medford Planning Commission has duly held a public hearing on the request for consideration of tentative plat approval described above, with a public hearing a matter of record of the Planning Commission on April 26, 2018; and

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

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

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for *Hamlin Properties, LLC*, stands approved per the Planning Commission Report dated April 26, 2018, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated April 26, 2018.

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

Accepted and approved this 10th day of May, 2018.

CITY OF MEDFORD PLANNING COMMISSION

_____

Planning Commission Chair

ATTEST:

_____

Planning Department Representative

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

IN THE MATTER OF APPROVAL OF AN EXCEPTION FOR	)	
	)	**ORDER**
HAMLIN PROPERTIES, LLC [E-17-164]	)	

ORDER granting approval for a request of an exception for *Hamlin Properties, LLC*, as described below:

Requesting an Exception to standard street improvements on 1.73 acres located at the southeasterly corner of South Riverside Avenue and Earhart Street within the C-H (Heavy Commercial) zoning district (371W30DB TL 8800).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.251 and 10.252; and

2. The Medford Planning Commission has duly held a public hearing on the exception for *Hamlin Properties, LLC*, as described above, with the public hearing a matter of record of the Planning Commission on April 26, 2018.

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

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

THEREFORE LET IT BE HEREBY ORDERED that the exception for *Hamlin Properties, LLC*, as described above, stands approved per the Planning Commission Report dated April 26, 2018, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for exception approval is hereafter supported by the findings referenced in the Planning Commission Report dated April 26, 2018.

BASED UPON THE ABOVE, the Planning Commission determined that the exception is in conformity with the provisions of law and Section 10.253 criteria for an exception of the Land Development Code of the City of Medford.

Accepted and approved this 10th day of May, 2018.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Chair

ATTEST:

_____
Planning Department Representative

PLANNING COMMISSION REPORT

for a Type-C quasi-judicial decision: **Land Division, Exception**

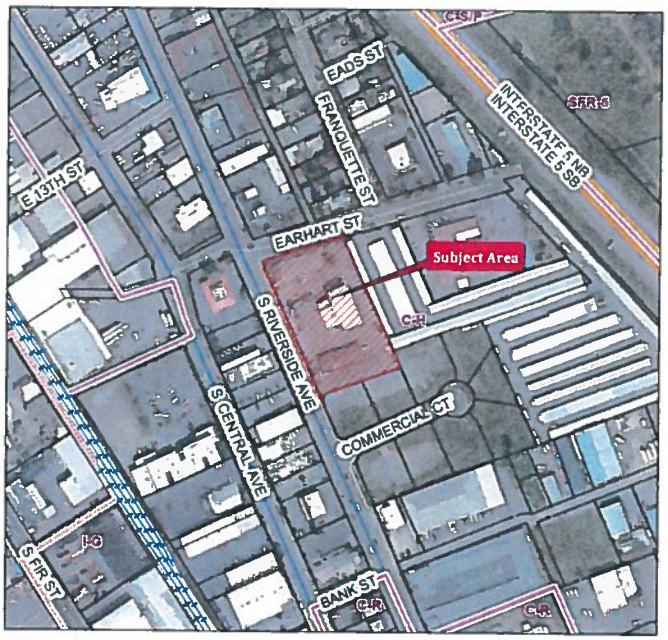
Project	Hamlin Partition Applicant: Hamlin Properties; Agent: Polaris Land Surveying, LLC
File no.	LDP-17-165/ E-17-164
Date	April 26, 2018

BACKGROUND

Proposal

Consideration of a request for tentative plat approval for Hamlin Properties, a proposed three lot partition on 1.73 acres with an Exception to standard street improvements, located at the southeasterly corner of South Riverside Avenue and Earhart Street within a C-H (Heavy Commercial) zoning district (371W30DB TL 8800).

Vicinity Map



Subject Site Characteristics

Zoning	C-H	Heavy Commercial
GLUP	CM	Commercial

Use	Funeral Directors, Professional Credit Service, Spectrum, Party Gallery office space

Surrounding Site Characteristics

North	Zone:	C-H
	Use:	Car Wash
South	Zone:	C-H
	Use:	Vacant
East	Zone:	C-H
	Use:	Mini Storage
West	Zone:	C-H
	Use:	Restaurant, Motel

Related Projects

PLA-07-198 Property Line Adjustment

AC-97-003 Commercial Building

Applicable Criteria

MLDC 10.270: Land Division Criteria

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

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

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

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

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

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

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

MLDC 10.253: CRITERIA FOR AN EXCEPTION

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority having jurisdiction over the plan authorization unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.

(2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.

(3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.

(4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

<u>Corporate Names</u>

Hamlin Properties I LLC, Henry C Breithaupt is the registered agent on record.

ISSUES AND ANALYSIS

Project Summary

The subject parcel has three existing single story commercial buildings that will remain on each proposed Parcel 1, Parcel 2 and Parcel 3 of the partition. The property has frontage along South Riverside Avenue and Earhart Street. Both street are public streets with curb, gutter and sidewalk improvements along the entire frontages. South Riverside Avenue is a Major Arterial with 64 feet of right of way and Earhart Street is designated at a Commercial Street with 60 feet of right of way.

Proposed Configuration

The proposed configuration of the tentative plat (Exhibit B) meets the development standards for Heavy Commercial per the MLDC Section 10.721 Commercial and Industrial Site Development Standards.

Facility Adequacy

Per the agency comments submitted to staff, (Exhibits F-J), it can be found that there are adequate facilities to serve the site.

Exception Request

The Public Works report requires a sufficient right-of-way dedication to accommodate a 10 foot planter strip and a five foot sidewalks. The Applicant's surveyor is to determine the needed right-of-way dimension. The tentative plat (Exhibit B) proposes to dedicate a strip of land two feet in width along the South Riverside frontage which matches the adjoining right-of-way line and a 15 foot wide Public Utility Easement to match the existing Public Utility Easements. Per the applicant's findings (Exhibit C and D) the current right-of-way width along South Riverside Avenue does not meet the standards of Major Arterial widths, and is requesting an Exception to the dedication requirements for MLDC Section 10.428 and Section 10.495 for street lighting standards.

The granting of this exception is harmonious with the general intent of the regulations of the code, and will not permit a use that is not permitted in the zoning district. Criterion one and two have been met.

The unique and unusual circumstance of this partition is that the frontages along South Riverside Avenue and Earhart Street are fully improved with curb, gutter, and sidewalk, but does not have the required 100 feet of right-of-way width and the strict enforcement of the code would cause an undue hardship on the owner. Therefore criterion three has been met.

The exception request is not a direct result of an illegal act, and no greater profit would result because of the request being approved. Criterion four has been met.

FINDINGS AND CONCLUSIONS

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

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare the final order for approval of LDP-17-165 and E-17-164 per the Planning Commission report dated April 26, 2018, including Exhibits A through J.

EXHIBITS

- **A** Conditions of Approval, dated April 19, 2018
- **B** Tentative Plat received December 7, 2017
- **C** Assessor Map received December 7, 2017
- **D** Applicants findings and conclusions for Land Partition Received December 7, 2017
- **E** Applicants findings and conclusions for Exception Received December 7, 2017
- **F-1 City of Medford Public Works Staff report received April 24, 2018**
- **G** City of Medford Fire Department Staff report received January 10, 2018
- **H** City of Medford Building Department memo received January 10, 2018
- **I** Medford Water Commission meme received January 10, 2018
- **J** Jackson County Roads Department letter received January 3, 2018
- Vicinity map

MEDFORD PLANNING COMMISSION

_____

Patrick Miranda, Chair

PLANNING COMMISSION AGENDA: **APRIL 26, 2018**
May 10, 2018

Medford – A fantastic place to live, work and play

CITY OF MEDFORD

Revised Date: 4/24/2018
File Numbers: LDP-17-165/E-17-164

PUBLIC WORKS DEPARTMENT STAFF REPORT
Hamlin Properties – 3- Lot Partition
South Riverside Avenue (TL 8800)

Project: Consideration of a request for tentative plat approval for Hamlin Properties, a proposed three lot partition on 1.73 acre parcel with an exception to standard street improvements.

Location: Located at the southeasterly corner of South Riverside Avenue and Earhart Street within a C-H (Heavy Commercial) zoning district (371W30DB TL 8800).

Applicant: Applicant, Hamlin Properties, LLC; Agent, Polaris Surveying, LLC.; Liz Conner, Planner.

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

- **Approval of Final Plat**:
  - Right-of-way, construction and/or assurance of the public improvements in accordance with Medford Land Development Code (MLDC), Section 10.666 & 10.667 (Items A, B & C)

A. STREETS

1. Dedications

South Riverside Avenue is classified as a Major Arterial street. The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to accommodate a 5-foot wide sidewalk with a 10-foot wide planter strip, in accordance with Medford Land Development Code (MLDC), Section 10.428. **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 **South Riverside Avenue**, per the methodology established by the MLDC 3.815. **Should the Developer elect to have the value of the land be determined by an**

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appraisal, a letter to that effect must be submitted to the City Engineer within sixty (60) calendar days of the date of the Final Order of the governing Commission. The City will then select an appraiser, and a cash deposit will be required as stated in Section 3.815.

An exception request has been submitted for the Planning Commissions consideration for a reduction of the required right-of-way dedication to approximately 2-feet, along the southwest corner of the parcel fronting South Riverside Avenue. This will provide adequate right-of-way for all the components of a Major Arterial street with the exception of a planter strip on the east side. If the exception request is denied, the Developer's surveyor shall verify the amount of additional right-of-way required per MLDC 10.428.

Earhart Street is classified as a Commercial street, in accordance with MLDC Section 10.429. All street section improvements, with the exception of a planter strip, have been completed in close conformance with current standards, including pavement, curb and gutter, and sidewalks. **No additional right-of-way will be required with this Partition.**

In accordance with MLDC 10.471, **the property owner shall dedicate a 10-foot wide public utility easement** (PUE) adjacent to the new right-of-way line along the frontage to South Riverside Avenue.

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

2. **Public Improvements**

   a. **Public Streets**

South Riverside Avenue – All street section improvements, with the exception of a planter strip, have been completed in close conformance with current standards, including pavement, curb and gutter, and sidewalks. **No additional public improvements are required.**

Earhart Street – As noted above, all street section improvements, with the exception of a planter strip, have been completed in close conformance with current standards, including pavement, curb and gutter, and sidewalks. **No additional public improvements are required.**

   b. **Street Lights and Signing**

The Applicant has requested an Exception for the elimination of the standard street improvements on South Riverside Avenue and Earhart Street. If approved as requested, then no streetlights would be provided with this development. Otherwise, street lights will be required as noted below.

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

Street Lighting – Developer Provided & Installed:

A. 1 – Type A-400
B. 1 – Type R-150

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

A. 1 – Base Mounted Cabinet (BMC)

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

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

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

c. Pavement Moratoriums

There are no pavement cutting moratoriums currently in effect along this frontage to South Riverside Avenue or Earhart Street.

d. Access to Public Street System

The Developer shall submit evidence of or provide cross-access easement(s) to/from all newly created parcels in accordance with MLDC 10.550 as part of the Final Plat approval.

e. Easements

Easements shall be shown on the final plat 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.

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.

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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.

South Riverside Avenue:

The additional right-of-way on South Riverside Avenue will provide the needed width for a future planter strip. South Riverside Avenue is a 35 mile per hour facility, which currently carries approximately 14,600 vehicles per day. The 10-foot planter strip moves pedestrians a safe distance from the edge of the roadway on South Riverside Avenue. South Riverside Avenue will also be the primary route for pedestrians traveling to and from this future development.

Local street right-of-way 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.

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Dedication of the Public Utility Easements (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

The 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.

B. SANITARY SEWERS

The proposed development is situated within the Medford Sewer service area. The Developer shall provide one separate service lateral to each Parcel prior to approval of the Final Plat.

C. STORM DRAINAGE

1. Drainage Plan

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.

2. Mains and Laterals

Unless a shared private storm drain system is being used, a storm drain lateral shall be constructed to each parcel prior to approval of the Final Plat. Easements shall be shown on the Final Plat for storm drain laterals crossing property other than the one being served by the lateral. If a private storm drain system is being used to drain this site, the applicant shall provide a joint use maintenance agreement.

D. SURVEY MONUMENTATION

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

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

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

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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. Construction and Inspection

The Developer or Developer's contractor shall obtain appropriate right-of-way permits from the Department of Public Works prior to commencing any work within the public right-of-way that is not included within the scope of work described within approved public improvement plans. Pre-qualification is required of all contractors prior to application for any permit to work in the public right-of-way.

4. Permits

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

5. System Development Charges (SDC)

Future buildings in this development are subject to street and sanitary sewer treatment SDCs. These SDC shall be paid at the time individual building permits are taken out.

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

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SUMMARY CONDITIONS OF APPROVAL

Hamlin Properties – 3- Lot Partition **LDP-17-164/E-17-165**
South Riverside Avenue (TL 8800)

A. Streets

1. Street Dedications to the Public:

- **South Riverside Avenue** – Dedicate additional right-of-way, unless otherwise approved through an exception.
- **Earhart Street** – No additional right-of-way required.
- Dedicate 10-foot Public Utility Easement (PUE) along the South Riverside Avenue frontage.

2. Improvements:

a. Public Streets

- **South Riverside Avenue** – No additional improvements are required.
- **Earhart Street** – No additional improvements are required.

b. Lighting and Signing

- Developer supplies and installs all street lights at own expense. Unless the exception is approved.
- City installs traffic signs and devices at Developer's expense.

c. Access to Public Street System

- Provide cross-access easements.

d. Other

- There is no pavement cutting moratorium currently in effect on South Riverside Avenue or Earhart Street.

B. Sanitary Sewer:

- Ensure or construct separate individual sanitary sewer connection.

C. Storm Drainage:

- Provide joint use maintenance agreement.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

- Provide public improvement plans if exception is not granted.

▪ = City Code Requirement
o = Discretionary recommendations/comments

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

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

IN THE MATTER OF PLANNING COMMISSION FILE CUP-18-026 APPLICATION FOR A	)	
	)	**ORDER**
CONDITIONAL USE PERMIT SUBMTTED BY WESTMINSTER PRESBYTERIAN CHURCH	)	

ORDER granting approval of a request for a conditional use permit for *Westminster Presbyterian Church,* described as follows:

A revision of an existing CUP to allow for a firewood ministry accessory use of Westminster Presbyterian Church located at 2000 Oakwood Drive on the southeast corner of Oakwood Drive and South Barneburg Drive within a SFR-4 (Single Family Residential – four dwelling units per gross acre) zoning district (371W29BD TL 3700).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.246 and 10.247; and,

2. The Medford Planning Commission has duly held a public hearing on the matter of an application for a conditional use permit for *Westminster Presbyterian Church,* as described above, with a public hearing a matter of record of the Planning Commission on April 26, 2018.

3. At the public hearing 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 hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted a conditional use permit for *Westminster Presbyterian Church*, as described above.

THEREFORE LET IT BE HEREBY ORDERED that the application for *Westminster Presbyterian Church,* as described above, stands approved in accordance per the Planning Commission Report dated April 26, 2018.

AND LET IT FURTHER BE OF RECORD that the action of the Planning Commission in approving this request for *Westminster Presbyterian Church*, as described above, is hereafter supported by the findings referenced in the Planning Commission Report dated April 26, 2018.

Accepted and approved this 10th day of May, 2018.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Chair

ATTEST:

_____
Planning Department Representative

PLANNING COMMISSION REPORT

for a Type-C quasi-judicial decision: **Conditional Use Permit**

Project	Westminster Presbyterian Church – Project Warm Applicant: Barnabus Sprinkle
File no.	CUP-18-026
Date	April 26, 2018

BACKGROUND

Proposal

Consideration for a revision of an existing CUP to allow for a firewood ministry accessory use of Westminster Presbyterian Church located at 2000 Oakwood Drive on the southeast corner of Oakwood Drive and South Barneburg Drive within a SFR-4 (Single Family Residential – four dwelling units per gross acre) zoning district (371W29BD TL 3700).

Vicinity Map

Subject Site Characteristics

Zoning	SFR-4	Single-family residential (4 dwelling units per gross acre)
GLUP	UR	Urban Residential
Use	Church	

Surrounding Site Characteristics

North	Zone:	SFR-4
	Use:	Single family dwellings
South	Zone:	SFR-4
	Use:	Single family dwellings
East	Zone:	SFR-4
	Use:	Single family dwellings
West	Zone:	SFR-4
	Use:	Single family dwellings

Related Projects

CUP-72-116 Church Parking Area
CUP-78-293 YMCA of Medford Children Center
CUP-80-346 Sanctuary Addition
CUP-95-005 Parking Lot Expansion

Applicable Criteria

Medford Municipal Code §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.

In authorizing a conditional use permit the approving authority (Planning Commission) may impose any of the following conditions:

(1) Limit the manner in which the use is conducted, including restricting the time an activity may take place, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.

(2) Establish a special yard or other open space or lot area or dimension requirement.

(3) Limit the height, size, or location of a building or other structure.

(4) Designate the size, number, location, or nature of vehicle access points.

(5) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.

(6) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.

(7) Limit or otherwise designate the number, size, location, height, or lighting of signs.

(8) Limit the location and intensity of outdoor lighting, or require its shielding.

(9) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.

(10) Designate the size, height, location, or materials for a fence.

(11) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.

10.249 Conditional Use Permits, Mitigation of Impacts.

Development requiring the mitigation of impacts under Section 10.248(2), Conditional Use Permit Criteria, must do one of the following:

(1) Preserve unique assets of interest to the community.

(2) Provide a public facility or public nonprofit service to the immediate area or community.

(3) Otherwise provide a use or improvement that is consistent with the overall needs of the community in a location that is reasonably suitable for its purpose.

ISSUES AND ANALYSIS

Background

Westminster Presbyterian Church is located on the block surrounded by Oakwood Drive, S Groveland Avenue, Woodlawn Drive and S Barneburg Road in east Medford. It is within a residential area with detached single family residences fully developed to SFR-4 density. As it is surrounded by streets there are no abutting residential properties.

Westminster Presbyterian Church was established in the Rogue Valley in 1958. As listed above, a number of Conditional Use Permits have been approved for the site, dating back to 1972 when the parking lot was built. The Church has a variety of ministries that provide service to the community including Project Warm, which is a ministry that distributes free firewood to low-income households for home heating. Activities related to Project Warm are the subject of this application.

On October 31, 2017, City of Medford Code Enforcement received a complaint from a neighbor that raised concerns about the wood stockpile, specifically rodents and compatibility with the neighborhood and suitability with the zoning. (Exhibit I)

Churches are conditional uses in the residential zoning districts. In Medford Land Development Code (MLDC) Section 10.246:

> *A development classified as a conditional use shall be given special review via this process in order to assure the appropriateness for the site and allow for adjustment to be made to assure its compatibility with adjacent land uses.*

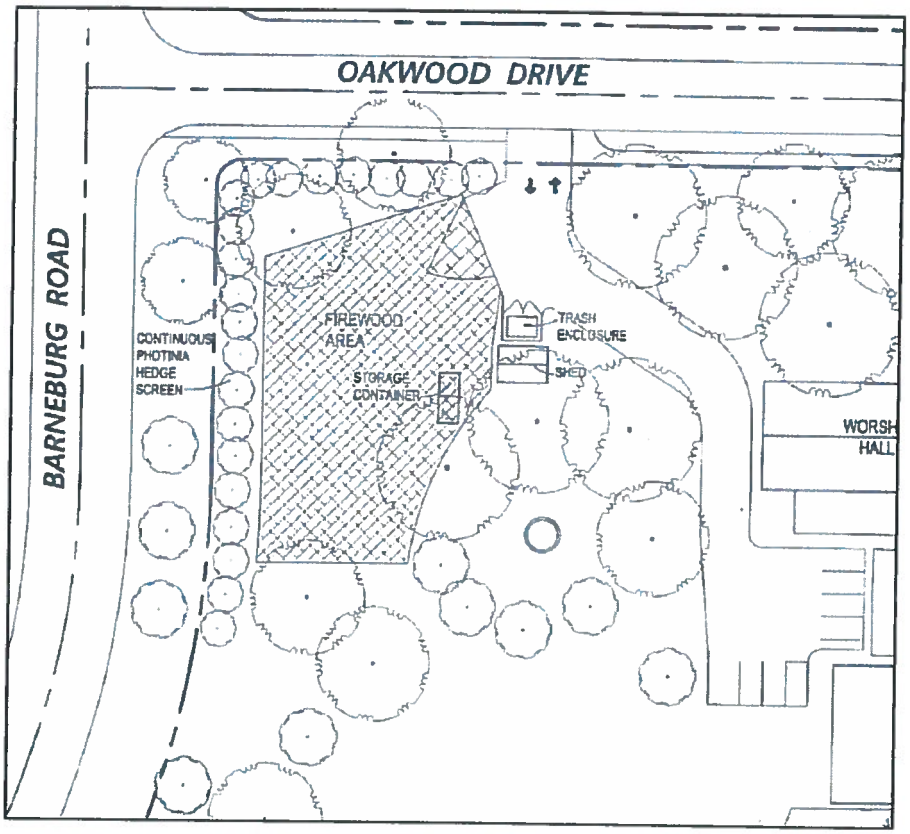
Processing wood products is not a permissible use in any residential zone; however, staff found this particular ministry to be akin to a food bank which is commonly associated with religious institutions. The applicant applied for the modification to the existing CUP based on this determination.

Project Warm

The Applicant's findings (Exhibit C) state that the Project Warm ministry has been operational for the past 38 years. Activities occur within daylight hours Monday through Saturday, usually only a few days per week. It is operated entirely by volunteers.

Project Warm activities are limited to the northwesterly corner of the 5.76 acre site and consume approximately one-half acre (Exhibit B, excerpt below). A red-tip Photinia hedge of varying height is located along S Barneburg Road and Oakwood Drive between the driveway and Barneburg. The hedge has not yet reached its mature height of roughly nine to twelve feet tall. There is a chain link fence and gate with slats between the trash enclosure and Oakwood Drive and an additional non-view obscuring gate, but the area is not otherwise fenced or screened.

Exhibit B Excerpt



The City of Medford aerial photos below show the area where the wood is processed and stored. Photos were taken during various times of the year in 2007, 2010, 2013 and 2016.

2007 City of Medford Aerial Photo

2010 City of Medford Aerial Photo

2013 City of Medford Aerial Photo

2016 City of Medford Aerial Photo

Logs and downed trees are donated by various sources and delivered to the site where the wood is processed. (There are typically two to six volunteers on site at a time, but there could be as many as 12.) The volunteers process the whole logs and trees into split firewood and stack it for it to become seasoned, or dried. The seasoning process reduces the smoke while it is being burned.

Last year the ministry delivered over 250 truck or trailer loads of firewood – roughly 150 cords – to residents within the community. (A cord measures 4 feet by 4 feet by 8 feet, or 128 cubic feet.) Project Warm has delivered approximately 100 cords from October 2017 till the present. This year their delivery total is approximately 170 cords.

Neighborhood Impacts

Staff has identified four impacts; each is discussed below. The Planning Commission has authority to mitigate adverse impacts in MLDC 10.248(2) as listed above. Staff has proposed mitigation for each identified impact and included said measures as conditions of approval on Exhibit A.

Aesthetics and Visibility

The wood stored on site is in varying states of being processed, from large logs and trees to firewood to piles of chips. Staff approximates that the piles of wood were approximately 6 feet in height at the site visit of April 17, 2018. The Applicant's findings (Exhibit C) state that once the logs are processed they are stacked on pallets and allowed to season for use the next winter.

As noted above and shown in the photos (Exhibit J), the site is partially screened with a Photinia hedge. The living screen is attractive and can be effective; however, living screens require maintenance and die over time. Combinations of wood fencing and landscape screens are common in the surrounding area.

Proposed Mitigation – Aesthetics and Visibility:

Staff recommends that the processing area shown on the site plan be enclosed with a view-obscuring fence placed behind the Photinia hedge. The material may be wood or masonry and a minimum of six feet in height. Chain link with or without slats is not an acceptable screening material. Additionally, the Photinia hedge (or a similar species) and fence/wall screening should be maintained in good condition as long as Project Warm is active.

Staff recommends limiting the height of the stacked wood so that it does not exceed the height of the surrounding screening.

Decision: To maintain a Photinia or other similar vegetation hedge to be an overall height of six feet to eight feet, that has no gaps greater than 24 inches within 24 months. And to limit the height of the stacked wood to no greater than six feet.

Rodent Control

One of the complaints issued regarding Project Warm is a proliferation of rats. The Church maintains a contract with a professional exterminator to prevent rodent nesting. A letter confirming the existing contract has been provided as Exhibit C.

Proposed Mitigation – Rodent Control:

Staff recommends that the Church retain a contract with a professional exterminator as long as Project Warm is active.

Decision: Remove requirements to maintain a professional exterminator on contract.

Noise

Project Warm's primary source of processing equipment is small scale power tools such as chain saws and wood splitters. The ministry's hours of operation are between 8:00 a.m. and 6:00 p.m. as stated in the Applicant's findings (Exhibit C).

Proposed Mitigation - Noise:

A condition of approval has been included to refrain from violating the noise ordinance contained in Medford Municipal Code Section 5.225.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

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

(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.

In authorizing a conditional use permit the approving authority (Planning Commission) may impose any of the following conditions:

(1) Limit the manner in which the use is conducted, including restricting the time an activity may take place, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.

(2) Establish a special yard or other open space or lot area or dimension requirement.

(3) Limit the height, size, or location of a building or other structure.

(4) Designate the size, number, location, or nature of vehicle access points.

(5) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.

(6) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.

(7) Limit or otherwise designate the number, size, location, height, or lighting of signs.

(8) Limit the location and intensity of outdoor lighting, or require its shielding.

(9) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.

(10) Designate the size, height, location, or materials for a fence.

(11) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.

10.249 Conditional Use Permits, Mitigation of Impacts.

Development requiring the mitigation of impacts under Section 10.248(2), Conditional Use Permit Criteria, must do one of the following:

(1) Preserve unique assets of interest to the community.

(2) Provide a public facility or public nonprofit service to the immediate area or community.

(3) Otherwise provide a use or improvement that is consistent with the overall needs of the community in a location that is reasonably suitable for its purpose.

Conclusion:

The Planning Commission can find that Project Warm is a service that is in the public interest as it provides heating assistance to low income households. Wood storage and processing do cause adverse impacts as described in the staff report and applicant's findings (Exhibit C). The Planning Commission can find that the conditions of approval in Exhibit A are authorized in MLDC 10.248(2)(1), (9) and (10) above and necessary to mitigate the identified adverse impacts. Further, as required in MLDC 10.249, the Planning Commission can find that the Westminster Presbyterian Church provides Project Warm as a public nonprofit service to the community.

RECOMMENDED ACTION

Adopted the findings as modified by staff, found that the proposal meets the criterion at MLDC 10.248(2) and directed staff to prepare the final order for approval of CUP-18-026 per the Planning Commission report dated April 26, 2018, including Exhibits **A-1** through **O**.

EXHIBITS

A-1 Conditions of Approval dated April 26, 2018
B Maps received March 02, 2018
  a. Site Plan received March 02, 2018
  b. Zoning Map received March 02, 2018
  c. Assessors Map received March 02, 2018
C Applicants findings and conclusions received March 02, 2018
D Letter from Clarence Newhall received April 10, 2018
E City of Medford Public Works memo received April 4, 2018
F City of Medford Fire Department Memo received April 4, 2018
G City of Medford Building Department Memo received April 4, 2018
H Medford Water Commission Memo received April 4, 2018
I Email from Deputy City Attorney dated March 22, 2018
J Site photos taken April 17, 2018
K **Petition Supporting Project Warm received April 23, 2018**
L **Letters from neighbors received April 23, 2018**
M **Letters from recipients received April 23, 2018**
N **Letter from Kathleen Odom received April 24, 2018**
O **Letter from Susan Lee received April 26, 2018**
Vicinity map

MEDFORD PLANNING COMMISSION

_____

Patrick Miranda, Chair

PLANNING COMMISSION AGENDA: **APRIL 26, 2018**
May 10, 2018

EXHIBIT A-1
Conditions of Approval

CUP-18-026
Westminster Presbyterian Church Project Warm
April 26, 2016

DISCRETIONARY CONDITIONS

1. The Photinia hedge (or a similar species) along the street frontages shall be an overall height of six to eight feet with no gaps in hedge greater to 24 inches within 24 months.
2. The height of the stacked wood shall not exceed six (6) feet.

CODE-REQUIRED CONDITION

3. The applicant shall refrain from violating the noise ordinance contained in Medford Municipal Code Section 5.225.

RECEIVED
APR 23 2018
PLANNING DEPT

Petition Supporting WPC's Conditional Use Permit

By signing below, I/we support the approval of the Conditional Use Permit request for Westminster Presbyterian Church to continue their firewood ministry, Project Warm. As a resident of the city of Medford, I agree with this cause, am satisfied with the way they operate and have no objection to this permit request.

Name	Address	Date
[illegible]	39 Glen Oak Ct	4-17-18
Judith E. Monks	39 Glen Oak Ct, Medford, OR 97504	4-17-18
Greta Willy	40 Glen Oak Ct., Medford	4/17/18

CITY OF MEDFORD
EXHIBIT # K 1 of 3
File # CUP-18-026

Petition Supporting WPC's Conditional Use Permit

By signing below, I/we support the approval of the Conditional Use Permit request for Westminster Presbyterian Church to continue their firewood ministry, Project Warm. As a resident of the city of Medford, I agree with this cause, am satisfied with the way they operate and have no objection to this permit request.

Name	Address	Date
Karen M Greene	45 S. Barneburg Rd.	4/17/18
J. Mary Pat Naumes	56 Barneburg Rd.	4/19/18
Robert M Hughes	1848 Woodlawn Dr	4/19/18
[illegible]	205 S. Barneburg Rd.	4/19/18

"K"
2 of 3

Petition Supporting WPC's Conditional Use Permit

By signing below, I/we support the approval of the Conditional Use Permit request for Westminster Presbyterian Church to continue their firewood ministry, Project Warm. As a resident of the city of Medford, I agree with this cause, am satisfied with the way they operate and have no objection to this permit request.

Name	Address	Date
Vit + Jack Findley	42 S Groveland	Apr 17, 2015
Ally Hamilton	28 S. Groveland Ave	Apr 17/18
Kathy Lawson	28 N. Groveland Ave	Apr. 17 '18
Maray Pierce	2146 Hillcrest Rd	4/17/18
Courtney Lynx	109 S. Groveland	4/17/18

"K"
3 of 3

Dear Zoning Commission,
I support the approval of a conditional use permit for Westminster Presbyterian church to continue their firewood ministry, Project Warm.
As a Neighbor, I am satisfied with the way they operate and have NO objections to this permit request. Thank you.

Wanda Amer
734 W. 14th St.
Medford.
3/15/2018

CITY OF MEDFORD
EXHIBIT # L 1 of 7
File # CUP-18-026

2-22-18

Dear Zoning Commissioner,

I wholeheartedly support the approval of a Conditional Use Permit for Westminster Presbyterian Church to continue their wonderful firewood ministry. I live very close to the church and have, over the past 35 years, watched the project assist many, many people in need. The volunteers work hard to provide a source of heat for families unable to afford to pay for it. The program is operated in an organized, well structured manner. I am impressed by this program and am very much in favor of their permit request.

Sincerely,

Janet Jamieson

"L"
2 of 7

Medford City Council
April 21, 2018

Dear Sirs:

I am writing this letter in support of the Westminster Church's "Project Warm".
I live across the street from the Church and have found them to be excellent neighbors.

They have always been courteous in their hours of operation and thoughtful about their wood cutting activities.

I would ask that you grant the Church a permit to continue their good works.

Sincerely,
Lynda and Gary Stevenson
2101 Woodlawn Dr.
Medford OR 97504

"L"
3 of 7

Dear Zoning Commission,

I support the approval of a Conditional Use Permit for Westminster Presbyterian Church to continue their firewood ministry, Project Warm. As a neighbor, I am satisfied with the way they operate and have no objection to this permit request. Thank you,

Name [illegible]

Address 1998 Woodlawn Dr

Date 4/17/2018

"L"
4 of 7

Dear Zoning Commission,

I support the approval of a Conditional Use Permit for Westminster Presbyterian Church to continue their firewood ministry, Project Warm. As a neighbor, I am satisfied with the way they operate and have no objection to this permit request. Thank you,

Name Joe Hoppe

Address 1982 Woodlawn

Date 4/17/18

"L"
5 of 7

28

Westminster Presbyterian Church
2000 Oakwood Drive
Medford, OR 97504
Project Warm (Firewood)

George McEwan
4047 N. Roxy Dr.
Medford, OR 97504
(541) 941-0824

We moved to Medford from Southern California (Los Angeles) in 1997. We became members of WPC in the early 2000's. After several years, I was asked to serve as a deacon, and did so for two or three years. The Presbyterian Book of Order states that among other things, "It is the duty of deacons, first of all, to minister to those who are in need, to the sick, to the friendless, and to any who may be in distress, both within and beyond the community of faith." Sounds like Project Warm to me!

Being from So. Cal, I had never operated a chain saw, never owned a pick-up truck and thought a maul was where you shopped. In spite of this, a great fellow member and retired nuerosurgeon named Dr. Doug Hildreth (who passed way too early) in 2009, took a chance with me in spite of my limitations. It soon became clear to me that what had begun as a small time operation had outgrown its capabilities. That was confirmed

"L"
6 of 7

to us when were notified by the church office that we were out of firewood and that we were no longer accepting new requests. The date was 12/22 of that year! (Half way through the firewood season!) A total of 40 requests were satisfied. Doug generously provided us with a hydraulic wood splitter, recruited three or four additional volunteers, and we were off and running. Several years later, we were satisfying 200-240 requests per season.

We need to keep this very valuable and necessary mission open and running. Jackson County should feel the same way.

Please call me if you have any questions or comments

Sincerely,
George McEwan

"L"
7 of 7

RECEIVED
APR 23 2018
PLANNING DEPT

Dear Zoning Commission,

I support the approval of a Conditional Use Permit for Westminster Presbyterian Church to continue their firewood ministry, Project Warm. As a neighbor, I am satisfied with the way they operate and have no objection to this permit request. Thank you,

Name Wilson H. CLARK

Address 601 Glennway

Date 2-26-2018

P.S.
I Am a disabled Vet. This firewood ministry is A Life SAVING ministry for me. Please Continue this Conditional use Permit.

CITY OF MEDFORD
EXHIBIT # M
File # CUP 18-026

1 of 11

Medford, Oregon Zoning Commission

Please approve a Conditional Use Permit for Westminster Presbyterian Church to continue their free firewood ministry at 2000 Oakwood Drive in Medford, Oregon 97504.

The "Project Warm" goal is to give families in need free firewood to keep their homes warm all winter.

I do not know what I would do without the wood these wonderful people deliver to me. Without their help my winter heating bill (ELECTRIC) would take a huge chunk of my income. I am a single, senior, female on a limited income – their help is life saving and a true blessing!

Signature: [signature]

Print name: Karen F. Schnabel

Address: 1032 Reddy Ave. Medford, OR 97504

Date: 3/20/18

Please, please allow them to do what they do and remain open to so many people!

Medford, Oregon Zoning Commission

Please approve a Conditional Use Permit for Westminster Presbyterian Church to continue their free firewood ministry at 2000 Oakwood Drive in Medford, Oregon 97504.

The "Project Warm" goal is to give families in need free firewood to keep their homes warm all winter.

This program has helped me 2 winters in A row. I am a Senior Citizen working two Jobs to try to make Ends meet. without "Project Warm", I would not have been Able to Keep my house, myself or my ANIMALS warm. The Cost of Electricity would have put A major Damper on me. I have given their information out to other struggling families Also. Please, Plea Allow them to continue their program. Thank You.

541-878-2857

Signature: Robin Arnold

Print name: Robin Arnold

Address: 2750 Indian Ck Rd
Shady Cove, OR 97539

Date: 3/20/18

Sincerely
Robin Arnold

"M"
3 of 11

Medford, Oregon Zoning Commission

Please approve a Conditional Use Permit for Westminster Presbyterian Church to continue their free firewood ministry at 2000 Oakwood Drive in Medford, Oregon 97504.

The "Project Warm" goal is to give families in need free firewood to keep their homes warm all winter.

Comments:

Dear Sirs: It is my personal testimony that the Westminster Presbyterian Church has been a great Help in sharing firewood with the residence in which I live. This household has NO central heating and can ONLY be warmed by firewood + or utility heaters. Those that live in this household are all over 60 years of age and have ailments. The cold of Oregon is hard on us. It is my Opinion that if the Zoning Commission Overseers decide against the Approval for the Westminster Presbyterian Church to Continue This Ministry in GIVING, NOT SELLING Firewood to Those In Need, You will be doing a disservice to the Public!

Signature: Della Ware

Print name: DELLA WARE

Address: 4100 AVENUE A, WHITE CITY, OR 97503

Date: April 18, 2018

"M"
4 of 11

Dear Zoning Commission,

I support the approval of a Conditional Use Permit for Westminster Presbyterian Church to continue their firewood ministry, Project Warm. As a neighbor, I am satisfied with the way they operate and have no objection to this permit request. Thank you,

Name Bammy Wood

Address 2363 Roberts Rd

Date January 8, 2018

I am in desperate need of this wonderful project. PLEASE grant this permit.

"m"
5 of 11

Medford, Oregon Zoning Commission

Please approve a Conditional Use Permit for Westminster Presbyterian Church to continue their free firewood ministry at 2000 Oakwood Drive in Medford, Oregon 97504.

The "Project Warm" goal is to give families in need free firewood to keep their homes warm all winter.

For a benefit of valley for over 38yrs, why all of a sudden is this a problem? They do a very good job @ serving families in need & I think they should be allowed to continue without outside interference. Its a free service & not a commercial operation. Please let them continue to serve the needy families of the valley now & in the future.

Signature: Ronald R. Wilson

Print name: Ronald R. Wilson

Address: 3670 Falcon St.
White City, Ore 97503

Date: 18 Apr 18

"M"
6 of 11

Dear Zoning Commission,

I support the approval of a Conditional Use Permit for Westminster Presbyterian Church to continue their firewood ministry, Project Warm. As a neighbor, I am satisfied with the way they operate and have no objection to this permit request. Thank you, This ministry is very helpful to me and my family

Name Victoria Barkman

Address 868 W Valley View Rd

Date 3/30/2018

"m"
7 of 11

Medford, Oregon Zoning Commission

Please approve a Conditional Use Permit for Westminster Presbyterian Church to continue their free firewood ministry at 2000 Oakwood Drive in Medford, Oregon 97504.

The "Project Warm" goal is to give families in need free firewood to keep their homes warm all winter.

Signature: Mark Belangee

Print name: MARK BELANGEE

Address: 214 Schoolhouse Ln. Shady Cove OR 97539

Date: 1/4/18

"M"
8 of 11

Dear Zoning Commission,

I support the approval of a Conditional Use Permit for Westminster Presbyterian Church to continue their firewood ministry, Project Warm. As a neighbor, I am satisfied with the way they operate and have no objection to this permit request. Thank you,

Name Brittney Kendall

Address 1036 Court Street
Medford, OR 97501

Date 4-2-18

I Brittney am ok with Project warm without them, sometimes I'd have no wood to keep warm Im low income and its our only source of Heat.

"m"
9 of 11

Medford, Oregon Zoning Commission

Please approve a Conditional Use Permit for Westminster Presbyterian Church to continue their free firewood ministry at 2000 Oakwood Drive in Medford, Oregon 97504.

The "Project Warm" goal is to give families in need free firewood to keep their homes warm all winter.

I am typing this out as I am still recovering from a stroke on Dec, 2,2013. The church has been a Godsend as without them it was next to impossible to keep my house warm, especially after my triple bypass in January 2017 as I had to take it very easy for a while.

Nat Daleo

4100 Avenue A,

White City

Signature: Nat Daleo

Print name:

Address:

Date:

"M"
10 of 11

MATTHEW EPSTEIN
2135 LITTLE APPLEGATE ROAD
JACKSONVILLE, OR. 97530

Feb 25, 2018

Zoning Commission
City of Medford
Medford, OR.

Attention Zoning Commissioner,

Conditional Use Permit for
Westminster Presbyterian Church
Project Warm

As a donor of firewood for the past several years I am in support of the approval of a Conditional Use Permit for the Westminster Presbyterian Church to continue their firewood ministry, Project Warm.

Their work of providing firewood to those residents who have difficulty keeping warm during the cold winter months is a valuable and needed service to under-served citizens in our community.

I am satisfied with the way they are organized and serve members of valley.

Sincerely,

Matt Epstein

Matt Epstein
Ph. 541 899-8644

"m"
11 of 11

KATHLEEN ODOM
4955 CHERRY LANE
MEDFORD, OREGON 97504

RECEIVED
APR 24 2018
Planning Dept.

24 April 2018

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

RE: April 26. 2018 Meeting – Agenda Item 50.3 – CUP-18-026
Revision of Conditional Use Permit for Westminster Presbyterian Church - "Project Warm" and Woodlot adjacent to the Church and related activities

Dear Planning Commission:

I am writing this letter as a member of the Medford community in support of Revision of the Conditional Use Permit for Westminster Presbyterian Church and their "Project Warm" woodlot adjacent to the Church.

My husband and I are not members of Westminster Presbyterian Church. However, we have had direct, personal, and very pertinent experience with the "Project Warm" program. In the winters of 2014 and 2015, we were living rurally and our only source of heat was our woodstove. We are both disabled and we live on a modest fixed income. We ran out of wood! We simply did not have the funds (nor any source of getting them) to buy any more wood, and it was cold! It was a dire situation for us.

Though not in the habit of seeking charity, it was suggested that I contact Westminster Presbyterian Church as they could possibly help us with getting some much needed firewood. We were not members of any organized church here in the Rogue Valley. However, I immediately called the Westminster office and within 24 hours two senior members of the Church, John Stewart and his "helper" (I don't know his name 😐), arrived in our driveway with a pick-up truck filled with beautiful dry mixed wood. They unloaded it for us and stacked it also. They did this on two occasions. **They asked no questions of us, clearly respecting our need as a sincere and immediate one. Obviously, their primary and sole intention was to assist two elder people *desperately* needing wood to keep warm!**

No doubt we were two of the many people in the local community who Westminster Presbyterian continues to assist with the very basic need of winter warmth. We were prime examples of the wide, generous, and unconditional outreach of "Project Warm." **This outreach benefits the *entire* community regardless of religious affiliation. NEED to keep warm is the only qualifying factor! "Project Warm" fills a unique niche of helping those in our community who, for whatever reasons, are unable to purchase wood to keep warm!** I am not aware of any other existing local program focused on providing firewood to those whose sole source of winter warmth is wood. *We now reside in East Medford and no longer have a woodstove. However, I will not soon forget our compassionate and caring experience as recipients of the "Project Warm" outreach.*

I **urge you to approve the revision of the Westminster CUP so that this very valuable "Project Warm" can continue to assist those community members with the very basic human need of winter warmth.**

Unfortunately, I am unable to attend the Thursday meeting; however, I would appreciate your reading of this letter in the meeting or, in the least, sharing it with each of the Committee members prior to voting.

Thank you for considering how valuable "Project Warm" is to our local community, and the importance of it's being allowed to continue, therefore your issuance of a Revised CUP.

Kathleen Odom

CITY OF MEDFORD
EXHIBIT # N
File # CUP-18-026

April 26, 2018

From: Susan Lee
34 Glen Oak Ct.
Medford, OR 97504

To: Medford Planning Commission

Re: CUP-18-026 Consideration for a revision of an existing CUP to allow for a firewood ministry accessory use of Westminster Presbyterian Church located at 2000 Oakwood Drive on the southeast corner of Oakwood Drive and South Barneburg Drive within a SFR04 (Single Family Residential – four dwelling units per gross acre) zoning district (371W29BD TL 3700). Applicant, Westminster Presbyterian Church, Barnabas Sprinkle; Planner, Liz Conner.

I would like to encourage the Planning Commission to deny the proposed CUP for a firewood ministry accessory use of Westminster Presbyterian Church located at 2000 Oakwood Dr.

Pursuant to the Medford City Code, section, 10.314, the use of the property at 2000 Oakwood Drive as an Institution (church) is allowed however, ***the code expressly excludes storage or repair yards or warehouses, cemeteries, etc.*** See the following sections of the code:

10.314 Permitted Uses in Residential Land Use Classification

The following table sets forth the uses allowed within the residential land use classification by zoning district. Uses not identified herein are not allowed. (See Article I, Section 10.012, for the definition of each listed use.)

These symbols indicate the status of each listed use:
"P" = Permitted Use.
"C" = Conditional Use; permitted subject to approval of a Conditional Use Permit. (See Article II, Sections 10.246 - 10.250.)
"X" = Prohibited Use .
"s" = Special Use (See Article V, Sections 10.811- 10.900, Special Use Regulations)
"EA" = Permitted only when within an EA (Exclusive Agriculture) overlay district.
"PD" = Permitted Use if in a PD (Planned Unit Development).

6. NONRESIDENTIAL SPECIAL USES

(c)	Institutional Uses (Schools, Churches, Government Facilities - Excluding Storage or Repair Yards or Warehouses, Cemeteries, etc.)	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.815-817

CITY OF MEDFORD
EXHIBIT # O 1 of 15
File # CUP-18-026

The following code definitions may also apply to this consideration:

10.010 Definitions

(10) Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used in this chapter. Merriam-Webster's Collegiate Dictionary, 11th edition, shall be considered as providing ordinarily accepted meanings.

10.012 Definitions, Specific

Exterior storage. Outdoor storage of fuel, raw materials, products, and equipment. In the case of lumberyards, exterior storage includes all impervious materials stored outdoors. In the case of truck terminals, exterior storage includes all trucks, truck beds, and truck trailers stored outdoors.

Institutional uses. Public and quasi-public uses such as government offices, fire stations, convention or community centers, auditoriums, post offices, public and private schools and colleges (not including business or commercial schools), libraries, museums, utilities, park-n-ride lots, churches, religious or charitable institutions, facilities for organizations and clubs, and cemeteries, mausoleums, columbariums, and crematories.

Junk, salvage or wrecking yard. A place where waste, discharged or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building; and not including pawn shops and establishments for the sale, purchase, or storage of used furniture and household equipment, used cars in operative condition, or salvaged materials incidental to manufacturing operations.

Yard. An open, unoccupied space, other than a court, unobstructed from the ground to the sky, between a lot line and building line.

The proposed conditional use application description is clearly that of an exterior storage of fuel and raw materials (wood) as defined by the Medford City Code. This use is expressly prohibited and this application should be denied.

Additional comments:

The church contends that operation has been in existence for 38 years. I submit the aerial photographs from the USDA from 2005, 2009, 2012, 2014, and 2016 (see attached). These maps show that the area of disturbance for the wood storage operation has significantly changed since I purchased the home, specifically starting in 2012. The operation as currently operating and proposed in the application far exceeds the historic use of the site and both increases and aggravates the adverse impacts from the operation to nearby properties.

"O"
2 of 15

I have the following comments regarding the suggested findings of the planning commission as presented by the applicant:

Traffic – the proposal is inconsistent on the trip generation for the activity. In some places the application indicates 10 trips, 3 trips, and calculations of volunteers suggest more trips. Three trips is not an acceptable transportation trip average because typically trips are "round trip" in nature and each direction counts as a trip. Further traffic analysis is necessary to assess the impact to the road network. No proposed limitations have been placed on this activity.

Access – again, the proposal is inconsistent in the description of the use. The local street is not appropriate for use by multiple truck and trailers. I have personally observed more than 4 truck and trailers on a Saturday parked on the street decreasing view and safety of the neighborhood character (see attached photos).

Parking – the operation does not use the church parking, but instead the street. This type of activity is not residential or institutional in nature. It is not appropriate for the activity. Further, there are no sidewalks in the area and the traffic increases risk of pedestrian and bicycle conflict.

Aesthetics and Neighborhood Visibility – the photos submitted by the applicant are not characteristic of the current condition (see attached photos taken 4/26/18). The wood lot operation is a neighborhood eyesore and is very unattractive. This is especially true of the whole and bucked logs. The volume of the wood onsite is unsightly. The wood is often not stacked and when it is it is, it is only on wood pallets. See attached photos.

Rodent Control – the church is using rodenticide. The Jackson County Vector Control is no longer distributing rodenticide (see http://jcvcd.org/rat-control/). They recommend trapping. When rats eat rodenticide, they bleed out internally and seek sources of water. I have a swimming pool and have had an increase in rodents drown in my pool. This has steadily increased since 2012 with the increase in the operation. Additionally, I have experienced infestation of rodents in my house that have died in crawl space from rodenticide. The application admits there is a rodent problem. Approval of a use that increases this problem is unacceptable. Rodents are a disease vector and Oregon has experienced cases of bubonic plague and hanta virus (see cdc.gov statistics). Use of rodenticide is also hazardous to people and pets. The church operates a day care and children have an increased risk to exposure as a result of this operation (see https://www.scientificamerican.com/article/rat-poisons-endanger-10000-children/). Additionally, the vermin fleeing the property are likely to end up in neighboring yards and poisoning pets (see https://www.preventivevet.com/pet-emergency-statistics). The church has not offered to address the impacts of the increased rodents in the broader neighborhood as a direct result of this operation.

Noise – the church indicates that the noise will be from chain saws and equipment. With the exception of downed trees, I have not heard the operation of chainsaws except for the church. Chain saws operate at 120 decibels and this is damaging to hearing. Having several chainsaws is detrimental to hearing. No restrictions have been offered on operation other than daylight hours. See
https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm
For more information on chainsaw noise.

Adjacent Uses – these are adequately characterized and this proposal is inconsistent with the general development character of the surrounding area. The history of the wood lot use has significantly changed since 2006 as demonstrated by aerial photography (attached).

"O"
3 of 15

Previous Land Use Approvals – the church also operates a day care facility. This is not noted in the application. The potential damage to hearing and exposure to increased vermin/rodenticide seem inconsistent with this use (see links above).

Potential Impacts to Livability, Value and Appropriate Development – the applicant claims a minimal impact on livability. As stated in this letter, this is refuted. The operation has changed significantly as evidence in the aerial photographs. The applicant has not provided any evidence to the contrary. I have experienced problems with disease vectors (more than just rodent). I believe this to be directly correlated with the increase wood lot activity at the site. The proposal states it will limit the wood to the height of the photinia (up to 14' at maturity). Unfortunately, the photinia is not full enough to obscure the view. The wood lot operation is also currently not fully enclosed with either photintia and/or fencing. The site is an eye sore from certain approaches. This type of operation is not compatible. There is every reason to expect that this would impact the value of surrounding homes. This use should be located in an appropriately zoned location. Even as an accessory use, it is expressly prohibited in the code. A wood lot is not consistent with residential zoning. *Approving this would open the door for every church to have such an operation.*

Public Benefits – the applicant contends that free wood is a benefit to disadvantaged people. This is a carbon source of heat. The area is in an air quality maintenance area. There are other programs (from the utility companies) that provide heat sources for disadvantaged people. Further, this activity is more appropriate on a properly zoned property. There are several locations near the city that accept large diameter tree waste that do not require long hauls (Ashland, Jacksonville, White City, etc.). This is not a unique benefit to the community.

Approval Criteria – this activity is expressly prohibited by the code and causes significant adverse effects as described herein. The development is not in the public interest and no adequate conditions have been provided.

Mitigation of Impacts – the proposal suggests that the application would provide a public nonprofit service to the community. The church is listed as a religious organization with members through the State of Oregon Secretary of State Corporation Division (Registry #61003-17). It is not listed as a social or public benefit charity. This criteria is not met. The application is not a unique asset or consistent development. There are more suitable locations for the activity.

Additional considerations not addressed in the application:

Disease Vector - in addition to increased rodents, the wood pile attracts other disease vectors. The trees brought in are downed trees and likely have disease. This neighborhood is one of old growth oak trees. The trees being brought into the area are likely to increase the spread of disease to local trees. This is a safety hazard to local residents.

Wildlife - the increase in rodent populations also increases other wildlife to the area. In the past few years, a red tail hawk has taken residence in my neighbor's tree. The hawk could feed on poisoned rodents. Other vermin such as insects, arachnids, small mammals, birds, etc. are increased. The increase in wildlife are also a risk to pets. My own small dog was damaged by wildlife in November 2017, resulting in a flesh necrotizing bacteria and over $3000 in veterinarian bills and 5 surgical procedures. I believe that the wood lot operations was a likely factor in this incident. The application fails to address any other pest problems besides rodents and inadequately deals with rodents.

Smoke – providing free firewood increases the smoke in the valley. The area is a maintenance area for air quality. Smoke adversely impacts the elderly and youth. The region has a higher than average percentage of

both of these populations. Increasing particulate matter is harmful. It increases repiratory problems. It is also carbon based and contributes to global climate change. Alternative sources should be sought to address the heating challenges for the poor. The local utility providers all have programs for assistance.

Fumes – the operation of chainsaws and gas powered splitters further increases air pollution and fumes in the neighborhood – beyond that of lawn maintenance activities.

Operational considerations – the wood is stacked on wood pallets. The Jackson County Vector Control (at http://jcvcd.org/rat-control/) recommends wood be stacked 18" from the ground and 12" away from any building to reduce rodent infestation. A cord of wood is 128 Cubic Feet. A 40' trailer is 2120 cubic feet. The church proposes 150 cords of wood (plus unknown amounts of logs and bucked wood). This is equivalent to 9 tractor trailers. This is not acceptable for a residential area. This is an operation that is commercial in nature and should be on properly zoned industrial lands. The proposal is for a 100'X150' area (by 9' high) this would be a much larger operation than 150 cords.

Visual Impacts – are not consistent with the appearance of the development in the area and does not complement the architecture.

Hours of Operation – are loosely defined and not acceptable.

Conflict – the proposal increases neighborhood conflict as described herein.

Community Benefit – the testimony provided in the application suggests that those benefitting from the wood lot operation are not solely City of Medford residents (none of the beneficiaries were city residents). The burden of this benefit should not be placed on City of Medford SFR4 zoned property.

I respectfully request that this application be denied. The church should be encouraged to locate the firewood ministry on land appropriately zoned for this activity.

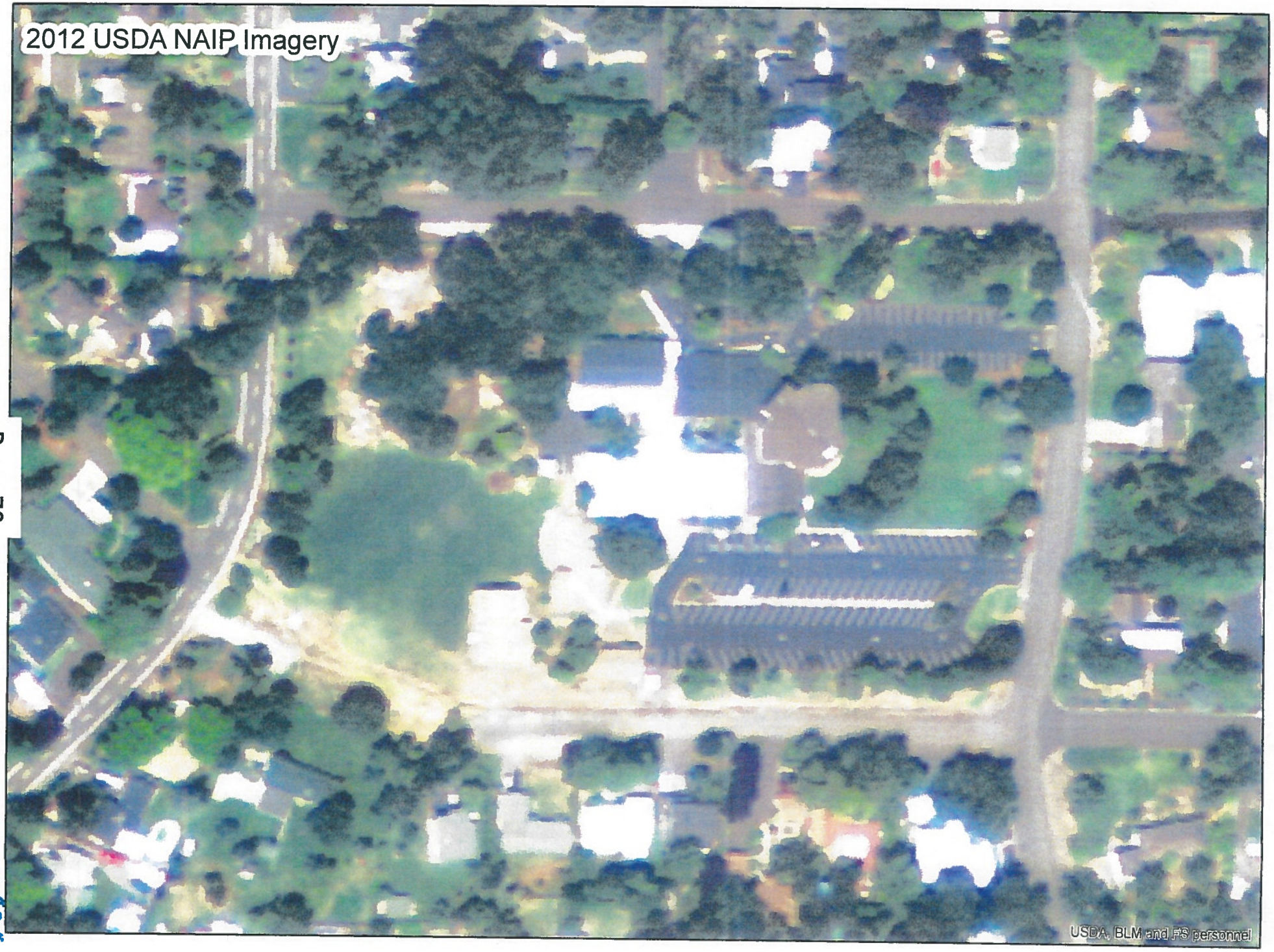
Attachments:

Aerial Photography Maps 2005, 209, 2012, 2014, 2016
Site photos taken April 26, 2018
Photos of Jack's Surgery 2017-2018
Staging Photos taken February 24, 2018

"O"
5 of 15

"D"

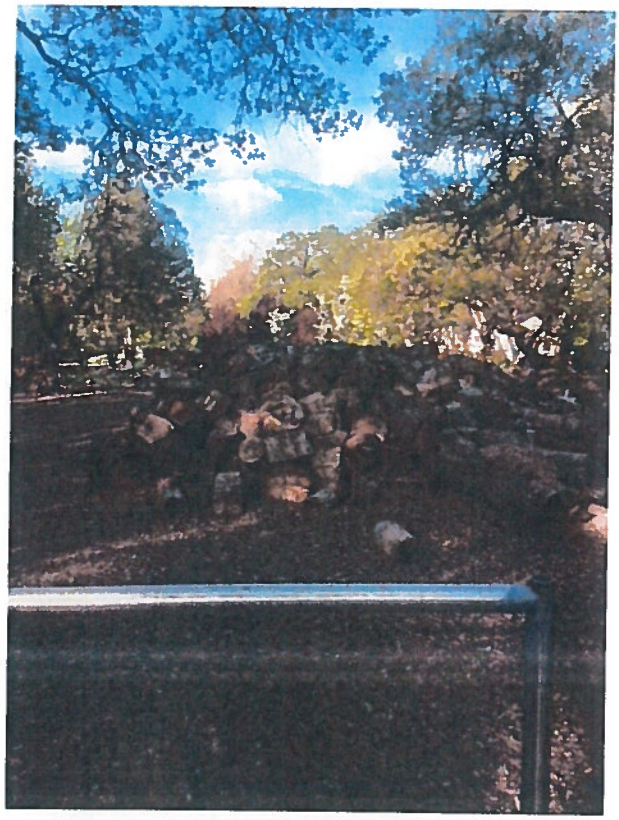
2009 USDA NAIP Imagery
USDA, FS, and BLM Personnel


2012 USDA NAIP Imagery
USDA, BLM and FS personnel

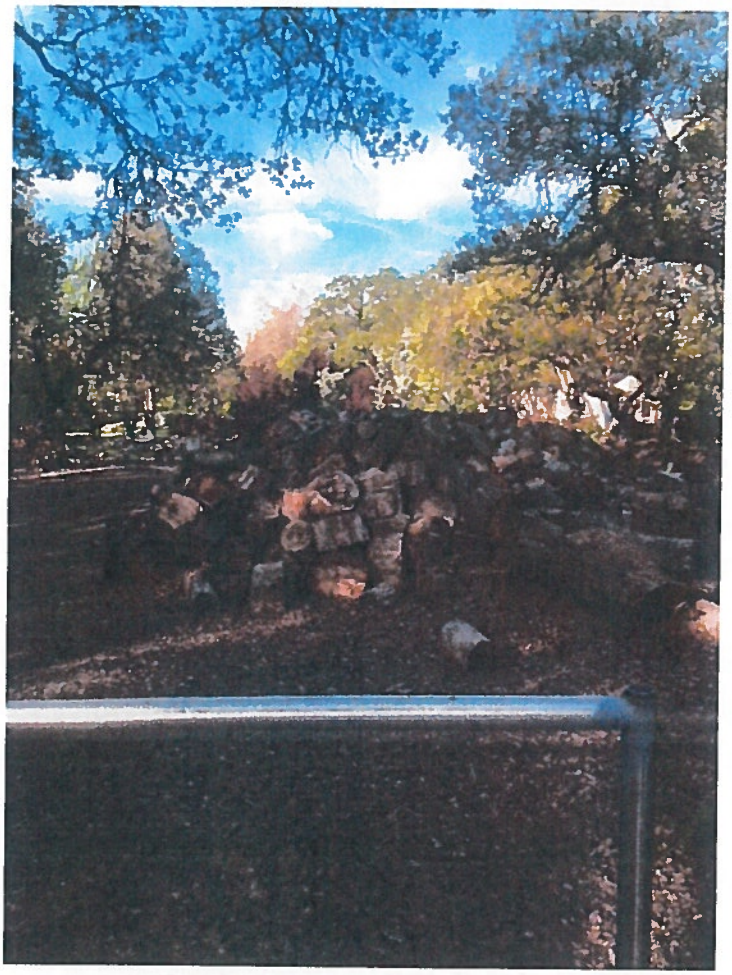
2014 USDA NAIP Imagery
USDA - APFO - USDA - USFS - RSAC

2016 USDA NAIP Imagery
USDA - FSA - APFO

Site Photos 04/26/18



"O"
11 of 15



Jack Surgical Photos – Wildlife Conflict, Necrotizing Bacteria

"O"
13 of 15

"O"
14 of 15

February 24, 2018

"O"
15 of 15

STAFF REPORT – EXTENSION OF TIME

PROJECT	High Cedars Applicant: Cedar Investment Group LLC; Agent: CSA Planning Ltd.
FILE NO.	LDS-15-044
To	Planning Commission *for meeting of May 10, 2018*
From	Kelly Akin, Assistant Planning Director
Date	May 3, 2018

Request

Consideration of request for a time extension for High Cedars Subdivision, a 176-lot residential subdivision on 116.58 acres located on the south side of Cedar Links Drive, approximately 1,000 feet west of Foothill Drive within the SFR-4/PD (Single Family Residential, four dwellings per gross acre/Planned Unit Development Overlay) zone district.

Background

The Planning Commission adopted the Final Order granting approval of the project on April 14, 2016. The applicant is requesting an extension of time as allowed under Medford Land Development Code (MLDC) Section 10.269.

Project Review

This project is part of the larger Cedar Landing PUD and encompasses the entire area south of Cedar Links Drive. This subdivision was approved in 2015 and revised in 2016 to increase the number of phases from five to 12. At that time, neither the applicant nor staff requested the maximum five year approval period allowed for phased projects allowed under MLDC 10.269(2). The applicant is now requesting an extension of time and notes the project is currently under construction. Staff is recommending that the Commission authorize the maximum five year approval period based on the size of the project.

Per MLDC Section 10.269, extensions shall be based on findings that the facts upon which the application was first approved have not changed to an extent sufficient to warrant refiling of the application. It can be found that neither the circumstances of approval nor applicable site development standards have changed to a degree that warrants refiling of the application. No further extensions of time are allowed under the Medford Land Development Code.

Recommended Action

Approve the one-year time extension to April 14, 2021, for LDS-15-044 per the Staff Report dated May 3, 2018.

Exhibits

A Letter requesting extension received April 13, 2018
B Approved tentative plat
Vicinity Map

RECEIVED
APR 13 2018
PLANNING DEPT.

CSA Planning, Ltd
4497 Brownridge, Suite 101
Medford, OR 97504

Telephone 541.779.0569
Fax 541.779.0114

Mike@CSAplanning.net

April 13, 2018

Ms. Kelly Akin
Asst. Planning Director - City of Medford
City Hall - Lausmann Annex, Room 240
200 South Ivy Street
Medford, OR 97501

RE: Extension of Time Request - File LDS-15-044

Dear Ms. Akin:

Submittal of the Final Plat has been delayed for this project. Our understanding is that infrastructure work has been permitted and is being installed. The current expiration date for the High Cedars Subdivision is April 14, 2018. The facts relied upon for approval of the tentative plat under LDS-15-044 have not changed to any sufficient extent.

Therefore, on behalf of Cedar Investment Group, LLC, a property owner for the above referenced project, we request an extension of the tentative plat approval for LDS-15-044 pursuant to Section 10.269 of the City of Medford Land Development Code.

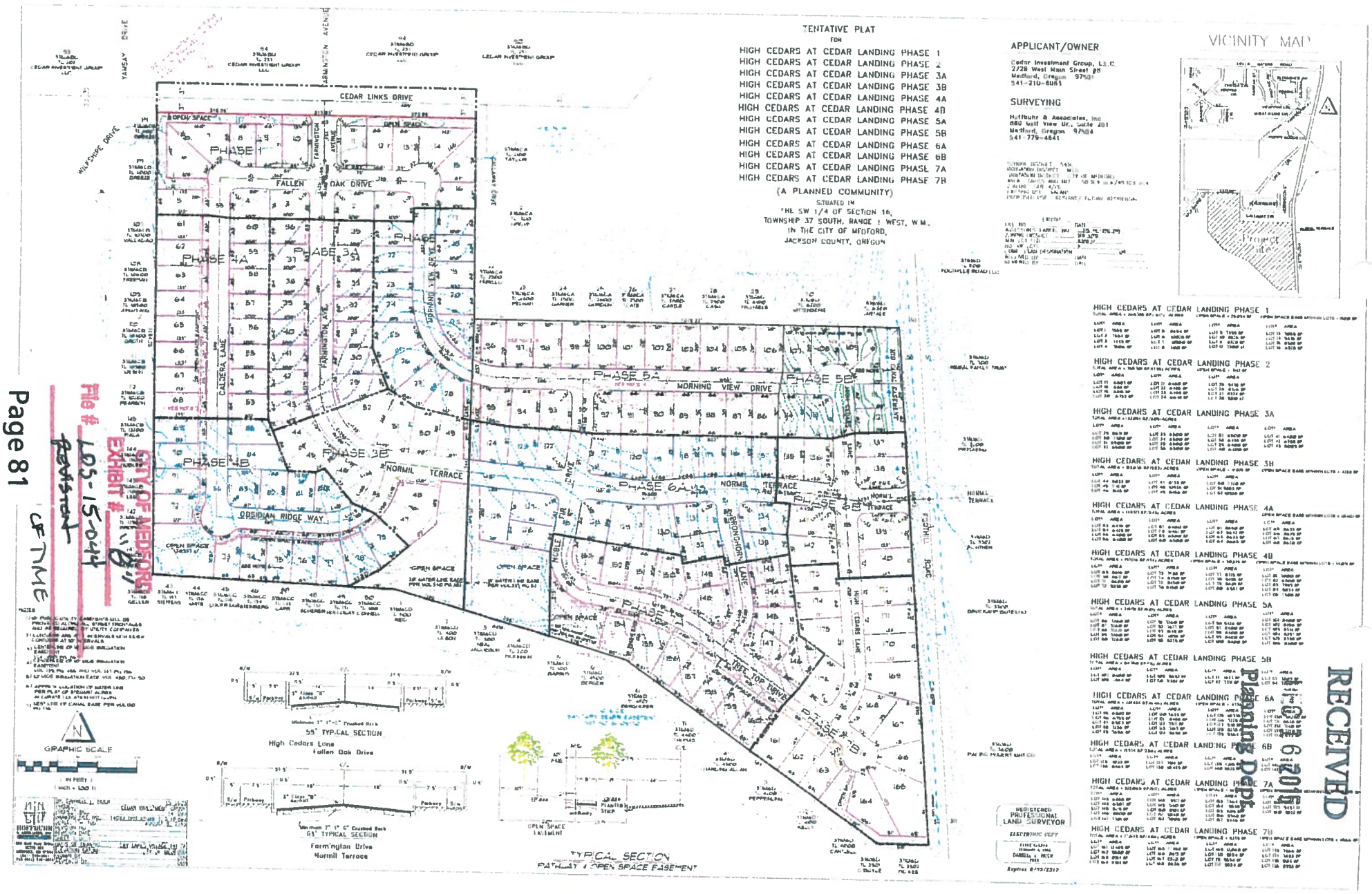
Very truly yours,

CSA Planning, Ltd.

Michael Savage
Associate

cc. Client
File

CITY OF MEDFORD
EXHIBIT # A
File # LDS-15-044
EXTENSION OF TIME


TENTATIVE PLAT
FOR
HIGH CEDARS AT CEDAR LANDING PHASE 1
HIGH CEDARS AT CEDAR LANDING PHASE 2
HIGH CEDARS AT CEDAR LANDING PHASE 3A
HIGH CEDARS AT CEDAR LANDING PHASE 3B
HIGH CEDARS AT CEDAR LANDING PHASE 4A
HIGH CEDARS AT CEDAR LANDING PHASE 4B
HIGH CEDARS AT CEDAR LANDING PHASE 5A
HIGH CEDARS AT CEDAR LANDING PHASE 5B
HIGH CEDARS AT CEDAR LANDING PHASE 6A
HIGH CEDARS AT CEDAR LANDING PHASE 6B
HIGH CEDARS AT CEDAR LANDING PHASE 7A
HIGH CEDARS AT CEDAR LANDING PHASE 7B
(A PLANNED COMMUNITY)
SITUATED IN
THE SW 1/4 OF SECTION 16,
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.,
IN THE CITY OF MEDFORD,
JACKSON COUNTY, OREGON
APPLICANT/OWNER
Cedar Investment Group, L.L.C.
2728 West Main Street #8
Medford, Oregon 97501
541-210-6061
SURVEYING
Hoffbuhr & Associates, Inc
680 Golf View Dr., Suite 201
Medford, Oregon 97504
541-779-4641
VICINITY MAP
Project Site
CEDAR LINKS DRIVE
FALLEN OAK DRIVE
MORNING VIEW DRIVE
NORMIL TERRACE
OBSIDIAN RIDGE WAY
CALDERA LANE
FARMINGTON AVE
YAMSAY DRIVE
WILKSHIPE DRIVE
FOOTHILL ROAD
HIGH CEDARS LANE
BRONCHORN LANE
TREE TOP DRIVE
PHASE 1
PHASE 3A
PHASE 3B
PHASE 4A
PHASE 4B
PHASE 5A
PHASE 5B
PHASE 6A
PHASE 6B
PHASE 7A
PHASE 7B
OPEN SPACE
55' TYPICAL SECTION
High Cedars Lane
Fallen Oak Drive
63' TYPICAL SECTION
Farmington Drive
Normil Terrace
TYPICAL SECTION
PATHWAY & OPEN SPACE EASEMENT
GRAPHIC SCALE
REGISTERED PROFESSIONAL LAND SURVEYOR
ELECTRONIC COPY
HIGH CEDARS AT CEDAR LANDING PHASE 1
HIGH CEDARS AT CEDAR LANDING PHASE 2
HIGH CEDARS AT CEDAR LANDING PHASE 3A
HIGH CEDARS AT CEDAR LANDING PHASE 3B
HIGH CEDARS AT CEDAR LANDING PHASE 4A
HIGH CEDARS AT CEDAR LANDING PHASE 4B
HIGH CEDARS AT CEDAR LANDING PHASE 5A
HIGH CEDARS AT CEDAR LANDING PHASE 5B
HIGH CEDARS AT CEDAR LANDING PHASE 6A
HIGH CEDARS AT CEDAR LANDING PHASE 6B
HIGH CEDARS AT CEDAR LANDING PHASE 7A
HIGH CEDARS AT CEDAR LANDING PHASE 7B
RECEIVED
Planning Dept
CITY OF MEDFORD
EXHIBIT # "B"
File # LDS-15-044
Revision
OF TIME

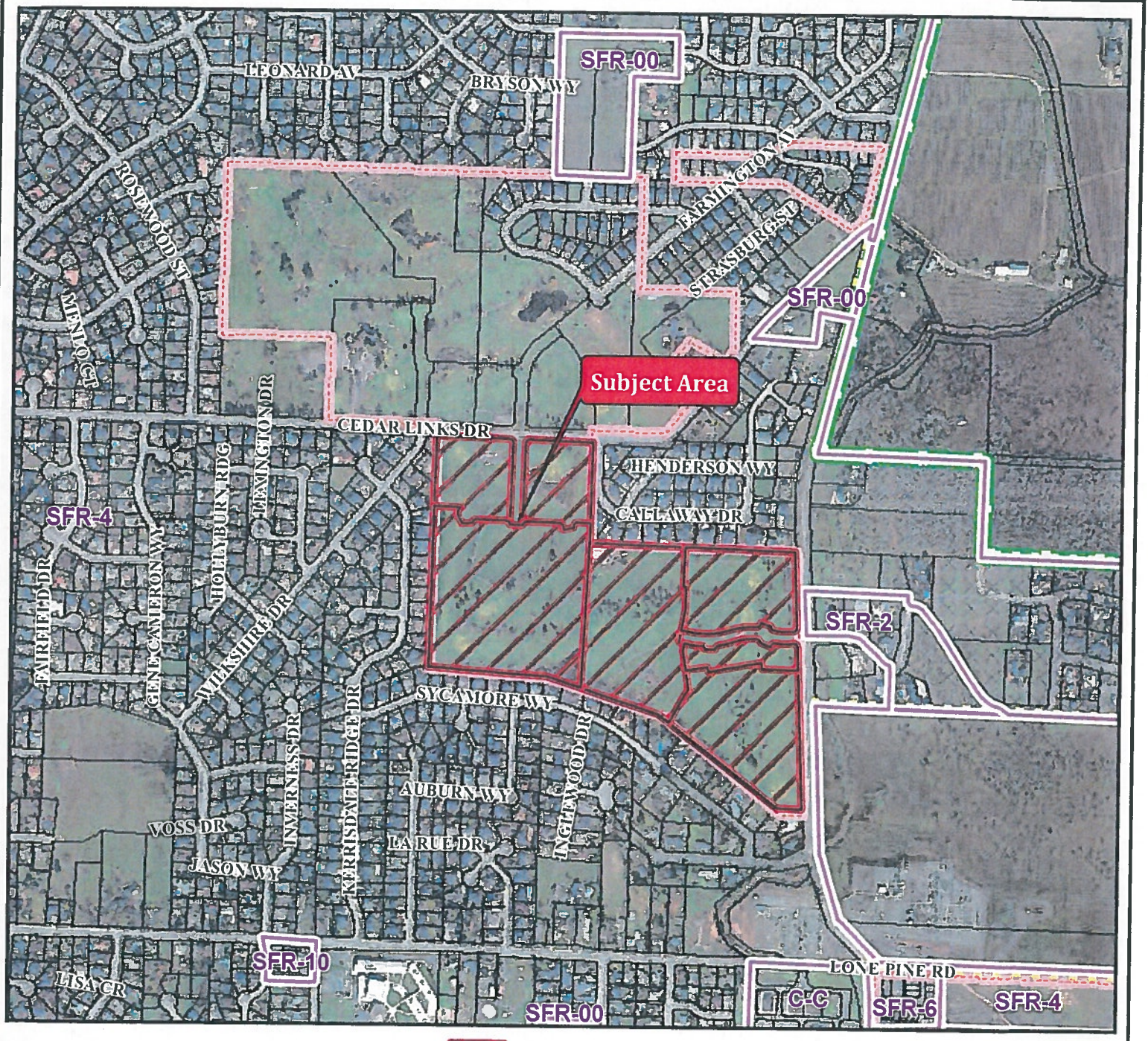
City of Medford

Planning Department

Vicinity Map

File Number:

LDS-15-044



Project Name:

Tentative Plat Revision - High Cedars

Map/Taxlot:

371W16CA TL's 2200 - 2202
371W16D TL's 7000 & 7001

0 250 500 Feet

09/02/2015

Subject Area

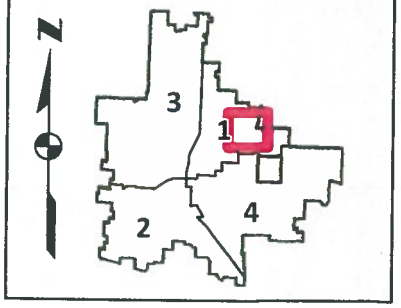
Medford Zoning

UGB

Tax Lots

PUD

Medford UGB with Wards



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT

for a type-C quasi-judicial decision: Land Division – Partition

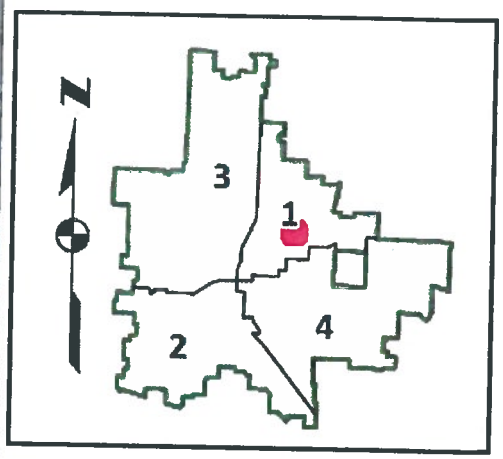
PROJECT	Gaffey Partition Applicant: Tom Gaffey Agent: Hoffbuhr & Associates, Inc.
FILE NO.	LDP-18-028
TO	Planning Commission *for May 10, 2018 hearing*
FROM	Dustin Severs, Planner III
REVIEWER	Kelly Akin, Assistant Planning Director
DATE	May 3, 2018

BACKGROUND

Proposal

Consideration of a request for tentative plat approval of a proposed two-lot partition on a 0.44-acre parcel located at 2815 Lone Pine Road within the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (371W17DD1400).

Vicinity Map



Subject Site Characteristics

Zoning: SFR-4

GLUP: UR (Urban Residential)

Overlay(s): AC (Airport Area of Concern)

Use(s): Single-Family residence

Surrounding Site Characteristics

North Zone: SFR-4
Use(s): single-family residential

South Zone: SFR-4
Use(s): single-family residential

East Zone: SFR-4
Use(s): single-family residential

West Zone: SFR-4
Use(s): single-family residential

Related Projects

None

Applicable Criteria

MLDC 10.270: Land Division Criteria

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

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

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

ISSUES AND ANALYSIS

Project Summary

The subject site consists of a single 0.44-acre lot, which currently contains a single-family residence. The applicant is proposing to split the lot, creating a two-lot partition consisting of a vacant 7,080 square foot lot, identified as Parcel I on the tentative plat; and a 11,849 square foot lot, which will contain the existing one-story house, identified as Parcel 2 on the tentative plat.

Access

The existing residence takes access from Lone Pine Road – classified as a Major Collector Street – and the tentative plat shows Parcel 2 continuing to take access off of Lone Pine Road from the existing driveway. However, access to Parcel I is proposed to take access from Victoria Court, a fully developed cul-de-sac to the north of the subject site. The applicant's submitted *Findings of Fact and Conclusions of Law* (Exhibit D) state that the subject site does not have frontage on Victoria Court; however, it is the applicant's intent to obtain an access easement from the abutting property along the subject site's northwesterly boundary in order to take access from Victoria Court in the future. The applicant's findings further state that, "Preliminary permission has been obtained in this matter."

Per MLDC 10.425, titled *Street Access and Dedication Requirements*, all newly created lots are required to have access to a public street. As a condition of approval, the applicant will be required to provide staff with documentation, recorded in the official records of Jackson County, of an access easement granting vehicular access to the subject site from Victoria Court, prior to final plat approval.

Code Compliance

Lot dimensional standards

SFR-4	Allowed/Required	Shown (Parcel 1 / Parcel 2)
Lot Area Range (min./max.)	6,500 to 18,750	7,080 / 11,849
Lot Width	60 feet Min.	60 feet / 100 feet
Lot Depth	90 feet Min.	118 feet / 118 feet
Lot Frontage	30 feet Min.	60 feet / 100 feet

As shown in the table above, both proposed parcels identified on the tentative plat meet all of the minimum dimensional standards of the Code for the SFR-4 zoning district, as per the site development standards found in MLDC 10.710.

Bulk standards

SFR-4	Allowed/Required	Existing or Shown
Height	35 feet Max.	< 35 feet
Lot Coverage	45% Max.	< 45%
Setback (front)	15 feet Min.	28 feet
Setback (sides)	6 feet Min.	12.9 / 42.8 feet
Setback (rear)	6 feet Min.	55.7 feet

As shown in the table above, the site's existing single-family house – proposed to be located within Parcel 2 as identified on the tentative plat – complies with all bulk standards for the SFR-4 zoning district, as per the site development standards found in MLDC 10.710.

Facility Adequacy

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

Other Agency Comments

Rogue Valley International-Medford Airport (Exhibit G)

In an email received by staff, the airport requests that the applicant contact the Federal Aviation Administration (FAA) regarding filing a form 7460-1 to assure compliance with FAA requirements. As a condition of approval, the applicant will be required to provide

documentation to staff confirming compliance with all Federal Aviation Administration (FAA) requirements, prior to final plat approval.

Committee Comments

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

FINDINGS AND CONCLUSIONS

Staff finds the partition plat consistent with the Comprehensive Plan and all applicable design standards set forth in Articles IV and V; furthermore, the partition will not prevent development of the remainder of the property under the same ownership or of adjoining land; and criteria 4 through 6 are not applicable to the subject development. Staff recommends that the Commission adopt the Applicant's Findings of Fact (Exhibit D) as presented.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDP-18-023 per the staff report dated May 3, 2018, including Exhibits A through G.

EXHIBITS

A Conditions of Approval, drafted May 3, 2018.
B Tentative Plat, received March 8, 2018.
C Conceptual Grading & Drainage Plan, received March 8, 2018.
D Applicant's Findings of Fact and Conclusions of Law, received March 8, 2018.
E Public Works Staff Report, received April 11, 2018.
F Medford Water Commission memo and associated Water Facility Map, received April 11, 2018.
G Rogue Valley International-Medford Airport email, received April 2, 2018.
H Building Department Memo, received April 11, 2018
I Fire Department Report, received April 11, 2018.
Vicinity map

PLANNING COMMISSION AGENDA: **MAY 10, 2018**

EXHIBIT A

Gaffey Partition
LDP-18-023
Conditions of Approval
May 3, 2018

CODE REQUIRED CONDITIONS

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

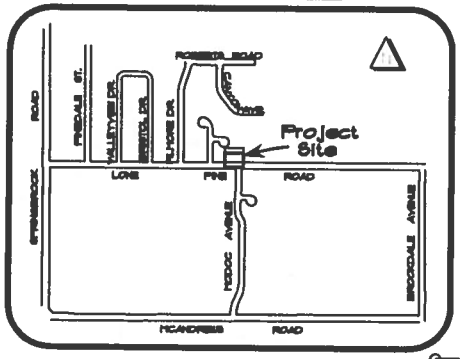
1. Comply with all conditions stipulated by Medford Public Works Department (Exhibit E)
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit F).
3. Comply with all requirements of the Federal Aviation Administration (FAA) (Exhibit G).
4. Comply with all requirements of the Medford Fire Department (Exhibit I).
5. Provide staff with documentation, recorded in the official records of Jackson County, of an access easement granting vehicular access to the subject site from Victoria Court.

CITY OF MEDFORD
EXHIBIT # A
File # LDP-18-023

LAND PARTITION
TENTATIVE PLAT

Located in
Parcel 2 of Partiton Plat P-82-1996
in the S.E. 1/4 of Section 17 (17D)
Township 37S., R1W., W.M.,
City of Medford
Jackson County, Oregon
Tax Lot 1400
2815 Lone Pine Road

VICINITY MAP



OWNER

Mark A. Reaves
2815 Lone Pine Road
Medford, Oregon 97504

APPLICANT

Tom Gaffey
680 Oak Street
Ashland, Oregon 97520
541-708-6336

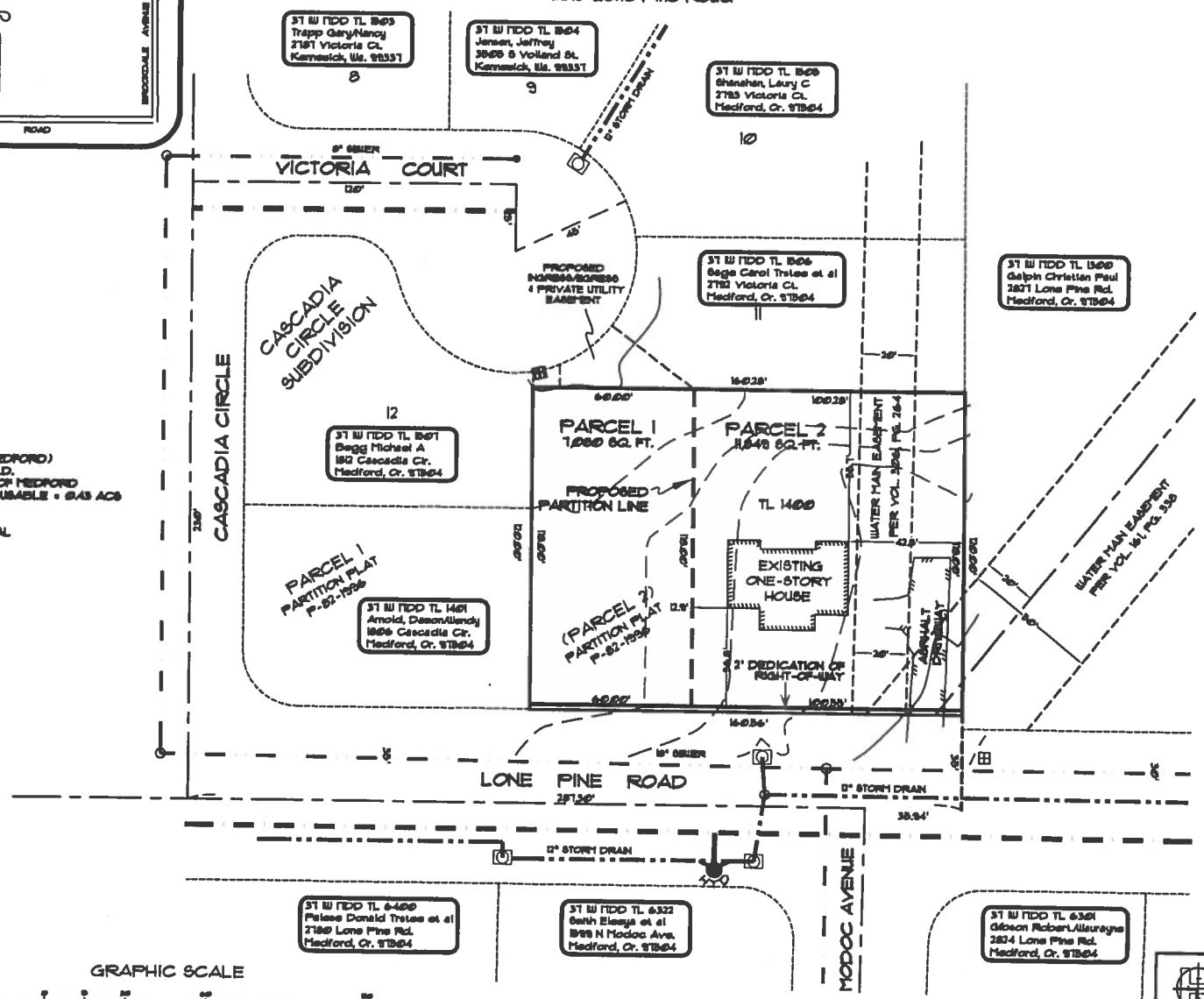
SURVEYING

Hoffbuhr & Associates
880 Golf View Dr., Suite 201
Medford, Oregon 97504
541-779-4641

ENGINEERING

CEC Engineering
132 West Main
Medford, Oregon 97501
541-779-5268

February 22, 2018



SCHOOL DISTRICT: 549C (MEDFORD)
IRRIGATION DISTRICT: R.R.V.I.D.
SANITATION DISTRICT: CITY OF MEDFORD
AREA: GROSS = 0.37 ACS - USABLE = 0.43 ACS
ZONING: SFR-4
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

REGISTERED PROFESSIONAL LAND SURVEYOR
ELECTRONIC SIGNATURE
OREGON
DAVID M. MINNECI
EXPIRES 12/31/18

GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.

37S W 17D TL 1400

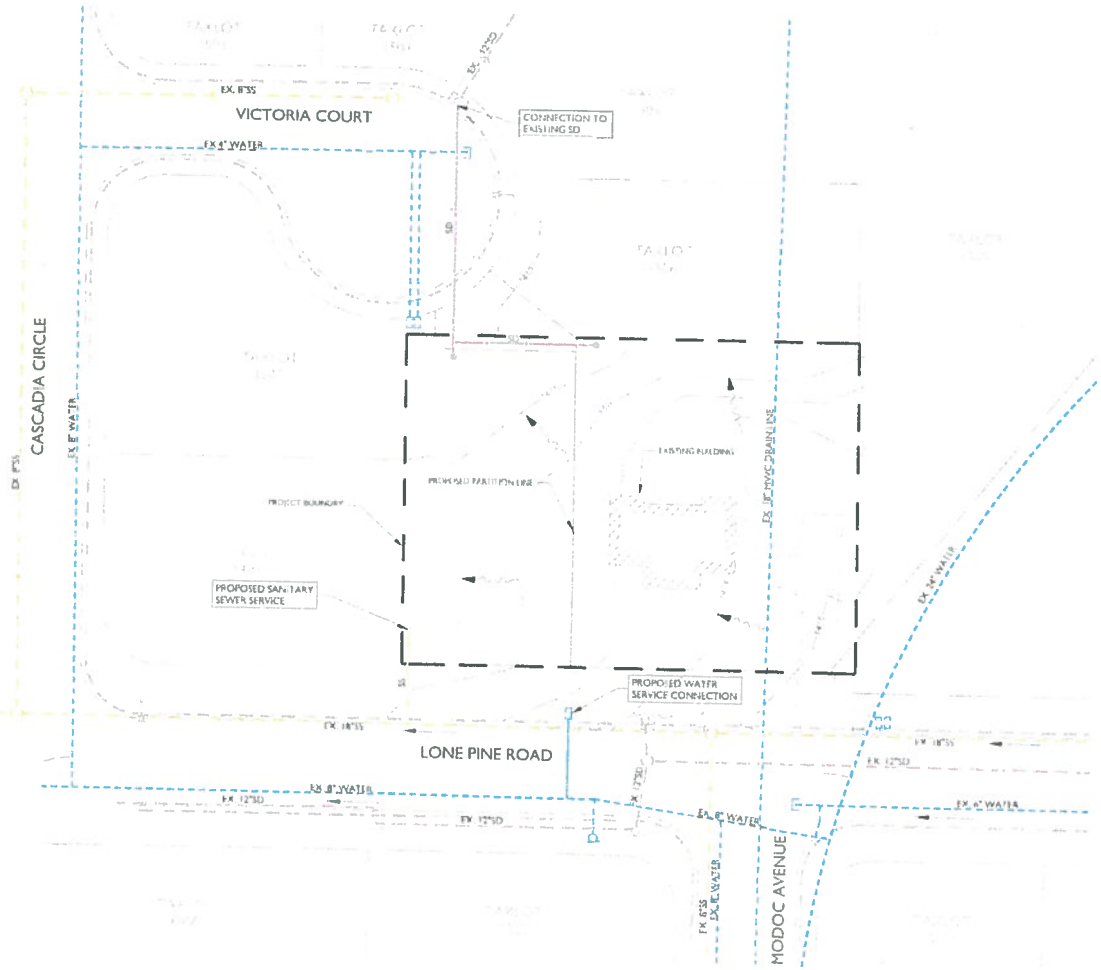
HOFFBUHR & ASSOCIATES, INC.

BY: DAVID MINNECI	LS 2345
DATE:	FEBRUARY 22, 2018
PROJECT:	
PROJECT NO.	17-130
DRAWING FILE NO.	17130TENT.DWG
SCALE:	1" = 30'
REVISION NO.	
REVISION DATE:	
BASIS OF BEARING:	
DRAWN BY:	DMM
REVIEWED BY:	
SHEET 1 OF 1	

RECEIVED
MAR 08 2018
PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # B
File # LDP-18-028

RECEIVED
MAR 08 2018
PLANNING DEPT.



NORTH

GRAPHIC SCALE

LEGEND

- PROPOSED STORM MANHOLE OR CLEANOUT
- PROPOSED CURB INLET
- PROPOSED STORM MAIN
- EXISTING STORM MANHOLE
- EXISTING CURB INLET
- EXISTING STORM MAIN
- EXISTING WATER MAIN
- EXISTING FIRE HYDRANT
- EXISTING WATER SERVICE METER
- PROPOSED WATER MAIN
- PROPOSED FIRE HYDRANT
- PROPOSED WATER SERVICE METER
- PROPOSED SEWER MANHOLE
- PROPOSED SANITARY SEWER MAIN
- PROPOSED SANITARY SEWER SERVICE WYE
- EXISTING SANITARY SEWER MAIN
- EXISTING SANITARY SEWER MANHOLE

CONTOURS

NOTE:
EXTENSIVE GRADING OF THE PROJECT SITE IS NOT ANTICIPATED. PROPOSED SITE GRADING TO GENERALLY MATCH THE EXISTING SITE TOPOGRAPHY

EXHIBIT C

CALL 48 HOURS BEFORE YOU DIG

CONSTRUCTION ENGINEERING CONSULTANTS INC

P.O. BOX 1724 • MEDFORD, OREGON 97501
PH. (541) 734-0256

CITY OF MEDFORD

REAVES PARTITION

CONCEPTUAL GRADING / DRAINAGE & UTILITY PLAN

PROJECT NO.

DRAWING NO.

CITY OF MEDFORD
EXHIBIT # C
File # LDP-18-028

CITY OF MEDFORD
EXHIBIT # _____
File # LDP-18-028

RECEIVED
MAR 08 2018
PLANNING DEPT.

BEFORE THE PLANNING COMMISSION
FOR THE CITY OF MEDFORD, OREGON
FINDINGS OF FACT

NOW COMES BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD OREGON; AN APPLICATION FOR A TENTATIVE PLAT FOR A LAND PARTITION DESCRIBED AS MAP # T.37S-R.1W-SEC. 17DD, TAX LOT 1400; OWNER: MARK A. REAVES APPLICANT: TOM GAFFEY AGENT: HOFFBUHR & ASSOCIATE, INC.	)	**FINDINGS OF FACT**

I. BACKGROUND INFORMATION:

Property Owner:	Mark A. Reaves 2815 Lone Pine Road Medford, Oregon 97504
Surveyor & Agent:	Hoffbuhr & Associates, Inc. 880 Golf View Drive, Suite 201 Medford, OR 97504 (541) 779-4641
Property Description:	T.37S-R.1W-Section 17DD, TL 1400
Comp. Plan:	Urban Residential
Zoning:	SFR-4
Acreage:	18,929 sf (net) 24,87 sf (gross)
Proposed Lots:	2 Lots
Type of Development:	Land Partition

CITY OF MEDFORD
EXHIBIT # D
File # LDP-18-028

II. PROPOSED DEVELOPMENT

The development proposal is for a Land Partition to create one additional lot on tax lot 1400. There is an existing house on the property that will occupy Parcel 2. Parcel 1 will be created for future development. The Tentative Plat submitted with this application provides the information needed to meet the requirements of Section 10.267, Medford Land Development Code (MLDC).

III. FINDINGS OF FACT

Section 10.270, MLDC, establishes the approval criteria for land divisions. The following findings address each subsection of Section 10.270, MLDC.

Section 10.270(1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;

FINDING

The property is designated on the Medford Comprehensive plan as Urban Residential (UR). The zoning on the subject property is SFR-4 (Single Family Residential-4 dwelling units per acre), which is consistent with the Comprehensive Plan designation.

The property has direct access to Lone Pine Road, a variable width Major Collector on the South side of the property. Lone Pine Road is fully developed along the property frontage with asphalt, curb & gutter and sidewalk. The existing one-half width of the right-of-way is 35 feet. It is anticipated to dedicate to the City of Medford an additional 2 feet to meet the current standard for Major Collector streets. The existing residence takes access from Lone Pine Road and will continue to do so. Parcel 1 will take access from Victoria Circle, a fully developed cul-de-sac to the North. As tax lot 1400 does not have frontage on Victoria Circle, a private access and utility easement will need to be granted by the owner of tax lot 1506. Preliminary permission has been obtained in this matter.

Each proposed Parcel meets the development standards of area, width, depth and frontage for the underlying zone. Also, the number of lots (2) is within the Minimum (1.425 units) and Maximum (2.28 units) density calculation.

There is existing sanitary sewer, storm drain and water line in Lone Pine Road and a sanitary sewer, curb inlet with outflow and water line in Victoria Circle.

This proposal meets the requirements of Section 10.270(1) Articles IV and V, MLDC.

Section 10.270(2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;

FINDING

The proposed land division is entirely within the existing tax lot and neither resulting Parcel will qualify to be further developed. No other land in common ownership is abutting the site.

The development of the subject property will not prevent development of, or access to, neighboring properties. The lands adjoining the project are zoned residential and have legal access to Lone Pine Road or Victoria Circle at this time.

This proposal meets the requirements of Section 10.270(2).

Section 10.270(3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any subdivision in the City of Medford; except for the words "town," "city," "place," "court," "addition," or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division beating that name, or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last file;

FINDING.

Not Applicable. Names for partitions are not required.

Section 10.270(4) If it includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary, to the plats of land divisions already approved for adjoining property unless that approving authority determines it is in the public interest to modify the street pattern;

FINDING.

Not Applicable. No streets are being created.

Section 10.270(5) If it has streets that are proposed to be held for private use, that they are distinguished from the public street on the tentative plat, and reservations or restrictions relation to the private streets are set forth;

Not Applicable. No streets are being created.

Section 10.270(7) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

FINDING.

Not Applicable. There are no abutting EFU zoned lands.

IV. CONCLUSION

Based upon the above findings and the Tentative Plat submitted for review, the City of Medford finds that the proposed Partition meets or exceeds the minimum requirements for a Land Division application. The City of Medford finds that this application is consistent with the requirements of the City and complies with the Medford Land Development Code.

Respectfully Submitted,

David M. Minnich

Hoffbuhr & Associates, Inc.

(17130fof.doc)

Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 4/11/2018
File Number: LDP-18-028

PUBLIC WORKS DEPARTMENT STAFF REPORT
2-Lot Partition – 2815 Lone Pine Road
TL 1400

Project: Consideration of a request for tentative plat approval of a proposed two-lot partition on a 0.44-acre parcel.

Location: Located at 2815 Lone Pine Road within the SFR-4 (Single-Family Residential, four dwelling units per gross acre)) zoning district (371W17DD1400).

Applicant: Applicant, Tom Gaffey; Agent, Hoffbuhr & Associates Inc.; Planner, Dustin Severs.

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

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

A. STREETS

1. Dedications

Lone Pine Road is classified as a Major Collector street within the Medford Land Development Code (MLDC), Section 10.428. **No additional right-of-way will be required with this Partition.**

Public Utility Easements, 10-feet in width, shall be dedicated along and adjacent to the street frontage of both Parcels within this Partition (MLDC 10.471).

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CITY OF MEDFORD
EXHIBIT # E
File # LDP-18-028

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

2. Public Improvements

a. Public Streets

Lone Pine Road – All street section improvements, with the exception of a planter strip, have been completed in close conformance with current standards, including pavement, curb and gutter, street lights and sidewalk. **No additional public improvements are required with this Partition.**

b. Street Lights and Signing

No additional street lights are required.

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

c. Pavement Moratoriums

There is a pavement cutting moratorium currently in effect along this frontage to Lone Pine Road, which is set to expire July 25th, 2021.

d. Access to Public Street System

Per MLDC 10.550, no driveway access shall be allowed to Lone Pine Road for any parcel that has legal right of access to any other street. Public Works supports access via the proposed ingress/egress and private utility easement shown on the tentative plat.

e. Easements

Easements shall be shown on the final plat 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.

3. Section 10.668 Analysis

To support a condition of development that an Applicant dedicates 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.

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10.668 Limitation of Exactions

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

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

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

1. **Nexus to a legitimate government purpose**

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

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

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

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

Lone Pine Road

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

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shall provide one separate individual service lateral to each Tax Lot or ensure that each lot is served by an individual service lateral. All unused laterals adjacent and stubbed to the development shall be capped at the main.

C. STORM DRAINAGE

1. Drainage Plan

Future development of Parcel 1 shall provide 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.

With future development of Parcel 1, 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.

A Site/Utility Plan shall be submitted with the building permit application to show the location of the existing or proposed stormdrain lateral/s for the site.

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

2. Grading

Future development of Parcel 1 shall provide 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

With future development of Parcel 1, all roof drains and foundation drains shall be connected directly to a storm drain system.

Easements shall be shown on the Final Plat for storm drain laterals crossing property other than the one being served by the lateral. If a private storm drain system is being used to drain this site, the applicant shall provide a joint use maintenance agreement.

4. Erosion Prevention and Sediment 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 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.

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D. SURVEY MONUMENTATION

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

E. GENERAL CONDITIONS

1. Permits

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

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

2. System Development Charges (SDC)

Buildings in this development are subject to sewer treatment, collection and street SDCs. These SDC fees shall be paid at the time individual building permits are taken out.

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

3. Construction and Inspection

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

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

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

Prepared by: Doug Burroughs

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SUMMARY CONDITIONS OF APPROVAL

2-Lot Partition – 2815 Lone Pine Road
TL 1400
LDP-18-028

A. Streets

1. **Street Dedications to the Public:**
   - **Lone Pine Road** – No street dedications are required for this partition.
   - Dedicate 10-foot public utility easements (PUE).

2. **Improvements:**

Public Streets
- **Lone Pine Road** – No additional improvements are required with this partition.

Lighting and Signing
- No additional street lights are required.

Access to Public Street System
- Per MLDC 10.550, no driveway access shall be allowed to Lone Pine Road for any parcel that has legal right of access to any other street.
- Public works supports access via the proposed ingress/egress and private utility easement shown on the tentative plat.

Other
- There is a pavement cutting moratorium currently in effect along this frontage to Lone Pine Road, which is set to expire July 25th, 2021.

B. Sanitary Sewer:
- Provide a private lateral to each lot.
- Provide easements as necessary.

C. Storm Drainage:
- Provide an investigative drainage report.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.

D. Survey Monumentation
- Provide all survey monumentation.

E. General Conditions
- Building permits will not be issued until after final plat approval.

▪ = City Code Requirement
o = Discretionary recommendations/comments

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

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BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDP-18-028

PARCEL ID: 371W17DD TL 1400

PROJECT: Consideration of a request for tentative plat approval of a proposed two-lot partition on a 0.44-acre parcel located at 2815 Lone Pine Road within the SFR-4 (Single-Family Residential, four dwelling units per gross acre)) zoning district (371W17DD1400); Applicant, Tom Gaffey; Agent, Hoffbuhr & Associates Inc.; Planner, Dustin Severs

DATE: April 11, 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. Proposed water meter is required to be installed in back of existing sidewalk along north side of Lone Pine Road per MWC Standards. Water meter shall be in front of proposed home, and not be located in driveways. Applicant shall coordinate with MWC front office staff to establish a "new" water service account, and request water meter to be installed. The "new" water meter installation can only occur once final plat has been approved by Medford Planning Department.

COMMENTS

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

2. On-site water facility construction is not required.

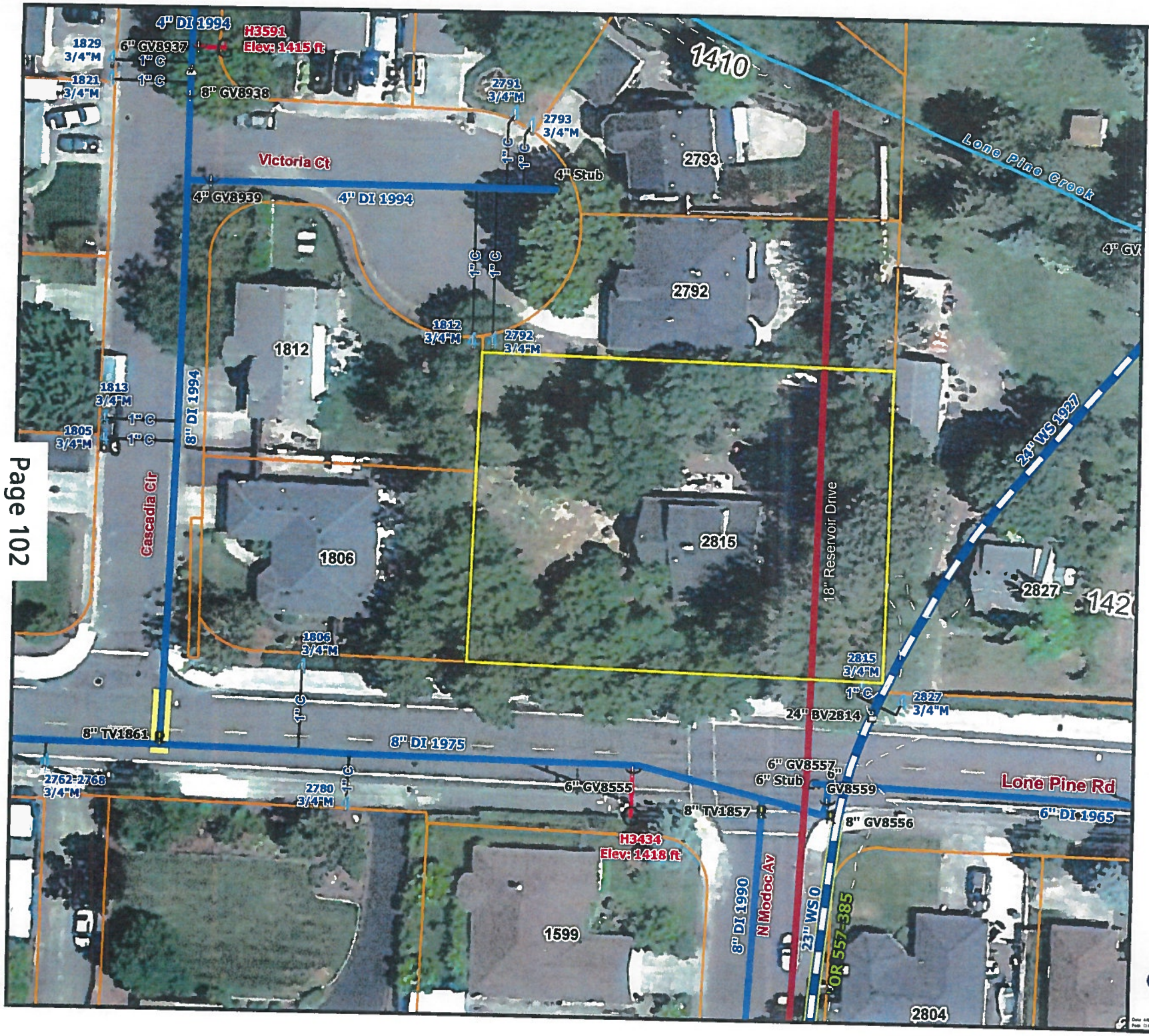
3. Static water pressure is about 74 psi.

4. MWC-metered water service does not currently exist to this property. (See Condition 3 above)

5. There is an existing 16-inch reservoir drain line installed across the east portion of this parent parcel that discharges to Lone Pine Creek.

6. Access to MWC water lines is available. There is an existing 8-inch water line in Lone Pine Road.

CITY OF MEDFORD
EXHIBIT # F
File # LDP-18-028


4" DI 1994
H3591
Elev: 1415 ft
1829
3/4"M
6" GV8937
1" C
1" C
1821
3/4"M
8" GV8938
2791
3/4"M
2793
3/4"M
1410
Lone Pine Creek
Victoria Ct
4" Stub
2793
4" GV8939
4" DI 1994
2792
1812
3/4"M
2792
3/4"M
1812
1813
3/4"M
1805
3/4"M
8" DI 1994
Cascadia Cir
1806
2815
18" Reservoir Drive
24" WS 1927
2827
142
1806
3/4"M
2815
3/4"M
2827
3/4"M
24" BV2814
8" TV1861
8" DI 1975
6" GV8557
6" Stub
6" GV8559
Lone Pine Rd
2762-2768
3/4"M
2780
3/4"M
6" GV8555
8" TV1857
8" GV8556
6" DI 1965
H3434
Elev: 1418 ft
8" DI 1990
N Modoc Av
23" WS 0
OR 557-385
1599
2804
4" GV
Feet
0 12.5 25 50
Scale: 1"=100'
Water Facility Map
for
LDP-18-028
Reaves Partition
April 11, 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:
Control Station
Pump Station
Reservoir
MEDFORD WATER COMMISSION

Dustin J. Severs

From: Marcy Black <BlackMA@jacksoncounty.org>
Sent: Monday, April 02, 2018 11:50 AM
To: Dustin J. Severs
Subject: Project Name: Tom Gaffey Partition

Dustin:

The Airport requests an Avigation, Noise & Hazard Easement be required as a condition for the project.

Also, due to the proximity to the Airport, the applicant needs to contact the FAA regarding filing a 7460-1 Notice of Proposed Construction or Alteration. The FAA contact is: Paul Holmquist, phone (425) 227-2625.

Thanks,

Marcy Black
Deputy Director-Administration

CITY OF MEDFORD
EXHIBIT # G
File # LDP-18-028

Memo

To: Dustin Severs, Planning Department

From: Mary Montague, Building Department

CC: Tom Gaffey, Applicant; Hoffbuhr & Associates Inc., Agent

Date: April 11, 2018

Re: LDP-18-028; Tom Gaffey Partion

Building Department:

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

1. Applicable Building Codes are 2017 ORSC; 2017 OPSC; and 2014 OMSC. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.

2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Go to "City Departments" at top of screen; click on "Building"; click on "ELECTRONIC PLAN REVIEW (ePlans)" for information.

3. Site Excavation permit required to develop, install utilities.

4. Demo Permit is required for any buildings being demolished.

5. Minimum access signs for lots per addressing and fire department may be required.

6. Any properties located within the 100 year Flood Plain requires a permit. All buildings will require a flood elevation certificate.

CITY OF MEDFORD
EXHIBIT # H
File # LDP-18-023

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 4/6/2018
Meeting Date: 4/11/2018

LD #: LDP18028

Planner: Dustin Severs

Applicant: Tom Gaffey

Project Location: 2815 Lone Pine Road

ProjectDescription: Consideration of a request for tentative plat approval of a proposed two-lot partition on a 0.44-acre parcel located at 2815 Lone Pine Road within the SFR-4 (Single-Family Residential, four dwelling units per gross acre)) zoning district (371W17DD1400); Applicant, Tom Gaffey; Agent, Hoffbuhr & Associates Inc.; Planner, Dustin Severs

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, Mechanicial Codes and applicable NFPA Standards.

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

www.medfordfirerescue.org

CITY OF MEDFORD
EXHIBIT # I
File # LDP-18-023

City of Medford

Planning Department

Vicinity Map

File Number:

LDP-18-028

Project Name:

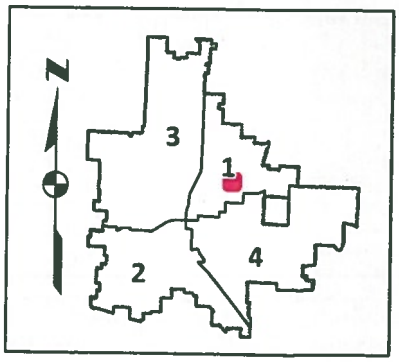
Mark Reaves Land Partition

Map/Taxlot:

371W17DD TL 1400

0 125 250 Feet

03/16/2018

Legend

- Subject Area
- Medford Zoning
- Tax Lots