

# PLANNING COMMISSION AGENDA MAY 28, 2020



**MEDFORD**  
OREGON

## Commission Members

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

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

Meetings begin at 5:30 PM

The meeting may be viewed on Charter  
Channel 181, streamed on the City  
website [www.cityofmedford.org](http://www.cityofmedford.org) or on  
RVTV at [rvtv.sou.edu](http://rvtv.sou.edu)



May 28, 2020

5:30 P.M.

Zoom Virtual Meeting

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**Virtual Meeting information**

Office of the Governor Executive Order No. 20-16 require that the governing body of a public body [as defined by ORS 192.610(3) and (4)] shall hold public meetings and hearings by telephone, video or through some other electronic or virtual means whenever possible. To attend virtually, tune into Charter Channel 181 or live stream at the City website [www.cityofmedford.org](http://www.cityofmedford.org) or on RVTV at [rvtv.sou.edu](http://rvtv.sou.edu).

**10. Roll Call**

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

**20.1 LDS-20-025** Consideration of tentative plat approval for the Saddle Ridge Subdivision – Phase 4 & 5, a proposed 45-lot residential subdivision on two, contiguous parcels totaling 59.5 acres, which includes two tracts of land to be used for storm detention, and a reserve acreage portion. The property is located east of Cherry lane, north of Hillcrest Road, and is transected by Roxy Ann Road; and is within the SFR-2 (Single-Family Residential, two dwelling units per gross acre) and SFR-00 (Single-Family Residential, one dwelling unit per lot) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping overlay (371W23DA1500 & 371W23101); Applicant, Michael Mahar; Agent, Neathamer Surveying, Inc.; Planner, Dustin Severs, [dustin.severs.cityofmedford.org](mailto:dustin.severs.cityofmedford.org).

**30. Approval or Correction of the Minutes from May 14, 2020 hearing.**

**40. Oral Requests and Communications**

The Planning Commission is only accepting written comments and not verbal comments, with the exception of land use applicants, who will be given the opportunity to attend the meeting electronically. Public comments will be accepted via first class mail or email until noon on May 14, 2020. Please email general comments to [terri.richards@cityofmedford.org](mailto:terri.richards@cityofmedford.org). Public hearing testimony pertaining to the agenda items should be sent to the project planner's email listed by each agenda item.

**50. Public Hearings**

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

**Continuance Requests**

**50.1 DCA-19-013** An amendment to portions of Chapter 10, Article II, to revise the City's Vacation land use review standards to omit Public Utility Easements (PUEs) from review at a public hearing, making them a Type I review; Applicant, City of Medford; Planner, Kyle Kearns, [kyle.kearns@cityofmedford.org](mailto:kyle.kearns@cityofmedford.org). **Staff requests this item be continued to the Thursday, June 25, 2020 Planning Commission meeting.**

**50.2 PUD-20-032 / LDS-20-100** Consideration of a revised tentative plat and PUD Plan for the Springbrook Park Planned Unit Development in order to create nine additional lots at the southeast corner of the site. The subject site is contained within an approximate 1.50 acres of a 19.6-acre tract of land, and is located along Springbrook Road north of Owen Drive within the SFR-6 (Single-Family Residential, six dwelling units per gross acre) and MFR-15 (Multiple Family Residential, fifteen dwelling units per gross acre) zoning districts. Applicant, Springbrook Park, LLC. Agent, Steven Swartsley; Planner, Dustin Severs, [dustin.severs.cityofmedford.org](http://dustin.severs.cityofmedford.org). **The applicant requests this agenda item be continued to the Thursday, June 11, 2020 Planning Commission meeting.**

**New Business**

**50.3 LDS-20-083** Consideration of tentative plat approval for Angell Village Subdivision, a proposed 4-lot residential subdivision on a single 1.17-acre parcel located at 1225 Corona Avenue in the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (371W19BA2300); Applicant, Gary Angell; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs, [dustin.severs.cityofmedford.org](http://dustin.severs.cityofmedford.org)

**60. Reports**

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

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

**80. City Attorney Remarks**

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

**100. Adjournment**



# PLANNING COMMISSION MINUTES



May 14, 2020  
5:30 P.M.  
Virtual Meeting

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The regular meeting of the Planning Commission was called to order at 5:30 PM as a virtual meeting in Medford, Oregon on the above date with the following members and staff in attendance:

**Commissioners Present**

Mark McKechnie, Chair  
Joe Foley, Vice Chair  
David Culbertson  
David Jordan  
Bill Mansfield  
David McFadden  
Jared Pulver  
Jeff Thomas

**Staff Present**

Kelly Evans, Assistant Planning Director  
Carla Paladino, Principal Planner  
Eric Mitton, Deputy City Attorney  
Alex Georgevitch, City Engineer  
Greg Kleinberg, Fire Marshal  
Terri Richards, Recording Secretary  
Dustin Severs, Planner III

**Commissioner Absent**

E.J. McManus, Excused Absence

10. **Roll Call**

20. **Consent Calendar / Written Communications**

20.1 **LDS-20-046** Final Order of tentative plat approval for Buettner Place, a proposed 4-lot residential subdivision on a single 0.84-acre parcel located at 1375 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35AD 800); Applicant, Barbara Buettner; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs.

20.2 **LDS-20-050 / E-20-051** Final Orders of tentative plat approval for a six-lot subdivision and an Exception pertaining to minimum lot frontage standards on one parcel of land, 22.38 acres in size, located at the northern terminus of McLoughlin Drive and the eastern terminus of Ford Drive within the SFR-6 (Single-Family Residential, 4 to 6 dwelling units per gross acre) and SFR-10 (Single-Family Residential, 6 to 10 dwelling units per gross acre) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping Overlay (371W081103); Applicant, Delta Waters Properties LLC; Agent, CSA Planning Ltd.; Planner, Steffen Roennfeldt.

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

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

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Roll Call Vote: Motion passed, 8-0-0.

**30. Approval or Correction of the Minutes from April 23, 2020 hearing**

30.1 The minutes for April 23, 2020, were approved as submitted.

**40. Oral Requests and Communications from the Public.** None.

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

**50. Public Hearings.**

**Continuance Request**

**50.1 PUD-20-032 / LDS-20-100** Consideration of a revised tentative plat and PUD Plan for the Springbrook Park Planned Unit Development in order to create nine additional lots at the southeast corner of the site. The subject site is contained within an approximate 1.50 acres of a 19.6-acre tract of land, and is located along Springbrook Road north of Owen Drive within the SFR-6 (Single-Family Residential, six dwelling units per gross acre) and MFR-15 (Multiple Family Residential, fifteen dwelling units per gross acre) zoning districts. Applicant, Springbrook Park, LLC. Agent, Steven Swartsley; Planner, Dustin Severs. **The applicant requests this item be continued to the Thursday, May 28, 2020, Planning Commission meeting.**

Chair McKechnie stated that if there are members in the audience that have joined to testify on this agenda item and cannot attend the May 28th hearing, please raise your hand and when your microphone is unmuted the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on May 28th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued PUD-20-032 and LDS-20-100, per the applicant's request, to the Thursday, May 28, 2020 Planning Commission meeting.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Commissioner Culbertson will be abstaining from the vote. He previously financially represented Mr. Swartsley in purchase and sale of the property listed.

Roll Call Vote: Motion passed, 7-0-1, with Commissioner Culbertson abstaining.

**Old Business**

**50.2 LDS-20-025** Consideration of tentative plat approval for the Saddle Ridge Subdivision – Phase 4 & 5, a proposed 45-lot residential subdivision on two, contiguous parcels totaling 59.5 acres, which includes two tracts of land to be used for storm detention, and a reserve acreage portion. The

property is located east of Cherry lane, north of Hillcrest Road, and is transected by Roxy Ann Road; and is within the SFR-2 (Single-Family Residential, two dwelling units per gross acre) and SFR-00 (Single-Family Residential, one dwelling unit per lot) zoning district, and with an RZ (Restricted Zoning) Administrative Mapping overlay (371W23DA1500 & 371W23101); Applicant, Michael Mahar; Agent, Neathamer Surveying, Inc.; Planner, Dustin Severs.

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

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

Dustin Severs, Planner III reported that the Land Division approval criteria can be found in the Medford Land Development Code Section 10.202(E). The applicable criteria were addressed in the staff report and included in the property owner notices. Mr. Severs gave a staff report.

Chair McKechnie asked, did the City's Address Technician comment that Summerview Court has a significant change in direction of the street, therefore the street name is required to change and does the Commission need to include that in their motion? Kelly Evans, Assistant Planning Director commented that it is already in the conditions of approval.

The public hearing was opened.

a. Bob Neathamer, Neathamer Surveying, Inc., 3126 State Street, Suite 203, Medford, Oregon, 97504. Mr. Neathamer reported that based on the submitted application, prepared staff report and the presentation this evening, they have met the approval criteria and requests the Planning Commission approves the application this evening.

Mr. Neathamer reserved rebuttal time.

Commissioner Culbertson asked, does Mr. Neathamer have any comments on Jackson County Roads request, being upheld, *"to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on-site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads."*? Mr. Neathamer replied the applicant can meet that requirement without a great deal of difficulty. It is a review process.

Mr. Neathamer also commented that the applicant will comply with the City's Address Technicians comments.

The public hearing was closed.

Motion: The Planning Commission adopts the findings recommended by staff and directs staff to prepare the Final Order for approval of LD-20-025 per the staff report dated May 7, 2020 including: Exhibits A through Q; Modifications to residential street standards; Approval of two Minimum Access Easements; Approval of the proposed Summerview Court to terminate into a Cul-de-sac; and Granting of the maximum timetable of five years for the platting of the subdivision in phases.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 7-0-1, with Commissioner Thomas abstaining due to no audio.

### **New Business**

**50.3 DCA-19-010** A legislative code amendment to modify the electric fence regulations found in Sections 9.560-9.561 and Sections 10.732 and 10.839(4) of the Municipal Code. Applicant, Michael Pate; Agent, Greg Lemhouse; Planner, Carla Paladino.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Culbertson disclosed he had a conversation on the phone with Greg Lemhouse regarding this application amongst other things. It was general and nothing specific. Commissioner Jordan disclosed that he serves on a non-profit board that Greg Lemhouse has provided services to that board. He feels he does not have a conflict and can vote in an impartial way.

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

Carla Paladino, Principal Planner reported that the Development Code Amendment approval criteria can be found in the Medford Land Development Code Sections 10.214 and 10.218. Ms. Paladino gave a staff report.

Commissioner Pulver asked, is the requirement of the double fence and 10 inch separation for safety purposes? Ms. Paladino replied yes.

Commissioner Pulver asked, on an older property that a buffer does not exist would there be a non-electrified fence or wall at the property line then the electric fence 10 inches from that fence? Ms. Paladino reported no, the applicant would have to stay out of the buffer yard. The perimeter fence would be 8 feet of solid construction and act as the buffer wall (but would not be on the property line).

Vice Chair Foley asked, what is the restriction in the Liberty Park Overlay with Star Auto Body and their electric fence? Ms. Paladino reported an electric fence was installed and because it is zoned Community Commercial the property owner was told by a building inspector they could not have the fence. The fence is not activated and they do not have a permit to have it. Also, since they are in the Liberty Park Neighborhood they would not be able to apply for a new one.

The public hearing was opened.

a. Greg Lemhouse, United Strategies, 2305 Ashland St., Ste. C PMB 265, Ashland, Oregon, 97520. Mr. Lemhouse reported that they agree with the staff report that seems to be in line with Option 3 which they supported and it seems like the Planning Commission supported at their study session. It is important to note that they think the perimeter security systems enhance livability. When backed up against residential it increases safety.

Mr. Lemhouse reserved rebuttal time.

b. Michael Pate, Amarok (Electric Guard Dog), 550 Assembly Street, Columbia, SC 29201, Mr. Pate thinks there is a conflict regarding the maximum of a 10 inch separation from the perimeter fence to the actual fence then in the next breath it talks about a minimum of 24 inches from the property line. He does not know why electrical permits would be required. They run off a 12 volt battery. They will comply if need be. Regarding the buffer yard it seems to him with a buffer yard there will be two barriers.

Chair McKechnie stepped in for Ms. Paladino on the buffer yard. His understanding is that it does not apply to all properties depending on the zoning. Buffer yards are only between a commercial property and a residential property.

Ms. Paladino reported under permits required the language states requiring a permit for the electrified fence from the Building and Safety Department including an alarm permit. There is language that the Fire Department does an inspection.

The 24 inches is noted on page 113 of the agenda packet Section 5.3 that no electrified fence shall be installed within 24 inches of a property line. They can review and make sure it is not conflicting with the other separation wall.

In terms of the buffer yard there is a chart of what zones buffer yards are required.

Mr. Pate asked, is the buffer yard requirement in the code? Ms. Paladino responded yes. It is a land use requirement.

Mr. Pate asked, is the requirement for the second fence also in the code? Ms. Paladino replied no.

The public hearing was closed

Main Motion: The Planning Commission, based on the findings and conclusions that all of the applicable criteria are either satisfied or not applicable, forwards a favorable recommendation for approval of DCA-19-010 to the City Council based on the staff report dated May 7, 2020, including Exhibits A through D.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Commissioner Pulver thinks this is a big step. He agrees with the applicant that the more secure and safe the community the more deterrent it is to crime. He looked at properties that have the electrified fences. He does not know if aesthetically it is good or bad. It sends a different message.

Amended motion: Removing Community Commercial from allowed zones for this use.

Moved by: Commissioner Pulver

Seconded by: Commissioner McFadden

Roll Call Vote for Amended Motion: Motion failed, 4-4-0, with Commissioner Culbertson, Commissioner Mansfield, Commissioner McFadden and Vice Chair Foley voting no.

Roll Call for Main Motion: Motion passed, 7-1-0, with Chair McKechnie voting no.

## **60. Reports**

### 60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural Commission met on Friday, May 1, 2019. They approved an eight unit, residential Cottage Cluster Development located at 1132 and 1146 Woodrow Lane.

### 60.2 Transportation Commission.

Commissioner Pulver reported that the Transportation Commission has not met but will meet later this month.

### 60.3 Planning Department

Kelly Evans, Assistant Planning Director reported the Governor approved Phase 1 for Jackson County. At least through the first Planning Commission meeting of June 11, 2020 will be in this format.

Monday, May 25, 2020 is Memorial Day. The City offices will be closed.

There is business scheduled for Thursday, May 28, 2020, Thursday, June 11, 2020, and Thursday, June 25, 2020.

On Thursday, May 7, 2020, the City Council approved the urbanization plan and annexation on South Stage Road, the Consolidated Plan for 2020-2024 Action Plan, and the General Fund Grant Program award recommendations from the Housing Commission. The Mayor proclaimed May is National Historic Preservation month.

City Council at their next meeting will hear the Shared Use Path amendment, and amendments to Chapter 9 on Floodplain regulations.

Commissioner McFadden commented that tonight's meeting would have had less than twenty-five people. Most of the Planning Commission meetings do. He is surprised the City is not opening up a little bit. There is adequate room to spread people out. Mr. Mitton responded that as the City transitions into Phase 1 the Governor's orders are to use remote methods when possible. Staff does not know ahead of time which meetings will or will not bring 30 people. Ms. Evans noted that public hearing notices go out three weeks before the meeting and are obliged to conduct the meeting as stated.

70. Messages and Papers from the Chair. None.

80. City Attorney Remarks. None.

90. Propositions and Remarks from the Commission. None.

100. Adjournment

101. The meeting was adjourned at approximately 6:40 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

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Terri L. Richards  
Recording Secretary

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Mark McKechnie  
Planning Commission Chair

Approved: May 28, 2020



## MEMORANDUM CONTINUANCE REQUEST

**Project** Public Utility Easement (PUE) Vacation  
**File no.** DCA-19-013  
**To** Planning Commission *for May 28, 2020 hearing*  
**From** Kyle Kearns, Planner II, AICP  
**Date** May 21, 2020

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**Planning staff is requesting a continuance of the above referenced project to June 25, 2020**

The project was originally noticed for public hearing on May 16, 2020. DCA-19-013 proposes a new process for reviewing how the removal (currently vacation) of a PUE is to be implemented and legally recorded. In doing this, staff has proposed changing a Type IV land use review to a Type I. Staff has been working with various departments to determine the best path forward. Staff had only just amended the proposal as of May 18, 2020 and would like to give City staff additional time to comment on the new proposal, prior to a public hearing.

A formal continuance request is needed as the project was already noticed to the paper. Your assistance is greatly appreciated.



## STAFF REPORT – CONTINUANCE REQUEST

for a Type-III quasi-judicial decision: PUD & Land Division

**Project** Springbrook Park PUD  
 Applicant: Springbrook Park, LLC  
 Agent: Steven Swartsley

**File no.** PUD-20-032 / LDS-20-100

**To** Planning Commission *for 5/28/2020 hearing*

**From** Dustin Severs, Planner III

**Reviewer** Kelly Evans, Assistant Planning Director

**Date** May 21, 2020

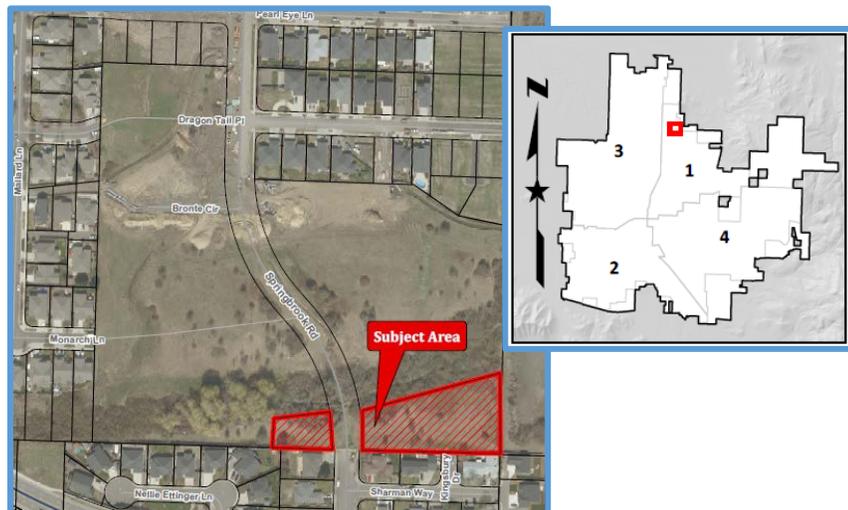
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### BACKGROUND

#### Proposal

Consideration of a revised tentative plat and PUD Plan for the Springbrook Park Planned Unit Development in order to create nine additional lots at the southeast corner of the site. The subject site is contained within an approximate 1.50 acres of a 19.6-acre tract of land, and is located along Springbrook Road north of Owen Drive within the SFR-6 (Single-Family Residential, six dwelling units per gross acre) and MFR-15 (Multiple Family Residential, fifteen dwelling units per gross acre) zoning districts.

#### Vicinity Map



**Request**

The applicant has requested that the item be continued to June 11, 2020.

**EXHIBITS**

A Continuance Request, received May 21, 2020.  
Vicinity Map

**PLANNING COMMISSION AGENDA:**

APRIL 23, 2020  
May 14, 2020  
May 28, 2020

## Kelly Evans

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**From:** swartsley@charter.net  
**Sent:** Thursday, May 21, 2020 11:14 AM  
**To:** Kelly Evans; Dustin J. Severs  
**Cc:** tombecker@becker-properties.com  
**Subject:** 9 lots

Kelly; thanks for the call and this confirms we will meet tomorrow at 9:30 a.m. in reference to the above subdivision. This also confirms we will continue the planning commission hearing on this matter 2 weeks in an attempt to resolve the issues raised yesterday by staff. Steve



Project Name:

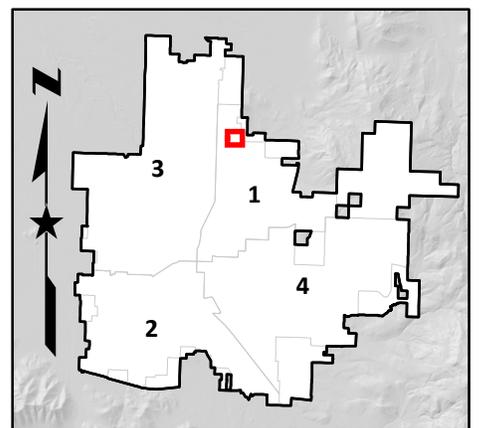
**Kinsbury at  
Springbrook Park**

**Legend**

-  Subject Area
-  Tax Lots



3/11/2020





# MEDFORD PLANNING

## STAFF REPORT

for a type-III quasi-judicial decision: **Land Division**

**Project** Angell Village Subdivision  
Applicant: Gary Angell  
Agent: Scott Sinner Consulting, Inc.

**File no.** LDS-20-083

**To** Planning Commission *for 5/28/2020 hearing*

**From** Dustin Severs, Planner III

**Reviewer** Kelly Evans, Assistant Planning Director

**Date** May 21, 2020

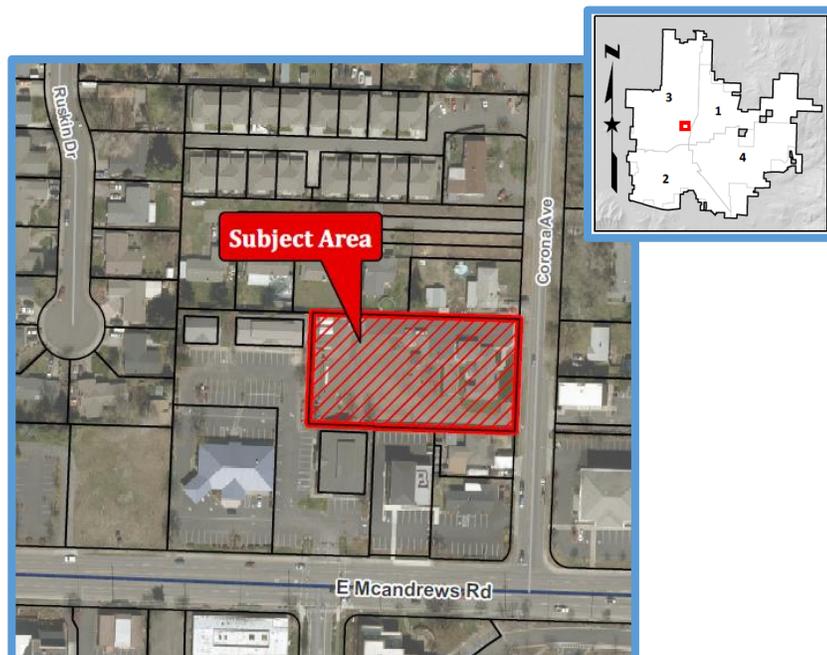
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### BACKGROUND

#### Proposal

Consideration of tentative plat approval for Angell Village Subdivision, a proposed 4-lot residential subdivision on a single 1.17-acre parcel located at 1225 Corona Avenue in the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (371W19BA2300).

#### Vicinity Map



### Subject Site Characteristics

Zoning: SFR-4 (Single-Family Residential, four dwelling units per gross acre)  
GLUP: UR (Urban Residential)  
Overlay(s): None  
Use(s): Single-family residence

### Surrounding Site Characteristics

*North* Zone: SFR-4 (Single-Family Residential, four dwelling units per gross acre)  
Use(s): single-family residential

*South* Zone: C-S/P  
Use(s): West Orthodontics

*East* Zone: C-S/P  
Use(s): Rogue Valley Pre-school

*West* Zone: C-S/P  
Use(s): Banner Bank

### Related Projects

None

### Applicable Criteria

#### MLDC 10.202(E): 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**

#### *Current site*

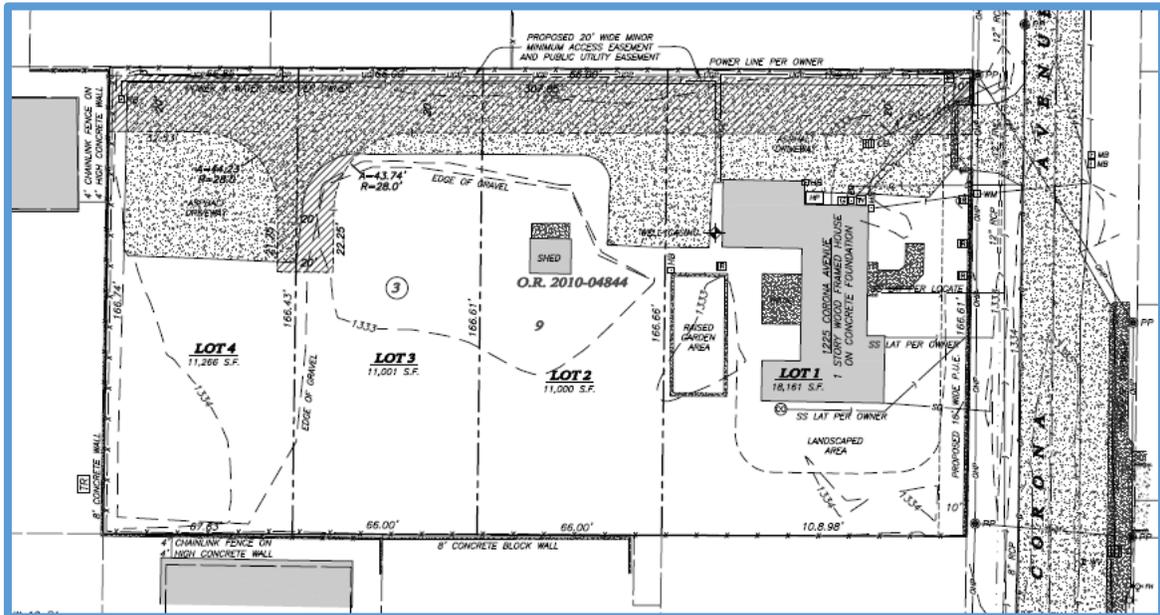
The subject site consists of a single 1.17-acre parcel, containing a single-family home with an attached garage. The parcel is fronted by Corona Avenue, a Standard Residential street. Vehicular access to the existing residence is provided by a driveway off of Corona Avenue. Street section improvements have not been completed along the site's frontage.



*Proposal*

The applicant is proposing to subdivide the property, creating a 4-lot residential subdivision—Angell Village Subdivision. The existing single-family house is proposed to remain with the future development of the site, along with the existing shed identified on Lot 2.

With the approval of the subdivision, the applicant will be required to construct a sidewalk with a planter strip along the Corona Avenue frontage.



**Density**

**Density Table**

SFR-4 Minimum /Maximum Density	Allowed	Shown
2.5 to 4.0 dwelling units per gross acre	3 min. – 5 max.	4 lots

As shown on the Density Table above, based on approximately 1.28 gross acres of land, the creation of four lots, as identified on the submitted tentative plat, falls within the minimum/maximum range permitted for the SFR-4 zoning district, as per MLDC 10.713.

**Development Standards**

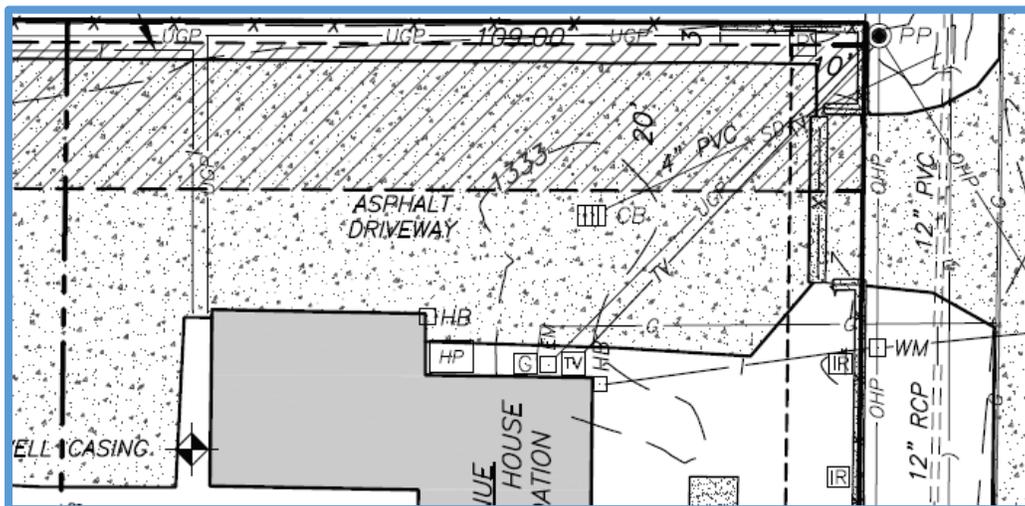
**Detached Single Family Dwellings  
 Site Development Table (MLDC 10.710)**

SFR-4	Lot Area	Minimum Lot Width (Interior)	Minimum Lot Depth	Minimum Lot Frontage
<b>Required</b>	6,500 to 18,750	60 feet	90 feet	30 feet
<b>Shown</b>	Lot 1: 18,161 Lot 2: 11,000 Lot 3: 11,001 Lot 4: 11,266	Lot 1: 166 Lot 2: 66 Lot 3: 66 Lot 4: 67	Lot 1: 108 Lot 2: 166 Lot 3: 166 Lot 4: 166	Lot 1: 166 Lot 2: 66 Lot 3: 66 Lot 4: 67

As shown in the Site Development Table above, it can be found that the four proposed lots, as identified on the submitted plat meet all the dimensional standards for lots in the SFR-4 zoning district, as per MLDC 10.710.

**Minimum Access Easement (MAE)**

The plat shows a Minor MAE serving as vehicular access for Lots 2-4. Per MLDC 10.43(A)(1), a Minor MAE is a shared driveway upon which a minimum of two and maximum of three dwelling units take access. The applicant’s findings state that the existing house will utilize the southerly approach of the existing driveway, and the MAE will utilize the northerly approach.



Pursuant to MLDC 10.450, shown below, the construction of a MAE requires discretionary approval through the Planning Commission. The applicant's findings point out the infill nature of the development, and identifies (a) and (b) below as warranting the approval of the MAE.

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

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

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

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

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

**Existing structures**

The existing single-family house (identified on Lot 1) will remain with the subject development. The submitted plat also identifies an existing structure (shed) on Lot 2, also proposed to remain; however, per MLDC 10.012, an accessory structure is only permitted when located on the same lot as the principal structure.

A condition of approval has been added, requiring that the existing structure identified on Lot 2 be removed prior to final plat approval.

**Facility Adequacy**

Per the agency comments submitted to staff (Exhibits E-G), it can be found that, with the imposition of the conditions of approval contained in Exhibit A, there are adequate facilities to serve the future development of the site.

**Other Agency Comments**

None

**Committee Comments**

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

## **FINDINGS AND CONCLUSIONS**

### **Tentative Plat**

Staff finds the subdivision plat consistent with the Comprehensive Plan and all applicable design standards set forth in Articles IV and V. Furthermore, the subdivision will not prevent development of the remainder of the property under the same ownership or of adjoining land; bears a name (Angell Village), which has been reviewed and approved by the City's Address Technician; the plat does not include the creation of a public street; and criteria 5 and 6 are inapplicable.

### **RECOMMENDED ACTION**

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-20-083 per the staff report dated May 21, 2020, including:

- Exhibits A through H.

### **EXHIBITS**

- A Conditions of Approval, drafted May 21, 2020.
- B Tentative Plat, received March 19, 2020.
- C Conceptual Grading & Drainage Plan, received March 19, 2020.
- D Applicant's Findings of Fact & Conclusions of Law, received March 19, 2020.
- E Public Works Staff Report, received May 6, 2020.
- F Medford Water Commission memo & associated map, received May 6, 2020.
- G Medford Fire Department Report, received May 6, 2020.
- H Utility Plan, submitted March 19, 2020.  
Vicinity map

**PLANNING COMMISSION AGENDA:**

**MAY 28, 2020**

## EXHIBIT A

Angell Village Subdivision  
LDS-20-083  
Conditions of Approval  
May 21, 2020

### CODE REQUIRED CONDITIONS

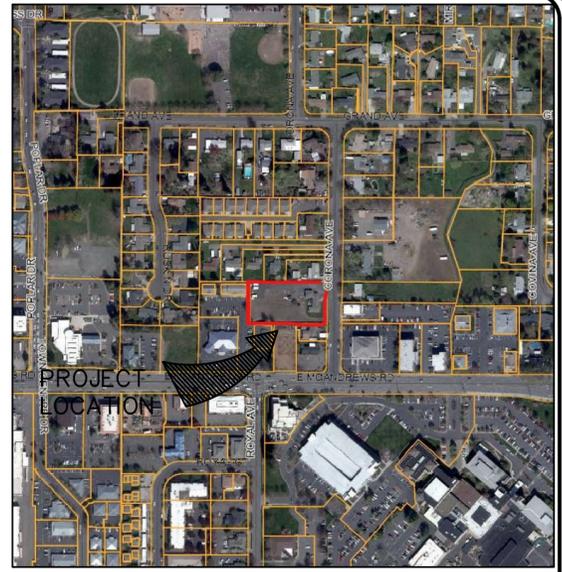
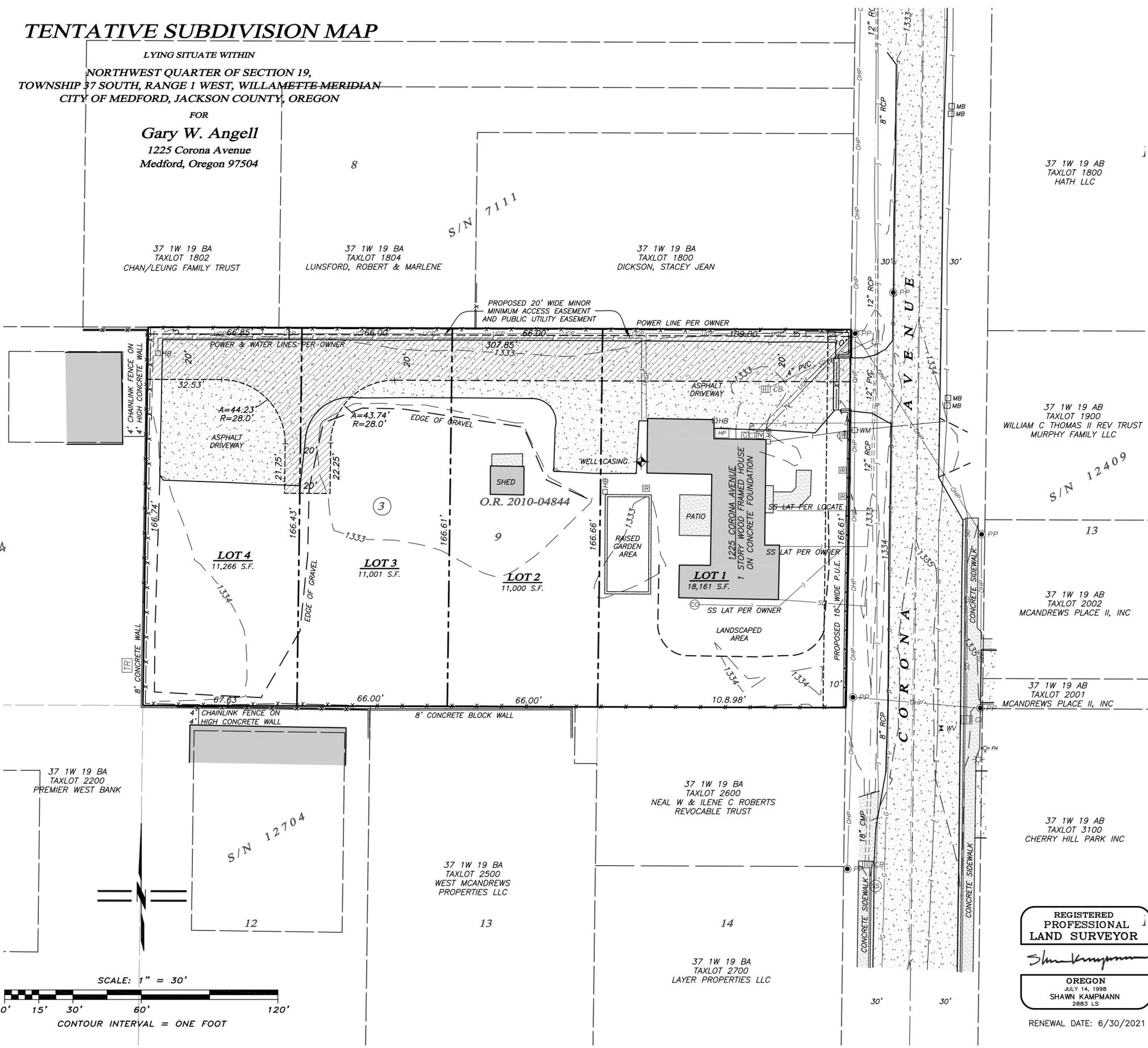
Prior to the approval of the final plat, the applicant shall:

1. Comply with all conditions stipulated by the Medford Public Works Department (Exhibit E)
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit F).
3. Comply with all conditions stipulated by the Medford Fire Department (Exhibit G).
4. Remove the existing accessory structure.

# TENTATIVE SUBDIVISION MAP

LYING SITUATE WITHIN  
NORTHWEST QUARTER OF SECTION 19,  
TOWNSHIP 37 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN  
CITY OF MEDFORD, JACKSON COUNTY, OREGON

FOR  
**Gary W. Angell**  
1225 Corona Avenue  
Medford, Oregon 97504



VICINITY MAP  
(NOT TO SCALE)

**LEGEND**

—	PROPERTY LINE
- - -	PROPOSED PARTITION LINE
---	BOUNDARY LINE
---	CENTERLINE
-x-x-x-	FENCELINE
---	WATER LINE
-T-	BURIED PHONE LINE
-G-	BURIED GAS LINE
-S-	SANITARY SEWER LINE
-SD-	STORM DRAIN LINE
-OHP-	OVERHEAD POWER LINE
● PP	POWER POLE
⊗ WV	WATER VALVE
⊙ SD	STORM DRAIN MANHOLE
⊙ SS	SANITARY SEWER MANHOLE
⊙ C	CLEANOUT
⊙ CB	CATCH BASIN
⊙ FH	FIRE HYDRANT
⊙ WM	WATER METER
⊙ WV	WATER VALVE
⊙ GM	GAS METER
⊙ EM	ELECTRIC METER
⊙ TS	TRAFFIC SIGN
P.U.E.	PUBLIC UTILITY EASEMENT

RECORD OWNER: GARY W. ANGELL  
1225 CORONA AVENUE  
MEDFORD, OREGON 97504

APPLICANT: GARY W. ANGELL  
1225 CORONA AVENUE  
MEDFORD, OREGON 97504

AGENT: POLARIS LAND SURVEYING, LLC  
P.O. BOX 459  
ASHLAND, OREGON 97520

NOTES: - ZONING DISTRICT: SFR-4 (SINGLE FAMILY)  
- TOTAL GROSS AREA = 56,425 SQ. FT. (1.29 ACRES)  
- MEDFORD SCHOOL DISTRICT 549C  
- MEDFORD FIRE DISTRICT STATION 81S5  
- MEDFORD IRRIGATION DISTRICT  
- MEDFORD SEWER SERVICE  
- EASEMENTS EXISTING & PROPOSED ARE DENOTED HEREON

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

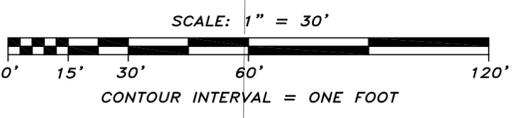
*Shawn Kampmann*

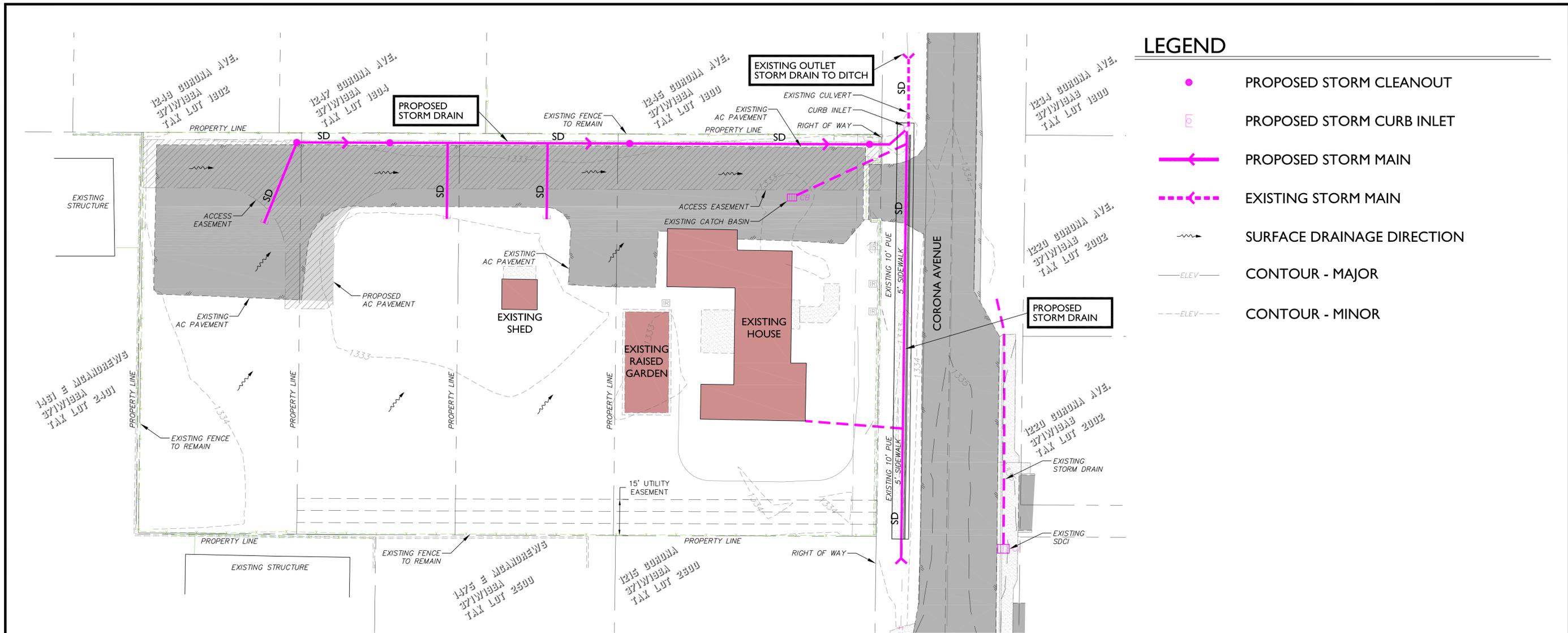
OREGON  
JULY 14, 1998  
SHAWN KAMPMANN  
2883 LS

RENEWAL DATE: 6/30/2021

SURVEYED BY:  
**POLARIS LAND SURVEYING LLC**  
P.O. BOX 459  
ASHLAND, OREGON 97520  
(541) 482-5009

DATE: MARCH 16, 2020  
PROJECT NO. 1208-18



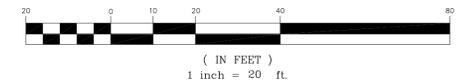


**LEGEND**

- PROPOSED STORM CLEANOUT
- PROPOSED STORM CURB INLET
- > PROPOSED STORM MAIN
- - -> EXISTING STORM MAIN
- SURFACE DRAINAGE DIRECTION
- CONTOUR - MAJOR
- CONTOUR - MINOR



GRAPHIC SCALE



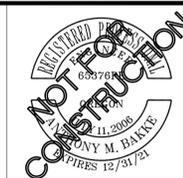
**EXHIBIT C.1**



P.O. BOX 1724 - MEDFORD - OR 97501  
PH. (541) 779-5268

DRAWN BY: JMJ	DATE: 03/20
CHECKED BY: MWK	DATE: 03/20
APPROVED RVS:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

NO.	REVISION	DATE	BY



CITY OF MEDFORD - ENGINEERING DEPARTMENT

ANGELL VILLAGE  
PHASE I  
CIVIL IMPROVEMENTS

CONCEPTUAL  
GRADING & DRAINAGE PLAN

PROJECT NO.

-

DRAWING NO.



BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

IN THE MATTER OF AN APPLICATION FOR	)	
A LAND DIVISION FOR THE PROPERTY IDENTIFIED AS	)	FINDING OF FACT
T371W19BA TAX LOT 2300	)	AND
GARY ANGELL APPLICANT	)	CONCLUSIONS
SCOTT SINNER CONSULTING, INC. AGENT	)	OF LAW

I. BACKGROUND INFORMATION

Applicant:

Gary Angell  
1225 Corona Ave  
Medford, OR 97504  
[gwangell66@gmail.com](mailto:gwangell66@gmail.com)

Agent:

Scott Sinner Consulting, Inc.  
4401 San Juan Dr. Suite G  
Medford, OR 97504  
[scottsinner@yahoo.com](mailto:scottsinner@yahoo.com)

Property:

37 1W 19BA TL 2300  
1225 Corona Ave  
Medford, OR 97504

1.17 acres net  
SFR-4 zoning district

Project Summary:

The subject property is within the SFR-4 zoning district and Urban Residential (UR) GLUP designation.

The approval of the requested Land Division will create 4 lots conforming to the standards of the Medford Land Development Code (MLDC).

The site has significant existing improvements that are proposed to be retained for access.



BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Approval Criteria:

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

*(E) Land Division Approval Criteria.*

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

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Articles IV and V;*
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;*
- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;*
- (4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property, unless the Planning Commission determines it is in the public interest to modify the street pattern;*
- (5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;*
- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.*

## BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

### Findings of Fact:

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

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

The subject property is 2.5 miles from the Rogue Valley International Airport, and 1.5 miles from Interstate Highway 5 (I-5). The subject property has frontage on Corona Avenue.

RVTD bus route 21 is the closest route with a bus stop is located on Royal Avenue approximately .25 miles for the site.

The subject property has frontage on Corona Avenue. The frontage of the site does not have a developed sidewalk or bike lane.

The City Engineer has determined this segment meets the definition for a legacy street as defined in the MLDC and future development will not require dedication of right of way.

The Medford Transportation System Plan (TSP) is acknowledged, therefore also consistent with the Oregon Transportation Planning Rule.

The subject property is within the General Land Use Plan Map (GLUP) UR Urban Residential map designation. The UR designation allows for the SFR-2, SFR-4, SFR-6 and SFR-10 zoning districts, and the property is within the SFR-4 zoning district, consistent with the GLUP designation.

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

### Conclusions of Law:

The Planning Commission can conclude this application is consistent with the Comp Plan, the TSP and there are no neighborhood circulation plans. The application is consistent with the adopted Medford Transportation System Plan and the Oregon Transportation Planning Rule, and the SFR-4 zoning district is appropriate within the UR GLUP designation.

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

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Findings of Fact:

The partition plan submitted with this application proposes development of the entire parcel. All adjoining parcel are currently developed to urban densities.

Conclusions of Law:

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

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

Findings of Fact:

The proposed subdivision name is Angell Village and is unique in the jurisdiction.

Conclusions of Law:

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

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

Findings of Fact:

The approval of this application will not create any new streets. A proposed minor minimum access easement will provide access for the three new parcels. A minimum access easement is private and does not require a unique name.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

The existing house will continue to utilize the existing approach for access and the Minimum access easement serving lots 2-4 will utilize the north portion of the existing approach.

The City Engineer reviewed and approved the applicant's request for this last segment of Corona Avenue to be considered a Legacy Street.

Conclusions of Law:

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

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

The approval of this application will not create any new streets. A proposed minor minimum access easement will provide access for the three new parcels. A minimum access easement is private and does not require a unique name.

This plat does not propose any new streets. The existing Corona Avenue frontage will be completed and will be a public street.

Conclusions of Law:

The Planning Commission can conclude the tentative plat has provided public street.

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

Findings of Fact:

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

Conclusions of Law:

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

Additional Criteria

Three additional criteria relevant to this application are the Hillside Ordinance and the Block Length Ordinance and Minimum Access Easement section 10.450.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

**Hillside Ordinance**

*10.929 Hillside Ordinance, Purpose; Applicability*

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

The subject property is not located in a high slope area as identified or described in the MLDC. The requirements to comply with the hillside ordinance requirements, including the constraints analysis do not apply to this property and the current development application.

As required by the MLDC, this application contains the submittal the City of Medford Hillside Development Constraints Analysis Status Form.

**Conclusions of Law**

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

**Block Length Ordinance**

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

*10.426 Street Circulation Design and Connectivity*

*A. Street Arrangement Suitability.*

*The approving authority shall approve or disapprove street arrangement. In determining the suitability of the proposed street arrangement, the approving authority shall take into consideration:*

- 1. Adopted neighborhood circulation plans where provided; and*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

2. *Safe, logical and convenient access to adjoining property consistent with existing and planned land uses; and*
3. *Efficient, safe and convenient vehicular and pedestrian circulation along parallel and connecting streets; and*
4. *Compatibility with existing natural features such as topography and trees; and*
5. *City or state access management standards applicable to the site.*

*B. Street Connectivity and Formation of Blocks Required.*

1. *Block layouts shall substantially conform to adopted neighborhood circulation plans for the project area if applicable. Street arrangement and location may depart from the adopted plan if the project will result in a comparable level of overall connectivity. Projects that depart from the neighborhood circulation plan shall conform to planned higher order streets adopted in the City of Medford Transportation System Plan.*
2. *Proposed streets, alleys and accessways shall connect to other streets within a development and to existing and planned streets outside the development, when not precluded by factors in Section 10.426 C.2 below. When a development proposes a cul-de-sac, minimum access easement or flag lot to address such factors, the provisions of Section 10.450 apply.*
3. *Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops and other neighborhood activity centers such as schools, office parks, shopping areas, and parks.*
4. *Streets shall be constructed or extended in projections that maintain their function, provide accessibility, and continue an orderly pattern of streets and blocks.*

*C. Maximum Block Length and Block Perimeter Length.*

1. *Block lengths and block perimeter lengths shall not exceed the following dimensions as measured from centerline to centerline of through intersecting streets, except as provided in Subsections 10.426 C.2.*

<p><i>MAXIMUM BLOCK LENGTH AND PERIMETER LENGTH</i> <i>Table 10.426-1</i></p>
---

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

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

2. *The approving authority may find that proposed blocks that exceed the maximum block and/or perimeter standards are acceptable when it is demonstrated by the findings that one or more of the constraints, conditions or uses listed below exists on, or adjacent to the site:*

- a. Topographic constraints, including presence of slopes of 10% or more located within the boundary of a block area that would be required by subsection 10,426 C.1.,*
- b. Environmental constraints including the presence of a wetland or other body of water,*
- c. The area needed for a proposed Large Industrial Site, as identified and defined in the Medford Comprehensive Plan Economic Element, requires a block larger than provided by section 10.426 C.1.e. above. In such circumstances, the maximum block length for such a Large Industrial Site shall not exceed 1,150 feet, or a maximum perimeter block length of 4,600 feet*
- d. Proximity to state highways, interstate freeways, railroads, airports, significant unbuildable areas or similar barriers that make street extensions in one or more directions impractical,*
- e. The subject site is in SFR-2 zoning district,*
- f. Future development on adjoining property or reserve acreage can feasibly satisfy the block or perimeter standards,*
- g. The proposed use is a public or private school, college or other large institution,*
- h. The proposed use is a public or private convention center, community center or arena,*
- i. The proposed use is a public community service facility, essential public utility, a public or private park, or other outdoor recreational facility.*

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

*j. When strict compliance with other provisions of the Medford Land Development Code produce conflict with provisions in this section.*

*3. Block lengths are permitted to exceed the maximum by up to 20% where the maximum block or perimeter standards would require one or more additional street connections in order to comply with both the block length or perimeter standards while satisfying the street and block layout requirements of 10.426 A or B or D,*

*4. When block perimeters exceed the standards in accordance with the 10.426 C.2. above, or due to City or State access management plans, the land division plat or site plan shall provide blocks divided by one or more public accessways, in conformance with Sections 10.464 through 10.466.*

*D. Minimum Distance Between Intersections.*

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

**Findings of Fact**

10.426 (2)(d) recognizes the constraints of existing development on circulation.

The subject parcel is bordered by properties developed at urban densities on the south, west and north. These parcels do not allow for the applicant to create a public street circulation pattern in the vicinity as the adjoining parcels are fully developed.

**Conclusions of Law**

The Planning Commission can conclude the application is consistent with the block length ordinance contained in the MLDC as the site is constrained by existing development on adjacent parcels.

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

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

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

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

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

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

*(2) If a cul-de-sac is necessary, then the following standards shall apply: (a) Cul-de-sac streets shall be as short as possible and shall not exceed 450 feet in length. (b) Cul-de-sac streets shall have a vehicle turnaround area with a minimum right-of-way radius of forty-five (45) feet and a minimum paved section radius of thirty-seven (37) feet.*

*(3) If a flag lot is necessary, then the following standards shall apply:*

*(a) The access drive, or flag pole, shall have a minimum width of twenty (20) feet.*

*(b) The minimum lot frontage for a flag lot shall be twenty (20) feet.*

*(c) The required front yard setback shall be measured from the lot frontage property line.*

*(d) The minimum driveway throat width shall be determined as per Section 10.550.*

**Findings of Fact**

This application proposes a minor Minimum Access Easement (MAE) for access for lots 2 through 4. A minor MAE requires a 20' wide easement with an 18' paved section and serves up to 3 dwelling units. The existing house will utilize the southerly portion of the existing driveway approach and the MAE will utilize the northly portion of the approach.

The existing development on the south, west and north prevent the development of any circulation pattern, and all other adjoining parcels are currently improved at urban densities. The commercial properties on the south and west installed a 4' block retaining walls their properties and backfilled to create level parking lots for their commercial development.

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

This application and the creation of a MAE to provide access for this land division is consistent with 10.450 a) and b) as existing development on the adjoining parcels prevents a street circulation pattern in the vicinity.

This application does not propose a public Cul de Sac or flag lots and the relevant sections of the 10.450 are not applicable.

**Conclusions of Law**

The Planning Commission can conclude the application is consistent with MLDC section 10.450 for a minimum access easement as existing development on adjoining properties do not allow for a street circulation pattern in the vicinity.

**Application Summary and Conclusion:**

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

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

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

The subdivision proposes a unique name.

The application does not propose any public streets.

The property is not located in a steep slope area and the existing development on adjoining parcels prevents a street circulation consistent with the block length ordinance.

The existing development on adjoining parcels demonstrates the need to develop the property at urban densities with a minimum access easement.

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

Scott Sinner  
Scott Sinner Consulting, Inc.



## **PUBLIC WORKS DEPARTMENT STAFF REPORT**

### **Angell Village Subdivision (TL 2300) 4 -Lot Subdivision**

- Project:** Consideration of tentative plat approval for Angell Village Subdivision, a proposed 4-lot residential subdivision on a single 1.17-acre parcel.
- Location:** Located at 1225 Corona Avenue in the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (371W19BA2300).
- Applicant:** Applicant, Gary Angell; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs.

---

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

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

#### **A. STREETS**

##### **1. Dedications**

**Corona Avenue** ) is classified as a Standard Residential street within the MLDC, Section 10.430. Through a Legacy Street Conference it has been determined that no additional right-of-way will be required.

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

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

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

## 2. Public Improvements

### a. Public Streets

**Corona Avenue** – Shall be improved to Standard Residential street standards, in accordance with MLDC 10.430. The Developer shall improve the west half (with a reduced planter strip) plus 12-feet east of the centerline, or to the far edge of the existing pavement, whichever is greater, along the northern half of the frontage of this development. Along the southern half of the frontage, Project P1328D completed partial improvements to the east half plus approximately 12-feet west of centerline. Therefore, along this partially improved portion, the Developer shall improve the remaining west half (with a reduced planter strip) to provide an 18-foot half street width. This shall include saw cutting the existing east edge of pavement back a minimum of 1-foot to ensure structural integrity and to provide cross slopes that meet current standards as required.

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

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

**Minor Minimum Access Easement (Private)** (Serving Parcels 2, 3 and 4) shall be built consistent with MLDC 10.430(A)(1), 10.746 and improved to a minimum width of 20 feet with AC pavement. The minimum access drive shall be reviewed and constructed with the first building permit for new construction.

## **b. Street Lights and Signing**

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

Street Lighting & Signage – Developer Provided & Installed:

A. 1 – Type R-150 (LED)

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

A. NONE

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

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

## **c. Pavement Moratoriums**

There is a no pavement cutting moratorium currently in effect along this developments respective frontage to Corona Avenue.

## **d. Access to Public Street System**

Driveways shall comply with MLDC 10.550.

## **e. Easements**

All public sanitary sewer or storm drain mains shall be located in paved public streets or within easements. A 12-foot wide paved access shall be provided to any public manholes or other structures which are not constructed within the street section, in these locations the paved access shall be located within a 15-foot easement.

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. The City requires that easement(s) do not run down the middle of two tax lot lines, but rather are fully contained within one tax lot.

## **3. Section 10.668 Analysis**

To support a condition of development that an applicant dedicate land for public use or

provide a public improvement, the Medford Code requires a nexus and rough proportionality analysis which is essentially a codification of the constitutional provisions in Nollan and Dolan cases.

### **10.668 Limitation of Exactions**

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

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

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

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

The purposes for these dedications 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.

#### **Corona Avenue:**

Local street construction requirements identified by the Public Works Department and required by the City are the minimum required to protect the public interest and are necessary for additional or densification of development in the City without detracting from the common good enjoyed by existing properties. Developments are required to

provide all internal local streets and half-street improvements to abutting streets, including associated right-of-way dedications, to ensure that new development and density intensification provides the current level of urban services and adequate street circulation is maintained.

Dedication of 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 street lighting will provide the needed illumination to meet current MLDC requirements.

## **B. SANITARY SEWERS**

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

## **C. STORM DRAINAGE**

### **1. Hydrology**

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

### **2. Stormwater Detention and Water Quality Treatment**

If required, this development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual per MLDC, Section 10.481. It does not appear that either will be required.

### **3. Grading**

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

## 4. Mains and Laterals

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

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

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

## 5. Erosion Control

Subdivisions of one acre and greater require a run-off and erosion control permit from DEQ. The approved permit must be submitted to the Engineering Division prior to public improvement plan approval. The erosion prevention and sediment control plan shall be included as part of the plan set. Erosion Control set shall include a plan for site stabilization at time of Public Improvement Plan acceptance.

### 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.

#### 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, stormdrains, and street lights as required by the governing Commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

### **3. Phasing**

The proposed plans do not show any phasing.

### **4. Draft of Final Plat**

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

### **5. Permits**

Building Permit applications for vertical construction shall not be accepted by the Building Department until the Final Plat has been recorded as required by the Planning Commission.

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

### **6. System Development Charges (SDCs)**

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

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

## 7. Construction and Inspection

Contractors proposing to do work on public streets (including street lights), sewers, or storm drains shall 'prequalify' with the Engineering Division prior to starting work.

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

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

# SUMMARY CONDITIONS OF APPROVAL

## Angell Village Subdivision (TL 2300)

### 4 -Lot Subdivision

LDS-20-083

#### A. Streets

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

- **Corona Avenue** – Dedicate additional right-of-way.
- Dedicate Minor Minimum Access Easement (private).
- Dedicate 10-foot public utility easements (PUE).

##### 2. Improvements:

###### Public Streets

- Improve **Corona Avenue** half plus 12', to Minor Residential street standards.
- Construct the Minor Minimum Access Easement (private).

###### Lighting and Signing

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

###### Access and Circulation

- Driveways shall comply with MLDC 10.550.

###### Other

- No pavement moratorium currently in effect along this developments respective frontage to Corona Avenue.

#### B. Sanitary Sewer:

- Provide a private lateral to each lot.
- Provide easements as necessary.

#### C. Storm Drainage:

- Provide an investigative drainage report.
- Provide water quality and detention facilities, as required.
- Provide Engineers verification of stormwater facility construction, as required.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide Erosion Control Permit from DEQ.

#### D. Survey Monumentation

- Provide all survey monumentation.

#### E. General Conditions

- Building permits will not be issued until after final plat approval.
- = City Code Requirement
- = Discretionary recommendations/comments

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



BOARD OF WATER COMMISSIONERS

**Staff Memo**

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

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

**SUBJECT:** LDS-20-083

**PARCEL ID:** 371W19BA TL 2300

**PROJECT:** Consideration of tentative plat approval for *Angell Village Subdivision*, a proposed 4-lot residential subdivision on a single 1.17-acre parcel located at 1225 Corona Avenue in the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (371W19BA2300); Applicant, Gary Angell; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs.

**DATE:** May 6, 2020

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

**CONDITIONS**

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The existing water meter located south of the proposed Minimum Access Entrance along the west side of Corona Avenue shall be protected in place during sidewalk construction and shall continue to serve the existing dwelling at 1225 Corona Avenue on proposed Lot 1. This water meter box is required to be adjusted to grade in the back of the proposed sidewalk grade.
4. Proposed Lots 2, 3, and 4 are required to have a new water service installed. These water meters shall be located on the south side of the proposed minimum access driveway. Water meters shall not be installed in existing or proposed driveways. "Private" water service line installation to each proposed Lot is required. Applicants engineer shall coordinate approved location, and payment of Water Meter Installation and System Development Charges with MWC Engineering staff.

**COMMENTS**

1. Off-site water line installation is not required.
2. On-site water facility construction is not required.
3. MWC-metered water service exists to this Lot. (See Condition 3)
4. Access to MWC water lines is available. There is an existing 8-inch water line in Corona Avenue.





## Medford Fire-Rescue Land Development Report

### Review/Project Information

**Reviewed By:** Kleinberg, Greg

**Review Date:** 4/30/2020  
**Meeting Date:** 5/6/2020

**LD File #:** LDS20083

**Planner:** Dustin Severs

**Applicant:** Gary Angell

**Site Name:** Angell Village Subdivision

**Project Location:** 1225 Corona Avenue

**ProjectDescription:** Consideration of tentative plat approval for Angell Village Subdivision, a proposed 4-lot residential subdivision on a single 1.17-acre parcel located at 1225 Corona Avenue in the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district (371W19BA2300);

### Specific Development Requirements for Access & Water Supply

#### Conditions

Reference	Comments	Description
OFC 505	A minimum access address sign is required.	<p>The developer must provide a minimum access address sign. A pre-approved address sign can also be utilized.</p> <p>(A brochure is available at: <a href="http://www.medfordfirerescue.org">www.medfordfirerescue.org</a>. Once there, click on the Fire and Life Safety tab, and then click on the Construction Info, Permits tab)</p>

OFC  
503.4;  
D103.6;  
D103.6.1;  
D103.6.2

Parking shall be posted as prohibited along both sides of the driveway and in the fire department turn-around area.

Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1).

Where parking is prohibited for fire department vehicle access purposes, NO PARKING-FIRE LANE signs shall be spaced at minimum 50' intervals along the fire lane (minimum 75' intervals in 1 & 2 family residential areas) and at fire department designated turn-around's. The signs shall have red letters on a white background stating "NO PARKING-FIRE LANE" (See handout).

For privately owned properties, posting/marketing of fire lanes may be accomplished by any of the following alternatives to the above requirement (consult with the Fire Department for the best option):

**Alternative #1:**

Curbs shall be painted red along the entire distance of the fire department access. Minimum 4" white letters stating "NO PARKING-FIRE LANE" shall be stenciled on the curb at 25-foot intervals.

**Alternative #2:**

Asphalt shall be striped yellow or red along the entire distance of the fire department access. The stripes shall be at least 6" wide, be a minimum 24" apart, be placed at a minimum 30-60 degree angle to the perimeter stripes, and run parallel to each other. Letters stating "NO PARKING-FIRE LANE" shall be stenciled on the asphalt at 25-foot intervals.

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12).

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

A brochure is available on our website at:

<http://www.ci.medford.or.us/Files/Fire%20Lane%20Brochure.pdf>

### Construction General Information/Requirements

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

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

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

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

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

[www.medfordfirerescue.org](http://www.medfordfirerescue.org)



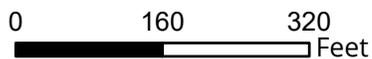


Project Name:

**Angell Village Subdivision  
1225 Corona Avenue**

Map/Taxlot:

**371W19BA TL 2300**



**Legend**

-  Subject Area
-  Tax Lots

3/23/2020

