

PLANNING COMMISSION AGENDA JUNE 25, 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

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380

PLANNING COMMISSION AGENDA



MEDFORD
OREGON

June 25, 2020

5:30 P.M.

Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

10. Roll Call

20. Consent Calendar / Written Communications (voice vote). None.

30. Approval or Correction of the Minutes from June 11, 2020 hearing.

40. Oral Requests and Communications

COMMENTS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR ORGANIZATION. **PLEASE SIGN IN.**

50. Public Hearings

COMMENTS ARE LIMITED TO A TOTAL OF 10 MINUTES FOR APPLICANTS AND/OR THEIR REPRESENTATIVES. YOU MAY REQUEST A 5-MINUTE REBUTTAL TIME. ALL OTHERS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR ORGANIZATION. **PLEASE SIGN IN.**

Old Business

50.1 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.

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.

New Business

50.3 ZC-20-112 Consideration of a request for a change of zone of two contiguous parcels totaling 6.26 acres located approximately 880 feet east of Crater Lake Avenue, south of Owen Drive, and north of Delta Waters Road. The applicant is requesting a change from I-G (General Industrial) and I-L (Light Industrial) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre) zoning district (371W08C TL 900 & 901). Applicant: Fred Owen; Agent: Richard Stevens & Associates, Inc.; Planner; Dustin Severs.

50.4 ZC-20-131 Consideration of a request of a change of zone on a 3.6-acre parcel located at 2399 South Pacific Highway from C-H (Heavy Commercial) to the C-R (Regional Commercial) zoning

district (371W32CD TL 4100). Applicant: Cedar Hotel 1 LLC; Agent: ORW Architecture; Planner: Dustin Severs.

50.5 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.

50.6 LDP-20-120 / E-20-121 Consideration of tentative plat approval for a two-lot partition and an Exception pertaining to relief to street and storm improvement standards on one parcel of land, 0.76 acres in size, located at 2133 Dellwood Avenue within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W29DB4300); Applicant: Ryder & Tyler West; Agent: Neathamer Surveying Inc.; Planner: Steffen Roennfeldt.

50.7 UP-20-095 A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan for approximately 88.73 acres of property located between Owen Drive and Coker Butte Road, and to the east of Springbrook Road (Planning Unit MD-3a)(371W08 TL 300 - 1000 and 371W08BA TL 100 - 400). This application is filed in conjunction with an annexation request (ANNX-20-094); Applicants: Steven Skinner and Veritas Properties, LLC; Agent: Jay Harland, CSA Planning, Ltd.; Planner: Seth Adams.

50.8 CP-20-134 Consideration of Minor Comprehensive Plan Amendment to modify the Urbanization and Neighborhood Elements specifically related to the Rogue Valley Manor's open space assessment requirement in planning unit MD-5f. Applicant: City of Medford; Planner: Carla Angeli Paladino.

50.9 UP-19-004 Consideration of a Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for ten tax lots totaling 417.18 acres located west of North Phoenix Road (planning unit MD-5f- Rogue Valley Manor). Applicant: Rogue Valley Manor; Agent: Clark Stevens, Richard Stevens & Associates, Inc.; Planner Carla Angeli Paladino.

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



June 11, 2020
5:30 P.M.
Virtual Meeting

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
E.J. McManus
Jared Pulver
Jeff Thomas

Staff Present

Carla Paladino, Principal Planner
Katie Zerkel, Senior Assistant City Attorney
Terri Richards, Recording Secretary

10. Roll Call
20. Consent Calendar / Written Communications. None.
30. Approval or Correction of the Minutes from May 28, 2020 hearing
 - 30.1 The minutes for May 28, 2020, were approved as submitted.
40. Oral Requests and Communications from the Public. None.
50. Public Hearings.

Continuance Requests

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, June 25, 2020, Planning Commission meeting.**

Motion: The Planning Commission continued PUD-20-032 and LDS-20-100, per the applicant's request, to the Thursday, June 25, 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, 8-0-1, with Commissioner Culbertson abstaining.

50.2 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, **This item to be continued to the June 25, 2020 Planning Commission meeting.**

Motion: The Planning Commission continued LDS-20-083 to the Thursday, June 25, 2020 Planning Commission meeting.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 9-0-0.

50.3 CP-20-134 Consideration of Minor Comprehensive Plan Amendment to modify the Urbanization and Neighborhood Elements specifically related to the Rogue Valley Manor's open space assessment requirement in planning unit MD-5f. Applicant, City of Medford; Planner, Carla Angeli Paladino. **Staff requests this item be continued to the Thursday, June 25, 2020 Planning Commission meeting.**

Motion: The Planning Commission continued CP-20-134 to the Thursday, June 25, 2020 Planning Commission meeting.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 9-0-0.

50.4 UP-19-004 Consideration of a Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for ten tax lots totaling 417.18 acres located west of North Phoenix Road (planning unit MD-5f- Rogue Valley Manor). Applicant, Rogue Valley Manor; Agent, Clark Stevens, Richard Stevens & Associates, Inc.; Planner, Carla Angeli Paladino. The applicant requests this item be continued to the Thursday, June 25, 2020 Planning Commission meeting.

Motion: The Planning Commission continued UP-19-004, per the applicant's request to the Thursday, June 25, 2020 Planning Commission meeting,

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 9-0-0.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural Commission met on Friday, June 5 2020. They approved a 9,000 square foot commercial structure located at 5274 Crater Lake Avenue and construction of Joseph Office Park – Building III, an 8,400 square foot building located at 3531 East Barnett Road,

60.2 Transportation Commission.

Commissioner Pulver reported that the Transportation Commission has not met since the last meeting.

60.3 Planning Department

Carla Angeli Paladino, Principal Planner reported the Planning Commission study session scheduled for Monday, June 22, 2020 has been cancelled.

There is business scheduled for Thursday, June 25, 2020, and Thursday, July 9, 2020.

There was no Planning business for City Council last week.

Next week City Council will hear the Electric Fence Amendments, Shared Use Path Amendment, housing CARES Act Amendment to the Program Year 2019 Action Plan and Columbia Care HOF Funding Agreement.

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.

Planning Commission Minutes
June 11, 2020

Submitted by:

Terri L. Richards
Recording Secretary

Mark McKechnie
Planning Commission Chair

Approved: June 25, 2020

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

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF ANGELL VILLAGE)
SUBDIVISION _____ [LDS-20-083] _____) **ORDER**

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

A 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).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Section 10.202; and
2. The Medford Planning Commission has duly held a public hearing on the request for tentative plat for *Angell Village Subdivision*, as described above, with the public hearing a matter of record of the Planning Commission on May 28, 2020 and June 25, 2020. Specifically, due to COVID-19 related restrictions, feedback from others besides the applicant were requested in written format prior to the hearing, and the hearing was then closed but the record was kept open for a period subsequent to the May 28, 2020 hearing for any potential responses to the applicant's presentation.
3. At the May 28, 2020 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 at the June 25, 2020 hearing, the Medford Planning Commission, upon a motion duly seconded granted tentative plat for *Angell Village Subdivision*, as described above and adopted 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 *Angell Village Subdivision*, stands approved per the Planning Commission Report dated June 18, 2020, 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 June 18, 2020.

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

Accepted and approved this 25th day of June, 2020.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Vice-Chair

ATTEST:

Planning Department Representative



MEDFORD PLANNING

STAFF REPORT – REVISED

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 6/25/2020 hearing*

From Dustin Severs, Planner III

Reviewer Kelly Evans, Assistant Planning Director

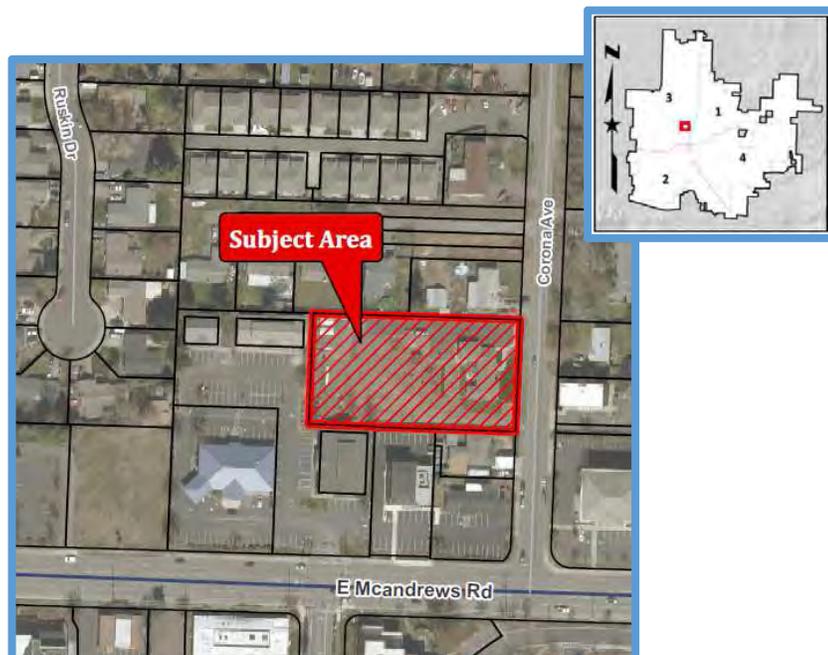
Date June 18, 2020

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

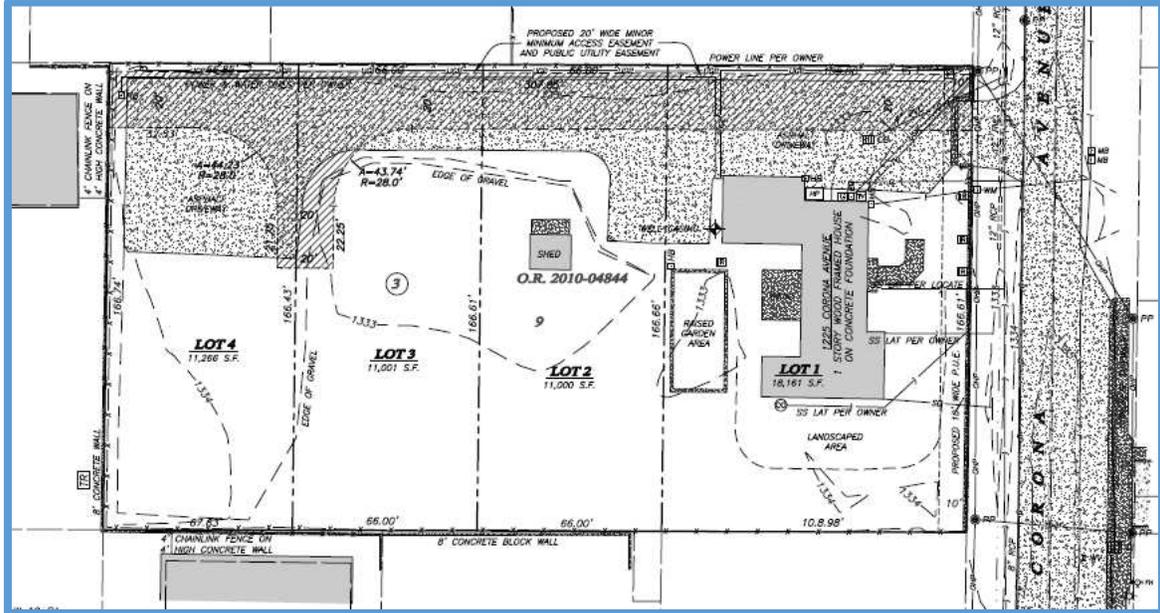
The subject site consists of a single 1.17-acre parcel, containing a single-family home with an attached garage. The parcel is fronted by Corona Avenue, a Standard Residential street. Vehicular access to the existing residence is provided by a driveway off of Corona Avenue. Street section improvements 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

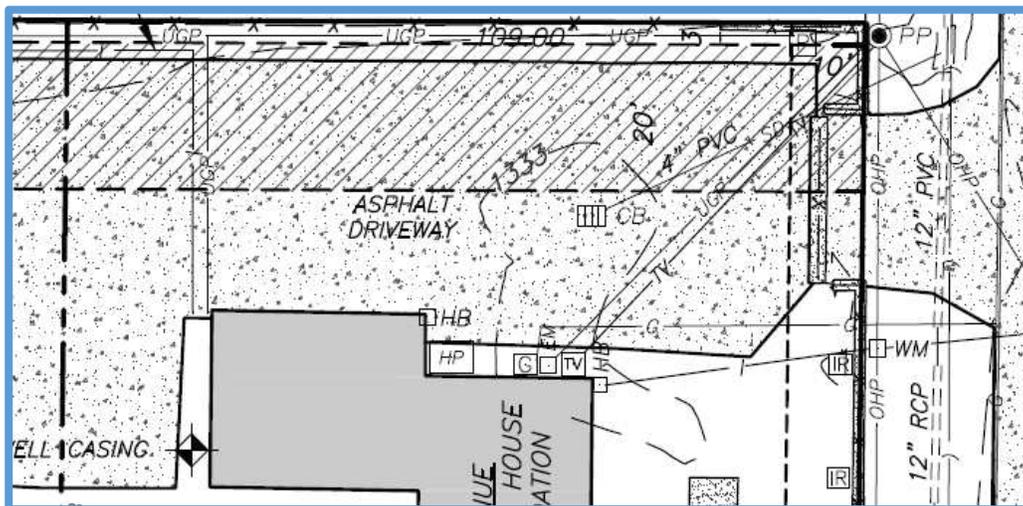
**Detached Single Family Dwellings
 Site Development Table (MLDC 10.710)**

SFR-4	Lot Area	Minimum Lot Width (Interior)	Minimum Lot Depth	Minimum Lot Frontage
Required	6,500 to 18,750	60 feet	90 feet	30 feet
Shown	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.

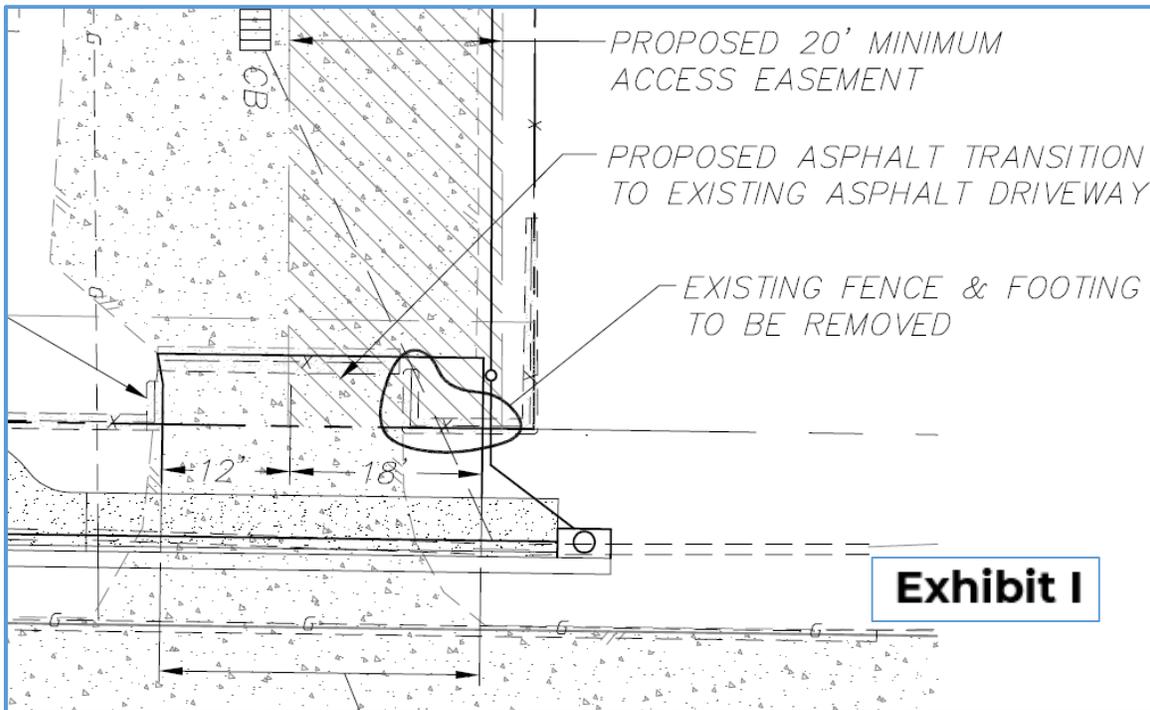
REVISIONS

At the hearing held on May 28, 2020—in order to simultaneously respect social distancing requirements, to allow individuals to respond to information provided by the applicant during applicant's presentation, and to comply with state law [ORS 197.763(6)] and our code [MLDC 10.130(E)(10)]—staff recommended closing the public hearing, leaving the written record open, and continuing the item to the June 11, 2020, meeting. The purpose was to allow any participant to submit additional written evidence and comments regarding the application that would be allowed during an in-person meeting that cannot be accommodated in a virtual meeting. The applicant verbally authorized the continuance.

At the May 28 meeting, there was discussion regarding the proposed minimum access easement. The proposed MAE showed on the plans included two unique features. First, the plans showed an offset of several feet between the existing driveway approach off of Corona Avenue and the northerly portion of the proposed MAE. The applicant explained that an existing pipe fence/gate located at the north side of the existing driveway inhibited the northern portion of the proposed MAE from aligning flush with the driveway. Second, the applicant proposed a shared driveway approach off of Corona Avenue between the MAE—serving Lots 2-4—and the driveway serving the existing residence, located on proposed Lot 1. The applicant's findings state that the existing residence will use the southerly portion (12 feet) of the driveway approach for access, while the northerly half will be used to serve the proposed MAE.

The Commission raised concerns with both features. The existing pipe fence/gate at the north corner, a structure the applicant explained included a feature allowing the gate to close the driveway off, raised concerns with access for fire trucks and other emergency vehicles. The Commission also raised questions concerning the proposed shared driveway approach and potential long-term conflicts rising between the present/future residents on Lot 1 and the future residents on Lots 2-4.

The applicant has submitted a plan showing a different layout for the proposed MAE, one in which the applicant hopes addresses both issues previously raised by the Commission (Exhibit I). The applicant's submitted supplemental findings (Exhibit J) state that the existing pipe fence/gate will be removed, and pavement will be added to the driveway approach to align flush with the proposed MAE. The expanded driveway will include a 30-foot approach off of Corona Avenue, providing the full 18-foot paved width for the proposed MAE, while the remaining 12-foot southerly portion will be used as legal access for the existing residence (Lot 1).



Staff also received a revised report from the Fire Department (Exhibit G-1). The report includes information related to electric gate requirements.

Because new information was submitted into the record during the initial seven day period (Exhibits I and J), the item was again continued at the June 11, 2020 meeting.

At the time of this writing, no new evidence has been submitted into the record since the June 11, 2020, meeting. Accordingly, staff is requesting that the Commission adopt the final order.

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 adopt the final order for approval of LDS-20-083, per the staff report dated June 18, 2020.

EXHIBITS

- A-1 Conditions of Approval, drafted June 18, 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-1 Medford Fire Department Report (revised), received June 1, 2020.
- H Utility Plan, submitted March 19, 2020.
- I MAE Plan, received June 2, 2020.
- J Applicant’s supplemental findings, received June 2, 2020.
Vicinity map

PLANNING COMMISSION AGENDA:

MAY 28, 2020
JUNE 11, 2020
JUNE 25, 2020

EXHIBIT A-1

Angell Village Subdivision
LDS-20-083
Conditions of Approval
June 18, 2020

CODE REQUIRED CONDITIONS

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

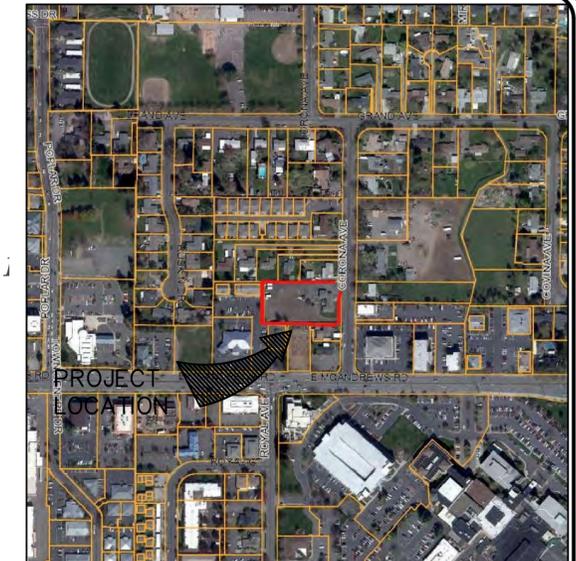
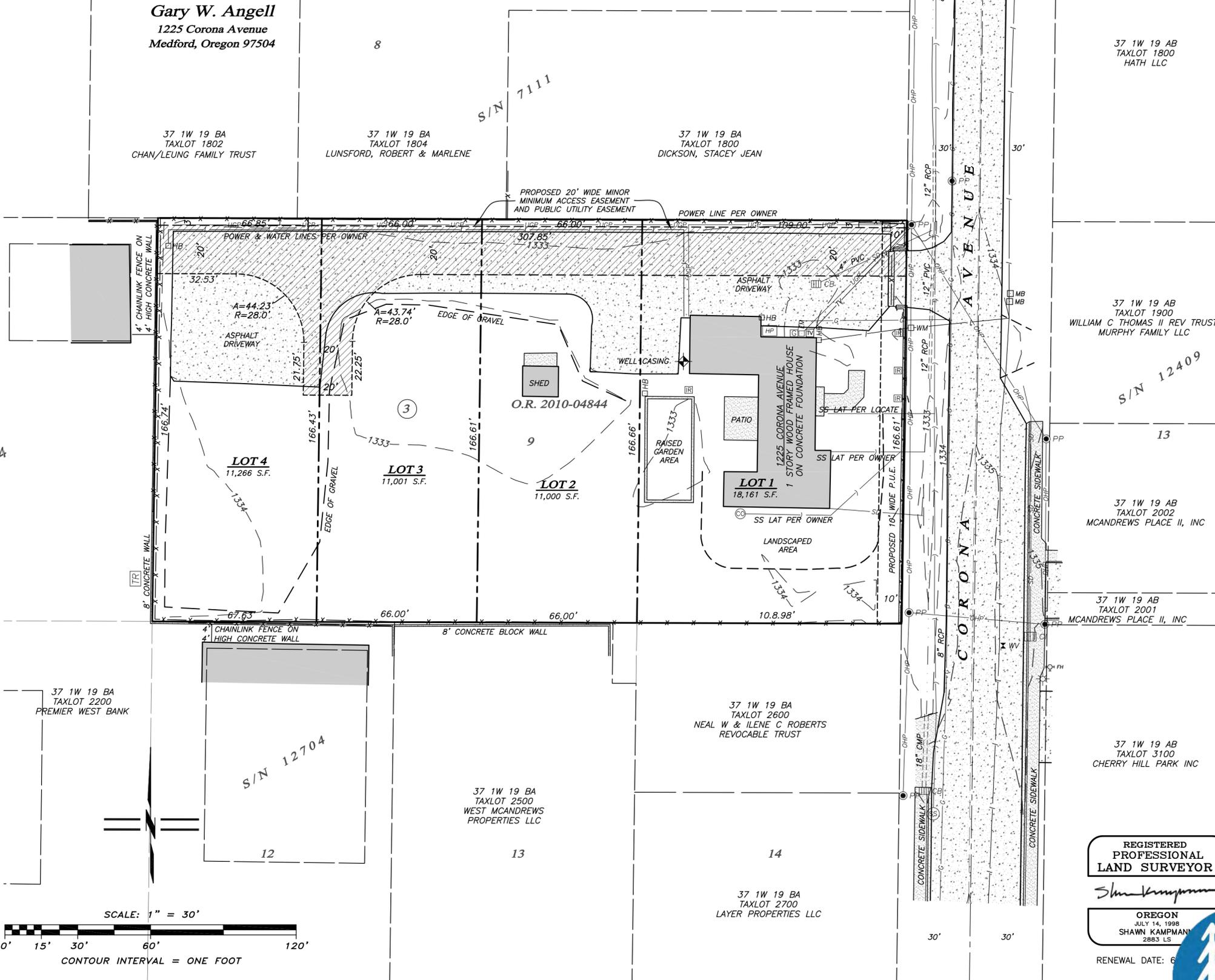
1. Comply with all conditions stipulated by the Medford Public Works Department (Exhibit E).
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit F).
3. Comply with all conditions stipulated by the Medford Fire Department (Exhibit G-1).
4. Remove the existing accessory structure (shed) identified on Lot 2.
5. Submit a revised plat showing a Minimum Access Easement (MAE) consistent with the layout illustrated in Exhibit I.
6. Remove the portions of the existing gate serving as an encumbrance to vehicular access from the driveway approach off of Corona Avenue.



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
	FENCELINE
	WATER LINE
	BURIED PHONE LINE
	BURIED GAS LINE
	SANITARY SEWER LINE
	STORM DRAIN LINE
	OVERHEAD POWER LINE
	POWER POLE
	WATER VALVE
	STORM DRAIN MANHOLE
	SANITARY SEWER MANHOLE
	CLEANOUT
	CATCH BASIN
	FIRE HYDRANT
	WATER METER
	WATER VALVE
	GAS METER
	ELECTRIC METER
	TRAFFIC SIGN
	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

OREGON
JULY 14, 1998
SHAWN KAMPMAN
2883 LS
RENEWAL DATE: 6/14/2025

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

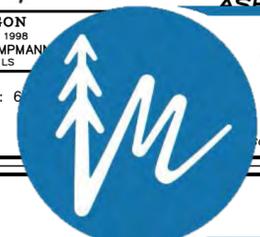


EXHIBIT B

DATE: MAY 14, 2025
PROJECT NO.: 1205-18
Owner's Map No. 37 1W 19 BA, Lot 2300

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

Agent:

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
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 10 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

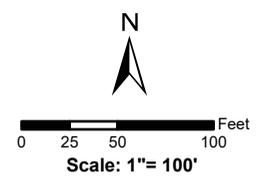
1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions 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 Co
4. Access to MWC water lines is available. There is an e water line in Corona Avenue.



EXHIBIT
F



**City of Medford
Planning Application
LDS-20-083
(Angell Village Subd.
1225 Corona Avenue)**

May 6, 2020

Legend

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

Water Meters:

- ⊙ Active Meter
- On Well
- Unknown
- Vacant

Water Valves:

- Butterfly Valve
- Gate Valve
- Tapping Valve

Water Mains:

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

Boundaries:

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

MWC Facilities:

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



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





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.	The developer must provide a minimum access address sign. A pre-approved address sign can also be utilized. (A brochure is available at: www.medfordfirerescue.org . Once there, click on the Fire and Life Safety tab, and then click on the Construction Info, Permits tab)



EXHIBIT G-1

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>

OFC 503.5; 503.5.1; 503.6; D103.5
Electric gate requirements.

Access control devices must be approved by the Medford Fire Department. All gates shall have approved locking devices. Manual gates shall have a lock connected to a long length of chain. Automatic gates shall be equipped with an approved emergency services activated opening device (radio frequency microphone click from fire engines opens gate).

Construction General Information/Requirements

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

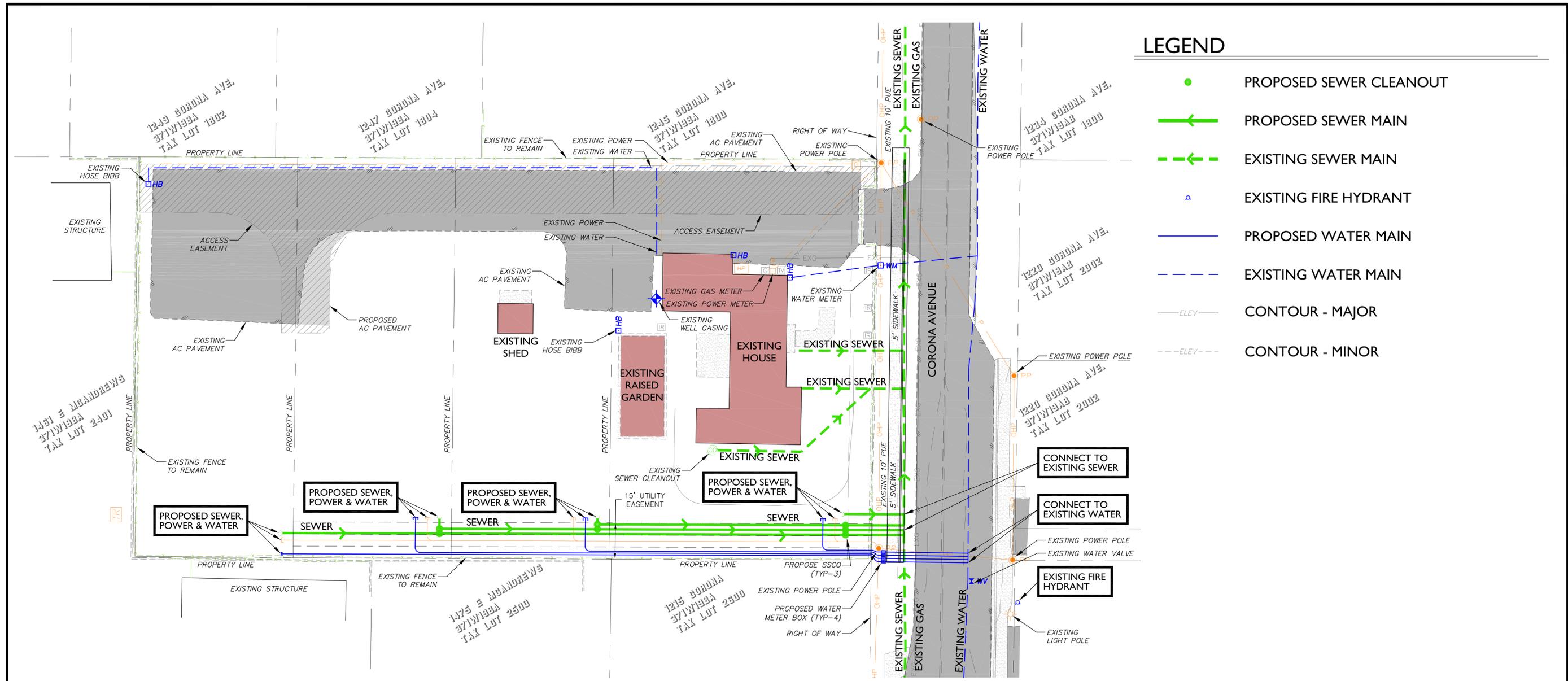
Specific fire protection systems may be required in accordance with the Oregon Fire Code.

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

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

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

www.medfordfirerescue.org



- LEGEND**
- PROPOSED SEWER CLEANOUT
 - PROPOSED SEWER MAIN
 - - - EXISTING SEWER MAIN
 - ▲ EXISTING FIRE HYDRANT
 - PROPOSED WATER MAIN
 - - - EXISTING WATER MAIN
 - ELEV— CONTOUR - MAJOR
 - - -ELEV- - - CONTOUR - MINOR



GRAPHIC SCALE

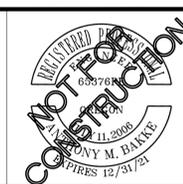


EXHIBIT C.2



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

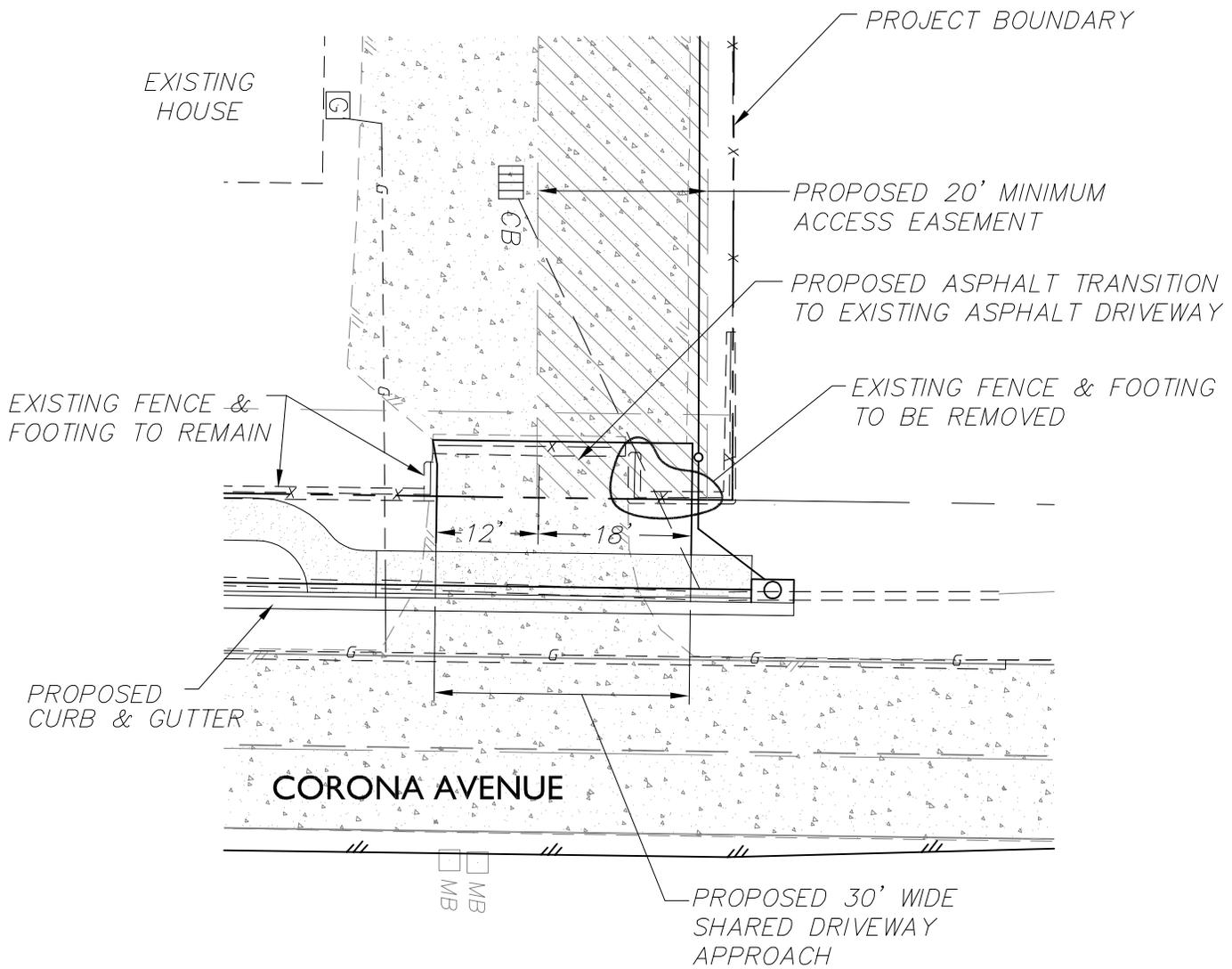


CITY OF MEDFORD - ENGINEERING DEPARTMENT

ANGELL VILLAGE
PHASE I
CIVIL IMPROVEMENTS

CONCEPTUAL
UTILITIES PLAN

PROJECT NO. -
DRAWING NO. -



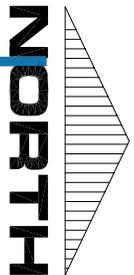
EXHIBIT

I

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.



P.O. BOX 1724 - MEDFORD - OR 97501
PH. (541) 779-5263

CONSTRUCTION ENGINEERING CONSULTANTS, INC.

ANGELL VILLAGE SUBDIVISION
ENTRANCE IMPROVEMENT EXHIBIT

SHEET

I
OF

DATE: 6/2/20



Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

June 2, 2020

Dustin Severs
City of Medford Planning Department
200 S Ivy
Medford, OR 97501

Re: Angell Village

Dustin,

The Planning Commission raised questions about the Minimum Access Easement at the frontage of the existing driveway. The attached detail provides a Code compliant solution.

The applicant will remove the existing pipe fence on the north side of the existing driveway and add pavement to allow adequate width for the approach.

A Minimum Access Easement must be 20' wide and contain an 18' paved section. The southerly 12 feet of the existing driveway will serve as the legal access for the existing dwelling. The Minimum Access Easement will start at the 12 foot mark and provide an 18' paved section, and the easement will encompass the remaining 2 feet of the frontage area for the total 20' easement width.

This configuration has been submitted to Public Works and was determined to meet the Code and the access standards for both the existing dwelling and the additional 3 lots proposed with this partition application.

The existing gate for the current driveway was also discussed at the hearing. The Fire Marshal indicated the gate could remain if modified with a fire department approved opening device. The Applicant has stipulated to remove the gate prior to final plat approval.

Thank you.

Scott Sinner, President
Scott Sinner Consulting



EXHIBIT
J

4401 San Juan Drive, Suite G
Medford, Oregon 97504

Phone 541-772-1494
Cell 541-601-0917
Email scottsinner@yahoo.com

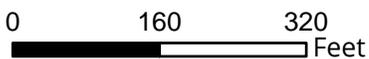


Project Name:

**Angell Village Subdivision
1225 Corona Avenue**

Map/Taxlot:

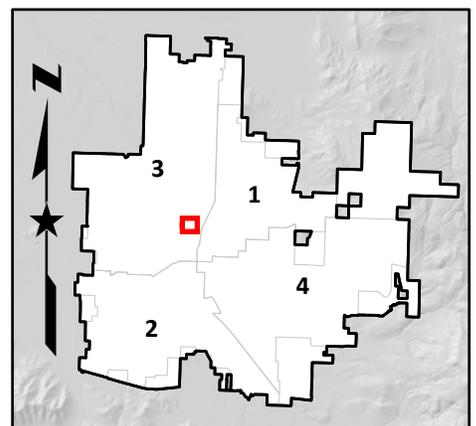
371W19BA TL 2300



Legend

-  Subject Area
-  Tax Lots

3/23/2020





MEDFORD PLANNING

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

Project Springbrook Park PUD – Phase 6
Applicant: Springbrook Park LLC.
Agent: Steven Swartsley

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

To Planning Commission *for 6/25/2020 hearing*

From Dustin Severs, Planner III

Reviewer Kelly Evans, Assistant Planning Director

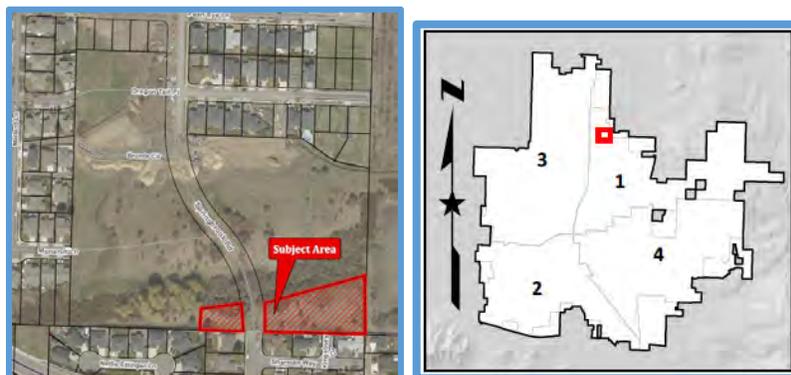
Date June 18, 2020

BACKGROUND

Proposal

Consideration of a revised tentative plat and Preliminary PUD Plan for the Springbrook Park Planned Unit Development in order to include an additional phase—Phase 6—consisting of eight 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. (371W08BD TL 515 & 516).

Vicinity Map



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

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

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

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

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

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

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

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

Site history

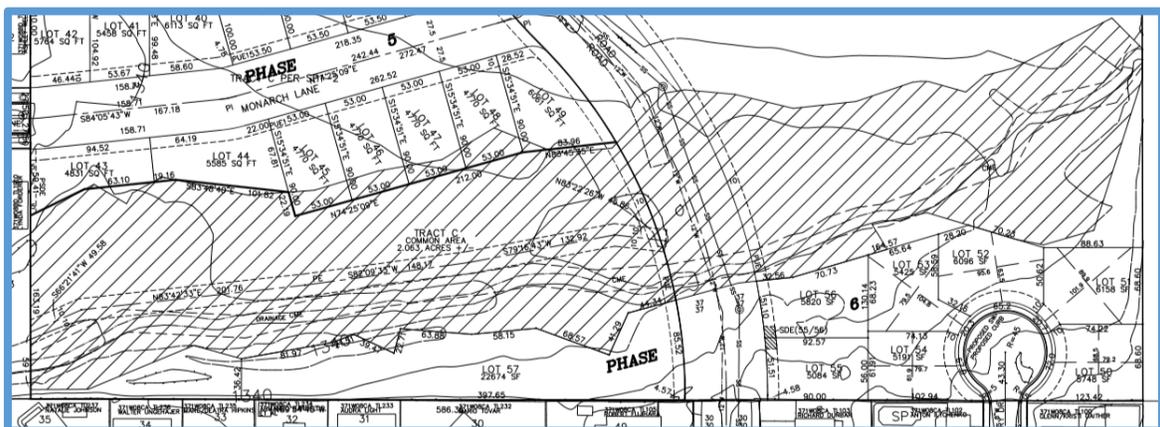
On June 14, 2018, the Commission approved the Springbrook Park PUD, a development consisting of a 51-lot residential subdivision on the SFR-6 portion of the site, located west of Springbrook Road; along with 74 multi-family units to be located on the MFR-15 portion of the site, east of Springbrook Road, as a future development. The approved Preliminary PUD Plan also identified the wetland area to be designated Common Area, as required per MLDC 10.192(C).



In June of 2018, the Final PUD Plan for Phases 1 & 2 (Lots 1-15) were approved by the Planning Director, and the Final Plat was later approved in August of 2018.

Current Proposal

With the subject request, the applicant is proposing to revise the Preliminary PUD Plan and tentative plat of the Springbrook Park PUD, adding a phase 6, consisting of eight single-family lots—seven lots (Lots 50-56) to be located in the MFR portion of the site, east of Springbrook Road, and one lot (Lot 57) to be located in the SFR portion of the site, west of Springbrook Road. Additionally, the applicant is requesting to revise the previously approved Phase 5 of Springbrook Park, eliminating two lots, while modifying the design of two lots (Lots 43 & 44), in order to avoid encroachment into the area of the site identified as wetlands.



Included in the application are two requests requiring additional discretionary approval. These include a request to terminate Kingsbury Drive—an existing public street proposed to be extended to serve Lots 50-56—with a cul-de-sac, pursuant to 10.450; as well as a request—pursuant to MLDC 10.790(E)(5)—for relief from installing a bufferyard along the site’s southeasterly boundary, which abuts the SFR-6 zone.

Finally, the applicant is requesting modifications—modified standards authorized for PUDs, per MLDC 10.192(B)—which also require discretionary approval. These include the applicant’s requests to construct several lots not meeting the design standards for the underlying zone; a modification to allow lots 55 & 56 to take access off of Springbrook Road—a Major Collector street; and a modification to allow the proposed cul-de-sac not to include an accessway (for pedestrian and bicycle access) connecting the cul-de-sac to Springbrook Road.

Density

Residential Density

Zone	Gross Acreage	Min./Max. Dwelling Units per Gross Acre	Minimum Dwelling Units	Maximum Dwelling Units	Proposed Dwelling Units
SFR-6	12.88	4/6	52	77	50
MFR-15	6.76	10/15	68	101	73
Totals	19.6	NA	120	178	123

With the original approval of the Springbrook Park PUD (PUD-18-031), the project was approved for 51 single-family lots on the 12.88-acre portion of the site, located within the SFR-6 zoning district, west of Springbrook Road; and 74 multi-family dwelling units within the 6.76-acre portion of the site located within the MFR-15 zoning district, east of Springbrook Road, identified on the PUD Plan as a future phase. A total of 125 units was proposed for the overall PUD.

The applicant is now proposing to eliminate two SFR lots (previously lots 50 and 51) as part of Phase 5, and to add eight SFR lots (one in the SFR zone and seven in the MFR zone)—a total of 57 SFR units. The submitted PUD Plan shows the number of MFR units as part of the future phase of the development reduced to 66 units in order

to comply with sewer capacity constraints. With the proposed revisions, the applicant is now proposing a total of 123 dwelling units for the overall PUD.

As shown on the Density Table above, the total number of dwelling units shown on the submitted plans fall within minimum/maximum range permitted for the overall PUD, as prescribed per the Code.

Development Standards

Site Development Table (MLDC 10.710)

SFR-6	Lot Area Sq. ft.	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
Required	4,500 to 12,500	50 feet	60 feet	90 feet	30 feet
Shown	Lot 57: 22,674	Lot 58: 396	Lot 58: NA	Lot 58: 397	Lot 58: 85
	Lot 43: 4,831	Lot 43: 94	Lot 43: NA	Lot 43: 40	Lot 43: 94
	Lot 44: 5,585	Lot 44: 86	Lot 44: NA	Lot 44: 48.8	Lot 44: 86

Site Development Table (MLDC 10.714)

MFR-15	Lot Area Sq. ft.	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
Required	9,000 min.	80 feet	90 feet	100 feet	30 feet
Shown	Lot 50: 5,748	Lot 50: 68	Lot 50: NA	Lot 50: 79	Lot 50: 72
	Lot 51: 6,158	Lot 51: 89	Lot 51: NA	Lot 51: 101	Lot 51: 20
	Lot 52: 6,096	Lot 52: 95	Lot 52: NA	Lot 52: 63	Lot 52: 65
	Lot 53: 5,425	Lot 53: 79	Lot 53: NA	Lot 53: 104	Lot 53: 20
	Lot 54: 5,191	Lot 54: 61	Lot 54: NA	Lot 54: 79	Lot 54: 67
	Lot 55: 5,084	Lot 55: 56	Lot 55: NA	Lot 55: 90	Lot 55: 51
	Lot 56: 5,820	Lot 56: 59	Lot 56: NA	Lot 56: 96	Lot 56: 51

Site Development Table (MLDC 10.710)

(Lot design standards for lots 50-56 when held to SFR-6 standards)

SFR-6	Lot Area Sq. ft.	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
Required	4,500 to 12,500	50 feet	feet	90 feet	30 feet 20 ft./flag lot
Shown	Lot 50: 5,748	Lot 50: 68	Lot 50: NA	Lot 50: 79	Lot 50: 72
	Lot 51: 6,158	Lot 51: 89	Lot 51: NA	Lot 51: 101	Lot 51: 20
	Lot 52: 6,096	Lot 52: 95	Lot 52: NA	Lot 52: 63	Lot 52: 65
	Lot 53: 5,425	Lot 53: 79	Lot 53: NA	Lot 53: 104	Lot 53: 20
	Lot 54: 5,191	Lot 54: 61	Lot 54: NA	Lot 54: 79	Lot 54: 67
	Lot 55: 5,084	Lot 55: 56	Lot 55: NA	Lot 55: 90	Lot 55: 51
	Lot 56: 5,820	Lot 56: 59	Lot 56: NA	Lot 56: 96	Lot 56: 51

Modified Standards authorized for PUDs (MLDC 10.192(B))

(B) Modified Application of Standards Authorized for PUDs.
 To fulfill the purpose and intents of the standards set forth in Section 10.190(A), authority is herewith granted for the approval of PUDs which vary from the strict standards of this Code. The nature and extent of potential modifications shall be limited to the categories below described, provided that the City, in approving such modifications, shall not violate substantive provisions of the Oregon Transportation Planning Rule:

- (1) Lots and Parcels in PUDs. Limitations, restrictions and design standards pertaining to the size, dimension, location, position and coverage of lots, and restrictions related to through lots.
- (2) Yards, Setbacks and Building Height in PUDs. Limitations, restrictions and design standards pertaining to the location, size, height, yards and setbacks for buildings and other structures.
- (3) Parking, Bicycle and Pedestrian Standards in PUDs. Limitations, restrictions and design standards pertaining to off-street vehicle and bicycle parking and loading, and standards related to pedestrian access.
- (4) Frontage, Access, Landscaping and Signs in PUDs. Limitations, restrictions and design standards pertaining to lot frontage, access, required landscaping, signs and bufferyards.
- (5) Streets Generally in PUDs. Streets within PUDs may be either city streets dedicated for public use or private streets owned and maintained by an association of owners, and may exceed maximum block length and perimeter standards provided in Section 10.426(C)(1). Streets within or adjacent to a PUD shall comply with the following:

Pursuant to MLDC 10.192(B) (shown above), the applicant is requesting modified standards as it pertains to lot design, vehicular access, and pedestrian/bicycle access, as outlined below.

Lot Design

As shown in the site development table above, several of the proposed lots do not meet all of the design standards of the underlying zones. These include the seven lots proposed within the MFR-15 portion of the site (Lots 50-56); Lot 57, located on the west side of Springbrook Road and within the SFR-6 portion of the site; and the two lots within Phase 5 (lots 43 and 44), located in the SFR-6 zone. Per MLDC 10.192(B)(1), lots within a PUD may vary from the design standards pertaining to size and dimensions, contingent on the approval of the Planning Commission.

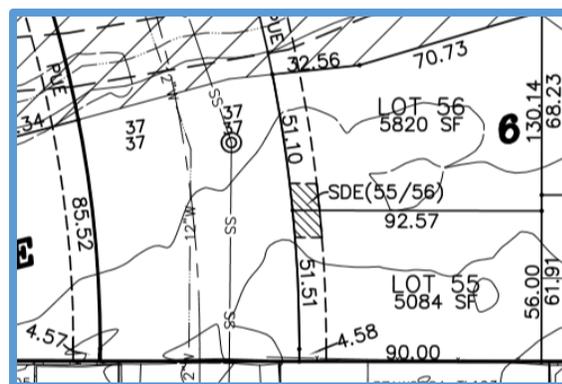
In their submitted findings, the applicant has requested that the seven lots located within the MFR-15 portion of the site (Lots 50-56) be held to SFR-6 design standards, as the abutting property to the south is developed with residential lots within the SFR-6 zone. When held to SFR-6 standards, the seven lots meet the design standards with the exception of lot depth for Lots 50, 52, and 54.

The applicant has also requested that Lot 57, located on the west side of Springbrook Road, be allowed to exceed the maximum lot area allowed for lots within the SFR-6 zone. In their submitted findings, the applicant explains that the purpose of the oversized lot is to prevent the creation of a landlocked parcel.

The applicant has also requested relief from meeting the minimum lot depth standards for lots 43 and 44, located in Phase 5. The submitted plat shows the lots located along the southerly boundary of Phase 5— previously approved with LDS-18-044—redesigned in order to prevent the lots from encroaching within the wetlands identified on the site.

Access

Per MLDC 10.550(3), no driveway access to an Arterial or Collector Street shall be allowed for any parcel that abuts the right-of-way of a lower-order street. The submitted plans show Lots 55 & 56 taking access off of Springbrook Park—a Major Collector Street. While the two lots identified on the plans do not have access to a lower-order street, the parent parcel from which the lots are proposed to be created do abut a lower-order street, Kingsbury Drive, along its southerly boundary.



Pursuant to MLDC 10.192(B)(4), limitations, restrictions, and design standards pertaining to access may also vary from the strict standards of the Code for PUDs, contingent on the approval of the Planning Commission. The applicant has requested modifications in order for Lots 55 and 56 to take access off of Springbrook Road. The

tentative plat shows the two lots with a shared access, consistent with 10.550(3)(a), which requires that lots taking access off of a higher-order street include a shared driveway.

Accessway

10.464 Accessways.

The purpose of an accessway is to provide safe and convenient pedestrian and bicycle access within and from new subdivisions, planned unit developments, shopping centers and industrial parks to nearby residential areas, transit stops and neighborhood activity centers such as schools, parks and shopping. A well connected street network is the primary means of providing this access. Accessways are reserved for situations where street connections are infeasible or inappropriate.

(1) Accessways shall be provided for cul-de-sacs, long blocks or dead-end streets except when the approving authority determines based on evidence in the record, that construction of a separate accessway is infeasible or inappropriate. Such evidence may consist of the following:

- (a) when other federal, state or local requirements prevent construction of an accessway,
- (b) when the nature of abutting existing development makes construction of an accessway impractical,
- (c) when the accessway would cross a natural area with significant natural habitat and construction would be incompatible with protection of natural values,
- (d) when the accessway would cross land designated for flood control or flood hazard and the accessway is incompatible with the designated use,
- (e) when the accessway would cross topography where slopes exceed 30% or where path grade would exceed 12% slope except when construction of a crossing structure is found to be feasible; or
- (f) when a cul-de-sac or dead-end street abuts rural resource land in farm use at an urban growth boundary, except where the adjoining land is designated as an urban reserve area.

[Added, Section 10, Ord. No. 7629, May 5, 1994.]

Per MLDC 10.464 (shown above), an accessway, providing safe and convenient pedestrian and bicycle access, is required to be provided with cul-de-sacs. MLDC 10.464(1) allows the Commission to grant relief from constructing an accessway if it is determined that the construction of an accessway is infeasible or inappropriate.

The applicant has requested—citing the modified standards authorized for PUDs under MLDC 10.192(B)—that the layout of the PUD not include the construction of an accessway, which would connect the proposed cul-de-sac to Springbrook Road (Exhibit I).

Staff is supportive of all three requested modified standards. In regards to the creation of lots not meeting the dimensional standards of the underlying zone, the applicant provided a plan (Exhibit D) with building envelopes illustrating how future homes will fit on the lots. (Building envelopes, however, were not shown for lots 43 and 44.) It is the developer’s responsibility to design/configure the homes in a manner which fit on the lots, and the bulk standards of the Code (e.g., setbacks, lot coverage, etc.) will inhibit any of the proposed lots from being “overbuilt.” These proposed modifications can be found to be consistent with MLDC 10.190(D)(2)(b).

In regards to the proposed driveway access off of Springbrook Road, it is staff’s view that the proposed shared driveway will not materially impair the function, safety, or

efficiency of the circulation system or the development as a whole. This proposed modification can be found to be consistent with MLDC 10.190(D)(2)(c).

And in regards to the request to eliminate the requirement for an accessway, the original plans submitted by the applicant proposed the lots on the east side of Springbrook to be served by two Minimum Access Easements (MAEs), and with an accessway connecting the MAEs to Springbrook Road. Ultimately, staff was unsupportive of the layout, and suggested that instead of MAEs, the applicant construct a cul-de-sac to serve the lots. The applicant agreed to revise their plans. The revised layout with the inclusion of a cul-de-sac, however, limited the size of the proposed lots from the original plan, and the creation of an accessway (12-foot wide R.O.W) would further reduce the lot sizes. Accordingly, staff recommended to the applicant that they include in their request for modified standards the elimination of the required accessway.

It is staff's view that the creation of an accessway, given the cul-de-sac's close proximity to Springbrook Road, would have a limited benefit, and is outweighed by the imperative that the development provide lots with sufficient space for houses and yards. It is further staff's view that the elimination of the accessway will ultimately result in a more efficient use of urban land—the purpose and intent of PUDs, as outlined in MLDC 10.190(A). This proposed modification can be found to be consistent with MLDC 10.190(D)(2)(c).

Sanitary Sewer Constraints

With the approval of ZC-19-036, a Restricted Zoning (RZ) overlay was applied to the MFR-15 portion of the site. Per the Public Works staff report (Exhibit E), the proposed MFR-15 zoning has the potential to increase flows to the sanitary sewer system due to a number of capacity constraints with the downstream sanitary sewer system. With the addition of seven SFR dwelling units, Public Works has calculated that a maximum of 66 multi-family units or 79 townhouse units can be built on the site without improvements being made to the downstream sanitary sewer system to alleviate the capacity constraints. The preliminary PUD plan shows a total of 66 MFR dwelling units proposed for future development, consistent with said restrictions.

This space is intentionally left blank

Bufferyards

Per MLDC 10.790, bufferyards are utilized in order to mitigate potential conflicts caused by types and intensity of uses on adjacent properties. The easterly portion of the site, zoned MFR-15, abuts the SFR-6 zone along its southerly boundary. Per MLDC 10.790(D), a Type A bufferyard—consisting of a six foot wall and ten feet of landscaping—is required along this portion of the site.

Adjustments to bufferyard requirements may be approved by the approving authority, pursuant to MLDC 10.790(E)(5). As the proposed development (single-family residential) is the same as the adjacent uses along the affected area, the requirement of a bufferyard can be found to be unnecessary.



Cul-de-sacs and Flag Lots

The applicant is proposing to extend Kingsbury drive—currently stubbed at the site’s southerly boundary—to serve Lots 50-56 with a cul-de-sac. In addition to proposing a cul-de-sac, the applicant is requesting that Lots 51 and 53 be designed as flag lots.

Pursuant to MLDC 10.450, both the construction of a cul-de-sac and the creation of flag lots require discretionary approval through the Commission. In their submitted findings, the applicant cites 10.450(1)(a), explaining the presence of the wetland to the north of the site prevents a street connection.

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.

This space is intentionally left blank

Springbrook Road Extension

The construction of Springbrook Road is currently incomplete, with its southerly terminus stubbed at the subject site's southerly boundary, and its northerly terminus stubbed approximately 700 feet to the north.

With the approval of the Springbrook Park PUD (PUD-18-031), a condition of approval was added as follows:

Prior to the Final Plat approval for each applicable phase, the applicant shall construct and improve the full extension of Springbrook Road, connecting its two existing termini, with the 16th lot. Final plat approval for a maximum of 15 lots may be approved prior to the completion of Springbrook Road. The reserve acreage lot shall not count as part of the 15 lots.



The final plat for Phases 1 & 2 (Lots 1-15) of the Springbrook Park PUD have been approved; therefore, prior to the final plat approval of the next phase of the development, the applicant will be required to complete the construction of Springbrook Road, connecting its two existing termini.

In their submitted findings, the applicant has requested that said condition be modified. The findings read as follows:

Applicant requests the language be modified to allow FINAL PLAT APPROVAL for all 51 lots if construction has commenced on the section of Springbrook Road between its two termini. This change allows construction to move ahead and allow for the construction of houses on the lots prior to the completion of the Springbrook Road connection, but only if construction has started on the construction of Springbrook Road. In effect, it allows for the project to be completed sooner, allowing for additional housing units to be constructed in a city that clearly demonstrates the need for housing.

Staff is unsupportive of the applicant's request. It is staff's view that the approval of the subject development without a complete connection between the street's two existing termini—as per the conditions of approval established with PUD-18-031/LDS-18-044—would adversely impact the public street network.

Facility Adequacy

Per the agency comments submitted to staff (Exhibits G-I), 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.

Neighbor Comments

Staff received an email from Kathleen Fennell (1738 Dragon Tail Place) on April 7, 2020. In the email, Ms. Fennell stated her concerns about the future extension of Springbrook Road (Exhibit H), and wanted assurances that the condition requiring the full extension of Springbrook Road to be constructed with the 16th lot would be complied with.

FINDINGS AND CONCLUSIONS

MLDC 10.235(D): Preliminary PUD Plan

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

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

The proposed PUD preserves an important natural feature of the land (wetland), includes a mixture of housing types in residential areas, and includes common area. **This criterion is satisfied.**

2. *The proposed PUD complies with the applicable requirements of this Code, or*
 - a. *the proposed modified applications of the Code are necessary for the project to be consistent with the criteria in Section 10.235(C)(1)(a-e), and*

- b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and*
- c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.*

The PUD does not comply with all applicable design standards set forth in Articles IV and V (in regards to lot size and access requirements); however, relief has been requested—pursuant to MLDC 10.192(B)(1)—which can be found to be consistent with conditions a-c.

This criterion is satisfied.

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

The property is not subject to a moratorium on construction or land development, Public Facilities Strategy, or a Limited Service Area.

This Criterion is not applicable.

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

The PUD includes a Common Area as part of the future MFR phase of the development. The Common Area will include a 20-foot pedestrian walkway to be constructed with the future MFR phase of the development.

This criterion is satisfied.

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

The PUD proposes single-family residential lots in the area of the PUD zoned MFR-15. SFR is not permitted in the MFR zone, however, per MLDC 10.192(7), any portion of a PUD may contain any housing type. Per the agency comments submitted to staff (Exhibits G-I), 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.

This criterion is inapplicable.

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

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

The PUD Plan does not include uses requiring compliance with the CUP criteria.

This criterion is inapplicable.

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

The PUD application includes a land division (LDS-20-100), which does not meet all the substantive land division criteria outlined in MLDC 10.202(E) in regards to lot size and access requirements; however, relief has been requested—pursuant to MLDC 10.192(B)(1)—that meet substantive standards per the PUD ordinance.

This criterion is satisfied.

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;

The proposed subdivision is not consistent with the applicable design standards in Articles IV and V. The applicant has requested modifications to access and lot standards, which is allowed in Planned Unit Developments (MLDC 10.192[B]). However, without the approval of PUD-20-032, the proposed subdivision cannot meet this criterion.

This criterion is satisfied with the approval of PUD-20-032.

(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;

This criterion is inapplicable.

(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;

All proposed street names (as part of PUD-18-031) have been reviewed and approved by the City's Address Technician.

This criterion is satisfied.

(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;

The Plan includes the extension of Kingsbury Drive, which has been reviewed by the Public Works department and found to be consistent with the existing and planned street network.

This criterion is satisfied.

(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;

This criterion is inapplicable.

(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.

The applicant has 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.

This criterion is satisfied.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of PUD-20-032 & LDS-20-100, per the staff report dated June 18, 2020, including:

- Exhibits A-M;
- Approval to terminate Kingsbury Drive in a cul-de-sac, pursuant to MLDC 10.450(1);
- Approval to create Lots 51 and 54 as flag lots, pursuant to MLDC 10.450(1);
- The granting of relief from constructing a Type A Bufferyard along the southerly boundary of the portion of the site zoned MFR-15, which abuts the SFR-6 zoning district, pursuant to MLDC 10.790(E)(5);
- Approval of the PUD modified standards requests (MLDC 10.192(B), including:
 - Approval for Lots 55 and 56 to take vehicular access off of Springbrook Road—a Major Collector street, pursuant to MLDC 10.192(B)(4);
 - Approval to create lots not meeting the minimum design standards for lots in the MFR-15 zoning district (Lots 50-56), pursuant to MLDC 10.192(B)(1);
 - Approval to create lots not meeting the minimum design standards for lots in the SFR-6 zoning district (Lot 57, and Lots 43-44 in Phase 5), pursuant to MLDC 10.192(B)(1).
 - Approval to construct a cul-de-sac without a public accessway, pursuant to MLDC 10.192(B)(4).

EXHIBITS

- A Conditions of Approval, drafted June 18, 2020.
- B Preliminary PUD Plan, received June 11, 2020.
- C Tentative Plat (2 of 2), received June 11, 2020.
- D Engineering Plan, received June 13, 2020.
- E Applicant's Findings of Fact & Conclusions of Law, received June 10, 2020.
- F Applicant's CCRs, received February 5, 2020.
- G Public Works Staff Report, received June 17, 2020.

- H Medford Water Commission memo & associated map, received June 11, 2020.
- I Medford Fire Department Report, received June 11, 2020.
- J Neighbor letter, received by email on April 7, 2020.
- K Applicant’s supplemental findings, received via email on June 15, 2020.
- L Approved Preliminary PUD Plan (PUD-18-031), approved June 2018.
- M Approved Tentative Plat (LDS-18-044), approved June 2018.
Vicinity map

PLANNING COMMISSION AGENDA:

APRIL 23, 2020
MAY 14, 2020
MAY 28, 2020
JUNE 11, 2020
JUNE 25, 2020

EXHIBIT A

Springbrook Park PUD
PUD-20-032/LDS-20-100
Conditions of Approval
June 18, 2020

All conditions of the previously approved Springbrook Park PUD (PUD-18-031/LDS-18-044/ZC-18-36) are still in effect, other than those modified by this revision request.

CODE REQUIRED CONDITIONS

Prior to final plat approval for each applicable phase, the applicant shall:

1. Construct and improve the full extension of Springbrook Road, connecting its two existing termini, with the 16th lot. Final plat approval for a maximum of 15 lots may be approved prior to the completion of Springbrook Road. The reserve acreage lot shall not count as part of the 15 lots.
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit H).
3. Comply with all conditions stipulated by the Public Works Department (Exhibit G).
4. Comply with all requirements of the Medford Fire Department (Exhibit I).



REVISED PRELIMINARY P.U.D. PLAN
SPRINGBROOK PARK
 A PLANNED COMMUNITY SUBDIVISION
 In the N.W. 1/4 of Sec. 8, T.37S, R.1W, W.M. &
 in the City of Medford Jackson County, Oregon

PEARL EYE LANE, DRAGON TAIL PLACE,
 MONARCH LANE, BRONTE CIRCLE

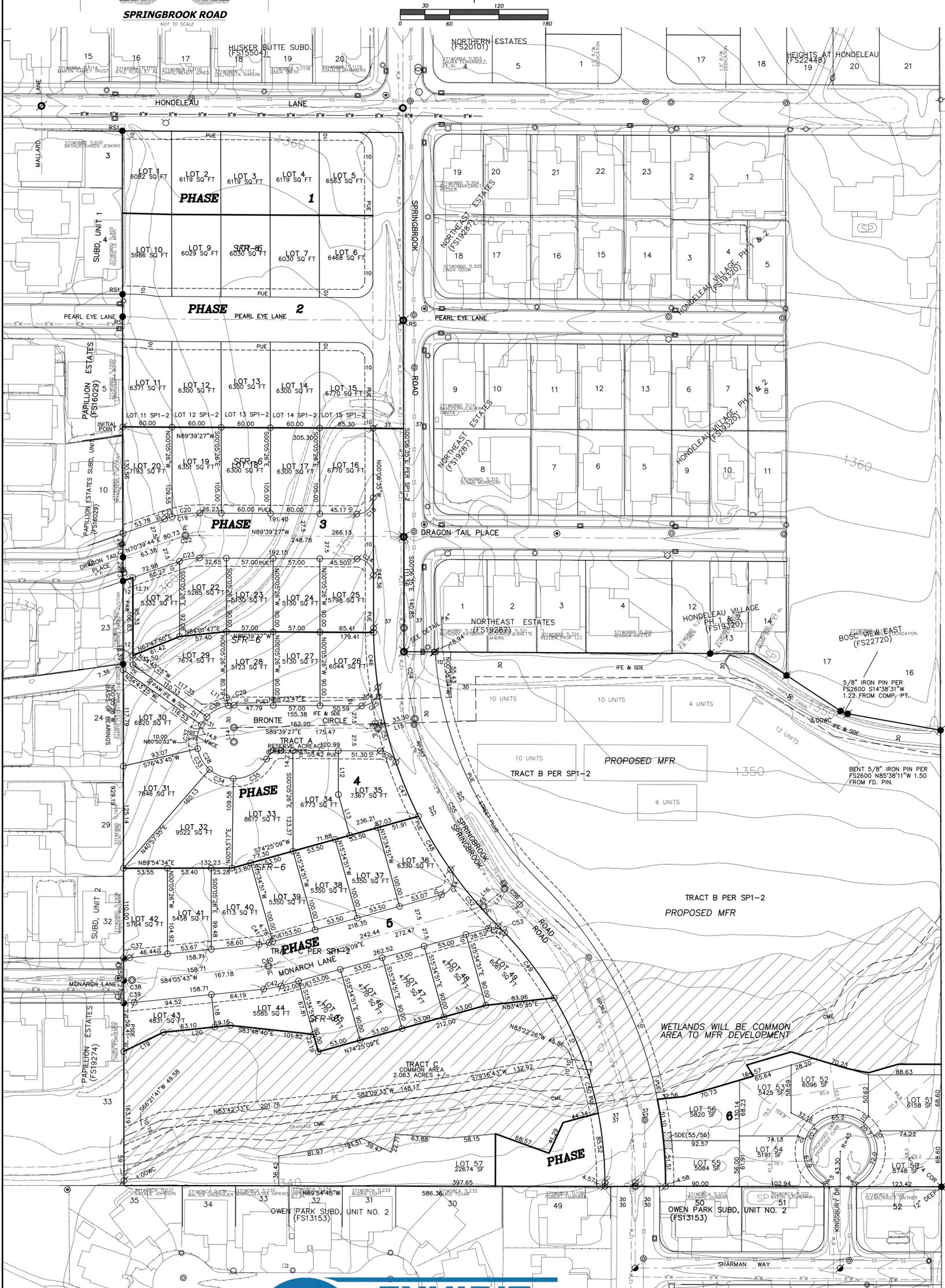
HONDELEAU LANE

SPRINGBROOK ROAD

EXHIBIT "A"

FILE NO.: DATE:
 ASSESSOR'S PARCEL NO.: 371W08BD TL500
 ZONING DISTRICT: SFR-6 & MFR-9 PROPOSED
 MIN. LOT SIZE: 4500 SQ.FT. MIN. LOT SIZE: 12500 SQ.FT.
 NO. OF LOTS:
 MATS TRACT:
 COMP. PLAN DESIGNATION: URBAN RESIDENTIAL
 RECEIVED BY: DATE:
 RECEIVED BY: DATE:

VICINITY MAP
 NOT TO SCALE



NOTES:
 SCHOOL DISTRICT: MEDFORD 549C
 IRRIGATION DISTRICT: M.I.D.
 GROSS ACREAGE: 19.873 ACRES.
 NET ACREAGE: 19.638 ACRES.
 TOPO TAKEN FROM 2016 CITY OF MEDFORD AERIAL MAPPING.
 PROPERTY IS CURRENTLY VACANT.
 CONTOURS ARE NOV 29 (UNADJUSTED) PER 2016 CITY OF MEDFORD
 10' PUE ADJACENT TO ALL STREETS.
 ALL R/W INTERSECTION RADII ARE 20'.
 WETLANDS = 41.6 % OF RESERVE ACREAGE.
 MAE=MINOR MINIMUM ACCESS ROAD.
 MMAE=MAJOR MINIMUM ACCESS ROAD.
 PAW=PEDESTRIAN ACCESS WAY.



OWNER OF RECORD:
 SPRINGBROOK PARK, LLC
 1175 E. MAIN ST., SUITE 2B
 MEDFORD, OR 97504

REGISTERED PROFESSIONAL LAND SURVEYOR
 James E. Hicks
 OREGON
 JULY 17, 1986
 JAMES E. HICKS
 2234
 RENEWAL DATE 6-30-21
 © L.J. FRIAR & ASSOCIATES, P.C. 2020

TITLE: REVISED PRELIMINARY P.U.D. PLAN
 ASSESSOR'S MAP #: 371W08BD TL'S 515 & 516
 FOR: STEVE SWARTSLEY
 P.O. BOX 8600
 MEDFORD, OR 97501

L.J. FRIAR & ASSOCIATES P.C.
 CONSULTING LAND SURVEYORS
 P.O. BOX 1947, PHOENIX, OR 97535
 (503) 772-5790
 lfriar@ljiassociates.com

DATE: 11 JUNE 2020
 SCALE: 1 inch = 60 feet
 DRAWN BY: JEH
 CHECK BY: JEH
 ORIGIN: 0.0
 ROTATION: 0
 JOB#: 17197FM
 Sheet 1 of 1.

REVISED TENTATIVE PLAT
SPRINGBROOK PARK
 A PLANNED COMMUNITY SUBDIVISION
 In the N.W. 1/4 of Sec. 8, T.37S., R.1W., W.M. &
 in the City of Medford Jackson County, Oregon

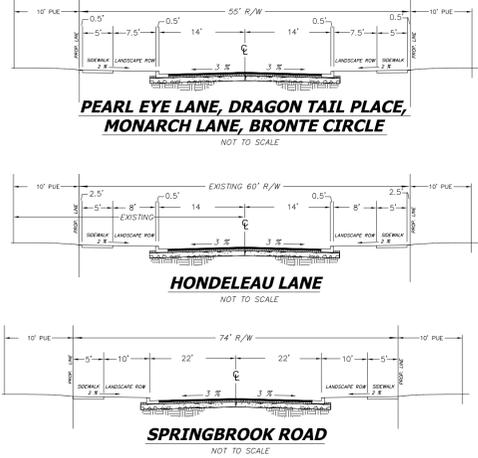
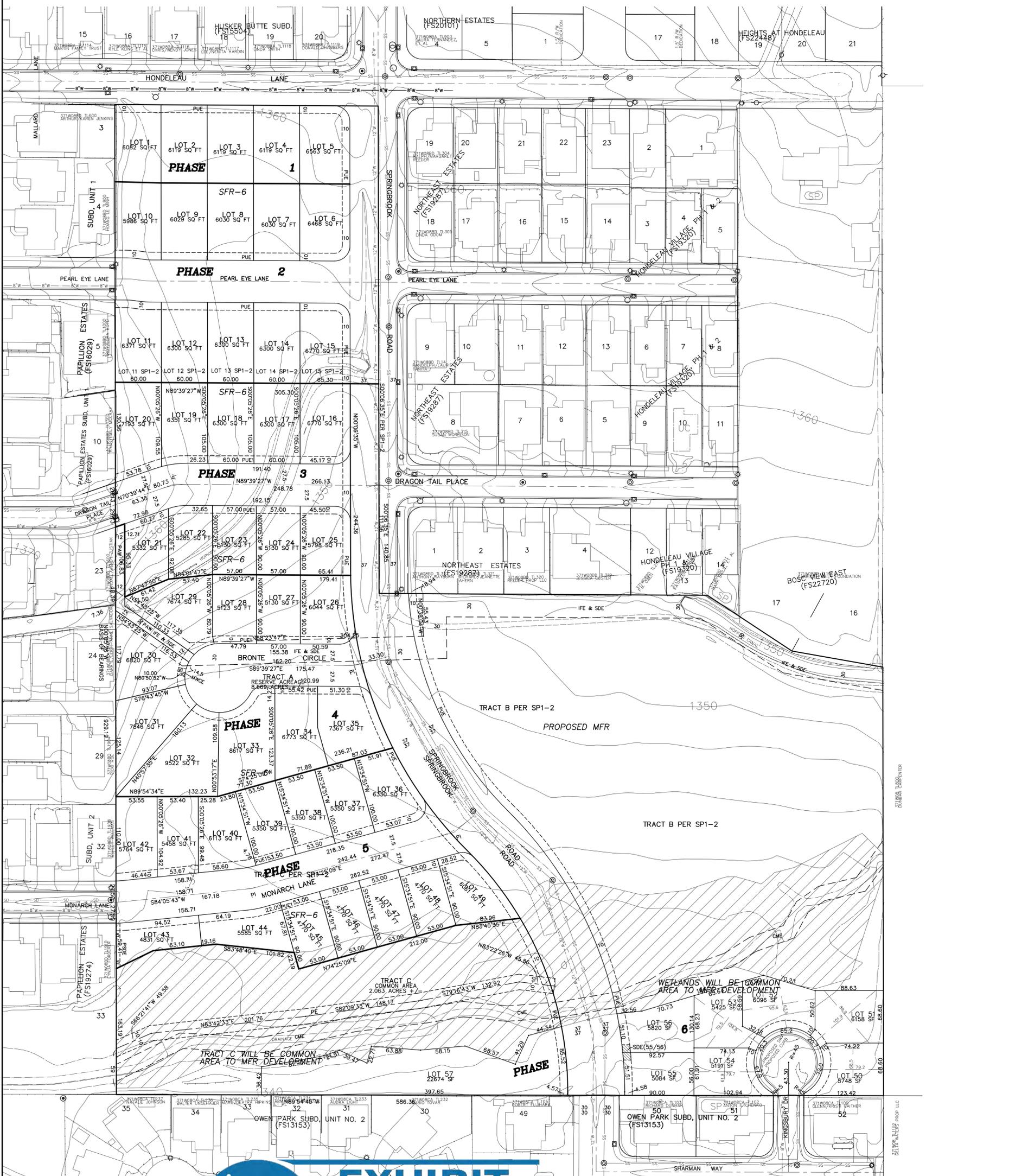
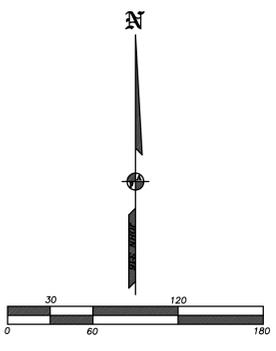
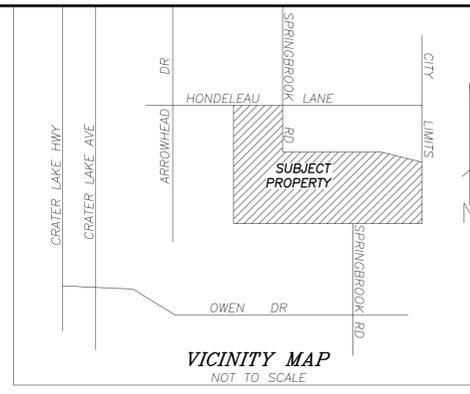


EXHIBIT "A"
 FILE NO.: _____ DATE: _____
 ASSESSOR'S PARCEL NO.: 371W08BD TL500
 ZONING DISTRICT: SFR-6 & MFR-1 PROPOSED
 MIN. LOT SIZE: 4500 SQ.FT. MIN. LOT SIZE: 12500 SQ.FT.
 NO. OF LOTS: _____
 MATS TRACT: _____
 COMP. PLAN DESIGNATION: URBAN RESIDENTIAL
 RECEIVED BY: _____ DATE: _____
 RECEIVED BY: _____ DATE: _____



NOTES:
 SCHOOL DISTRICT: MEDFORD 549C
 IRRIGATION DISTRICT: M.I.D.
 NET ACREAGE: 19.873 ACRES
 TOPO TAKEN FROM 2016 CITY OF MEDFORD AERIAL MAP
 PROPERTY IS CURRENTLY VACANT
 CONTOURS ARE NOV 29 (UNADJUSTED) PER 2016 CITY
 10' PUE ADJACENT TO ALL STREETS
 ALL R/W INTERSECTION RADII ARE 20'
 C/L RADII OF SPRINGBROOK ROAD AS SHOWN ARE 300'
 WETLANDS = 41.6 % OF RESERVE ACREAGE.



OWNER OF RECORD:
 SPRINGBROOK PARK, LLC
 1175 E. MAIN ST., SUITE 2B
 MEDFORD, OR 97504

REGISTERED PROFESSIONAL LAND SURVEYOR
James E. Hills
 OREGON
 JULY 17, 1986
 JAMES E. HILLS
 2234
 RENEWAL DATE 6-30-21
 © L.J. FRIAR & ASSOCIATES, P.C. 2020

TITLE: REVISED TENTATIVE SUBDIVISION PLAT
 ASSESSOR'S MAP #: 371W08BD TL'S 515 & 516
 FOR: STEVE SWARTSLEY
 P.O. BOX 8600
 MEDFORD, OR 97501
 L.J. FRIAR & ASSOCIATES P.C.
 CONSULTING LAND SURVEYORS
 P.O. BOX 1947, PHOENIX, OR 97535
 (541) 752-5746
 lfriar@charter.net

DATE: 11 JUNE 2020
 SCALE: 1 inch = 60 feet
 DRAWN BY: JEH
 CHK BY: JEH
 ORIGIN: 0.0
 ROTATION: 0
 JOB#: 171927M
 Sheet 1 of 1.

REVISED TENTATIVE PLAT
SPRINGBROOK PARK, PHASES 5 & 6
 A SUBDIVISION
 In the N.W. 1/4 of Sec. 8, T.37S., R.1W., W.M. &
 in the City of Medford Jackson County, Oregon

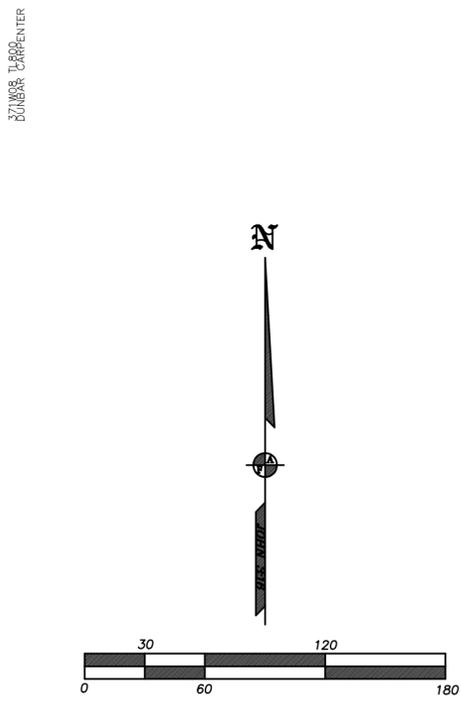
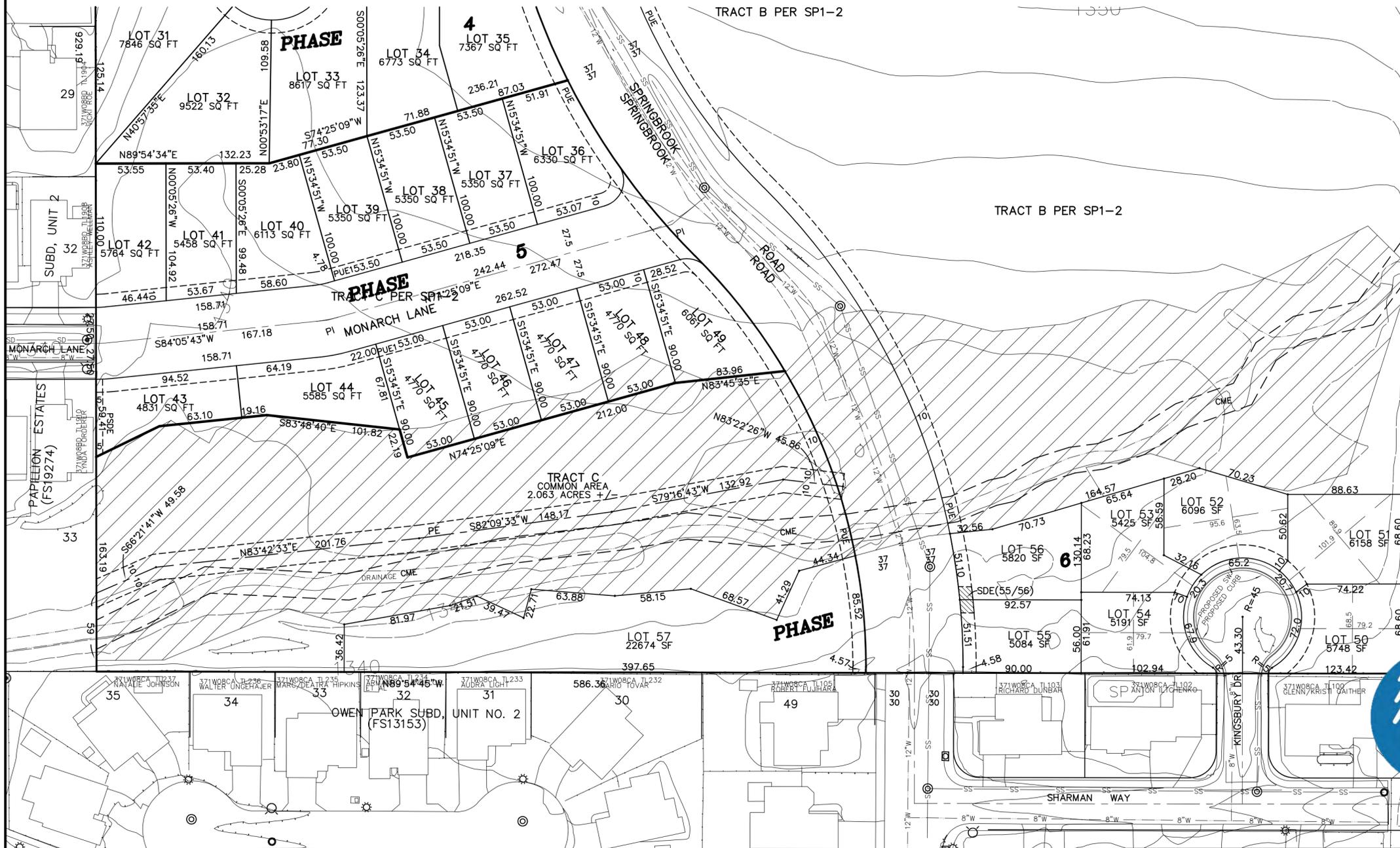


EXHIBIT
C

NOTES:
 PE = EXISTING PEDESTRIAN EASEMENT.
 CME = EXISTING CREEK MAINTENANCE EASEMENT.
 PUE = EXISTING PUBLIC UTILITY EASEMENT.
 HATCHED AREA IS DELINEATED WETLANDS.
 SDE = PROPOSED SHARED DRIVEWAY EASEMENT.

FLOOD PLAIN INFO:
 PER FIRM 41029C1976F DATED MAY 3, 2011
 THE PROPERTY IS IN ZONE X.

OWNER OF RECORD:
 SPRINGBROOK PARK, LLC
 1175 E. MAIN ST., SUITE 2B
 MEDFORD, OR 97504

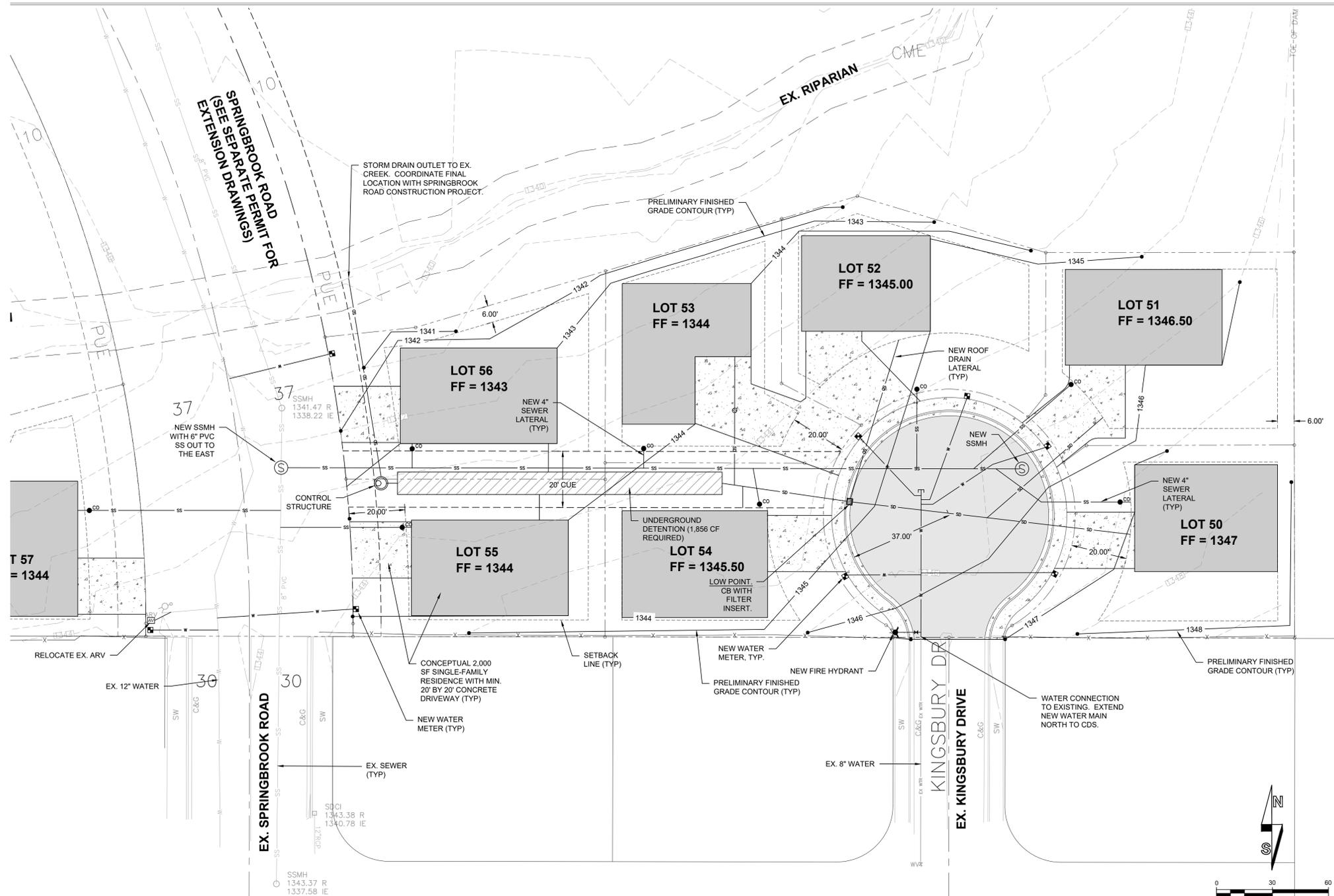
REGISTERED PROFESSIONAL
 LAND SURVEYOR
James E. Hibbs
 OREGON
 JULY 17, 1986
 JAMES E. HIBBS
 2234
 RENEWAL DATE: 6-30-21
 © L.J. FRIAR & ASSOCIATES, P.C. 2020

TITLE:
 TENTATIVE SUBDIVISION PLAT
ASSESSOR'S MAP #:
 371W08BD TL'S 515 & 516
FOR: STEVE SWARTSLEY
 PO BOX 8600
 MEDFORD, OR 97501

L.J. FRIAR & ASSOCIATES P.C.
 CONSULTING LAND SURVEYORS
 P.O. Box 1947, Phoenix, OR 97535
 Phone: (541) 772-2782
 Email: lfriarandassociates@charter.net

DATE:
 9 JUNE 2020
SCALE:
 1 inch = 60 feet
DRAWN BY: JEH
CHK BY:
ORIGIN:
ROTATION: 0°
JOB#: 17197FM
 Sheet 1 of 1.

371W08BA TL700



PLAN VIEW - CONCEPT GRADING, DRAINAGE, AND UTILITY PLAN
 SCALE: 1" = 30' - 0" (24x36)

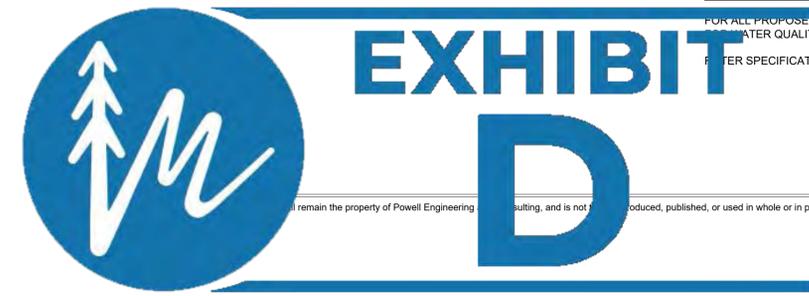
TREATMENT CALCULATIONS

PROPOSED PROPRIETARY TREATMENT METHODS:
 FOR ALL PROPOSED CB'S, A CATCH BASIN FILTER INSERT SHALL BE UTILIZED FOR WATER QUALITY TREATMENT.
 FILTER SPECIFICATION: MEDIUM SQUARE (24"x24") FLEXSTORM PURE PC+ FILTER WITH HYDROCARBON SKIMMER POUCH.

DETENTION CALCULATIONS

NOTE: A FULL STORMWATER MANAGEMENT REPORT WITH CALCULATIONS AND O&M MANUAL SHALL BE SUBMITTED DURING PREPARATION OF THE PROJECT CONSTRUCTION DOCUMENTS FOLLOWING PLANNING APPROVAL.

EX. DRAINAGE BASIN AREA:	0.60 ACRES
EXISTING CN:	80
EXISTING Tc:	15 MIN.
EXISTING RUNOFF (10 YR):	0.147 CFS
POST DEVELOPED IMPERVIOUS AREA:	0.60 ACRES
POST DEVELOPED CN:	98
POST DEVELOPED Tc:	5 MIN
POST DEVELOPED RUNOFF:	0.447 CFS (UNDETAINED)
DETENTION:	
STORAGE VOLUME REQUIRED:	1,856 CF
ORIFICE SIZE REQUIREMENT:	2.125"
PRELIMINARY PIPE SIZE:	520" - 24" ADS STORM PIPE
ALTERNATIVE VAULT SIZE:	8' x 116" x 2' DEPTH
FINAL RELEASE RATE:	0.133 CFS



remain the property of Powell Engineering Consulting, and is not to be reproduced, published, or used in whole or in part, for any other project or purpose without the express written authorization of Powell Engineering and Consulting, LLC.

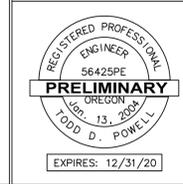
POWELL
 engineering + consulting
 221 N. Central Ave., PMB 221
 Medford, OR 97501
 541.613.0723 phone
 www.powellengineeringconsulting.com

KINGSBURY AT SPRINGBROOK PARK PUD
 9-LOT PUD ADDITION
 MAP 37-1W-08-BD, TAX LOT 516
 SPRINGBROOK PARK PUD, MEDFORD, OR



VERIFY SCALES
 ORIGINAL DRAWING
 SHEET ONE OF ONE
 IF NOT ONE OF ONE ON THIS SHEET, VERIFY SCALES ACCORDINGLY

NO.	REVISION	DATE	BY
REVISED AS CONSTRUCTED BY			
CITY OF MEDFORD - ENGINEERING DEPARTMENT			
KINGSBURY 8-LOT PUD ADDITION TO SPRINGBROOK PARK PUD			
DRAWN BY:	DATE:	PROJECT NO:	
DESIGNED BY:	DATE:	PUD-20-032	
APPROVED:	DATE:	SHEET NO.	
REVIEWED BY CITY TRANSPORTATION MANAGER:	DATE:	C1.0	
REVIEWED BY CITY ENGINEER:	DATE:		
APPROVED BY ORDINANCE NO.:	DATE:		



BEFORE THE PLANNING COMMISSION

FOR THE CITY OF MEDFORD, JACKSON COUNTY, OREGON:

IN THE MATTER OF AN APPLICATION FOR)
)
CONSTRUCTION OF 9 ADDITIONAL LOTS)
) 4th REVISED
ON APPROXIMATELY 1.50 ACRES OF LAND,)
) FINDINGS OF FACT
LOCATED ON SPRINGBROOK ROAD, NORTH)
) &
OF THE PRESENT TERMINUS OF)
) NARRATIVE
SPRINGBROOK ROAD AND WITHIN A PUD)
) LDS no: 18-044
KNOWN AS SPRINGBROOK PARK, AND)
)
FOR THE MODIFICATION OF AN ORDER)
)
OF THE PLANNING COMMISSION DATED)
)
JUNE 28, 2018 ALLOWING FOR FINAL PLAT)
)
APPROVAL OF ALL 51 LOTS WITHIN SPRING)
)
BROOK PARK, IF SPRINGBROOK ROAD IS)
)
UNDER CONSTRUCTION.)
)
SPRINGBROOK PARK, LLC APPLICANT;)
)
STEVEN L. SWARTSLEY, AGENT.)
_____)

I. RECITALS PERTAINING TO THE PROPERTY:

APPLICATION: A request for construction of 8 additional SFR lots within SpringbrookPark, PUD, in the city of Medford, zoned MFR 15, 15 units to the acre at the northern terminus of Springbrook Road in the city of Medford, Oregon and for a modification of the language contained in an order of the Planning Commission dated June 28, 2018 allowing for the final plat approval of all 51 lost within Springbrook Park if construction of Springbrook Road has commenced.



PROPERTY OWNER & APPLICANT: Springbrook Park, LLC
P.O. Box 8600
Medford, OR 97501

AGENT: Steven L. Swartsley
P.O. Box 8600
Medford, OR 97504
Phone: 541-779-6000
e-mail: swartsley@charter.net

- A. Legal Description and Ownership: The property is described as T.37 1W-Section 08DB, Tax Lot 500. Owner of the property is Springbrook Park, LLC. A copy of the legal description for this site, as well as the appropriate plat maps, locating the property, are attached as exhibits to these findings.
- B. Purpose: The purpose of the application is to allow the building of 8 additional SFR lots within Springbrook Park PUD, and to change the language of the Planning Commission's order dated June 28, 2018. This allows the applicant the ability to develop the land consistent with the Comprehensive Plan and the General Land Use Plan Map that designate for the site SFR and Multi Family development. Properties in the vicinity are zoned SFR-6 (please refer to attached plat map).
- C. Land Use: The subject property consists of approximately 1.50 acres; the property is virtually flat land and has been fallow farm land for the last 40 years. The property abuts urban zoning district (SFR-6). The applicants are aware that they bear the responsibility to extend services from the adjacent lands to the subject site.

II. APPLICABLE CRITERIA:

In order to approve an additional 8 lots, the applicant must submit findings addressing applicable Sections of the Land Development Code.

- 1. A vicinity map, identifying the proposed area for the additional 8 lots;
- 2. Assessor's map with the proposed area identified;
- 3. Legal description of the area, prepared by a licensed surveyor or title company;
- 4. Property owner's names, addresses and map and tax lot numbers within 200 feet of the subject property, typed on mailing labels;
- 5. Findings prepared by the applicants or his representative demonstrating conformance with the Medford Land Development Code.
- 6. The additional 8 lots be subject to the design standards for Lots in SFR 6 zone.

FINDING: The Planning Commission finds that this application for constructing 8 additional lots within the current PUD and with the information presented in support of the application, is consistent with the criteria for submission as required above, accompanied with the applicable maps, the legal description of the area, and the names and addresses of all adjacent properties within 200 feet typed on mailing labels, and findings consistent with the requirements of the Land Development Code.

1. CONSISTENCY WITH THE COMPREHENSIVE PLAN:

A. Compliance with the General Land Use Plan Map:

A review of the general Land Use Plan Map of the City of Medford indicates this area of the City is designated on the General Land Use Plan Map as "Urban Residential". The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that permitted zoning districts within the Urban Residential designation are: SFR-2, SFR-4, SFR-6 and SFR-10, UM 15, consistent with the provisions of Section 10.306 of the Medford Land Development Code. This is consistent with the Urban Residential Designation as identified on the GLUP map.

FINDING: As the subject property lies within the Urban Growth Boundary and City Limits of the City of Medford, and found to be committed to Urban use, and lies within Springbrook Park PUD, and complies with and meets all requirements of the current existing PUD.

B. Consistency with the Applicable Goals and Policies:

In general, applications for modification of/or increasing the number of lots within a PUD are reviewed against the policies and goals of the Medford Comprehensive Plan to determine compliance with the Statewide Planning Goals and Guidelines.

The Land Development Code requires compliance with applicable Goals and Policies of the Medford Comprehensive Plan. These are noted below:

ENVIRONMENTAL ELEMENT:

The Environmental Element of the Medford Comprehensive Plan is simply a delineation of the various physical attributes that make up the greater Medford urbanizable area including such topics as climate, air and water quality, topography, natural hazards, historic areas and related features.

The Goals and Policies of this element are oriented to assure urban land uses are planned, located, and developed in such a manner as to minimize conflicts with the various environmental issues and potential hazards, such as flood, landslides, agricultural

impacts, etc. The Goals and Policies were prepared to guide the Staff and decision makers for the City to assure that physical issues that require special recognition are recognized and dealt with in a development proposal.

CONCLUSION: The City of Medford concludes that there are no adverse environmental impacts contemplated with the future development of this site. This application is consistent with the Environmental Element of the Comprehensive Plan.

HOUSING ELEMENT:

Discussion:

The purpose of the Housing Element is to identify housing needs for the present and future residents of the City of Medford and to develop policies to meet the need.

The provisions of Goal 1 are to:

“Enhance the quality of life of all resident of the City of Medford by promoting a distinctive community character and superior residential environment, emphasizing the unique natural setting of the community”.

Policy 1(A)(1) provides the City is to promote community design guidelines which will be adopted to guide the development and architectural review processes.

The standards listed in the Medford Land Development Code and the Comprehensive Plan ensures that this Goal will be achieved during the development phase of this property.

Goal 2:

“Ensure that residential development in Medford is designed to minimize the consumption and degradation of natural resources, promote energy conservation, and reduce the potential effects of natural hazards.”

Policy 2A provides the City shall strive to prevent sprawl and provide a compact urban form that preserves livability and adjacent resource lands.

The development of this site will help prevent the need to expand the UGB to prevent sprawl, by providing for a planned compact urban form with in the City of Medford. There are standards listed in the MLDC to ensure this Goal and Policies will be accomplished during the development phase of this site.

Goal 3:

“Ensure a coordinated balance among the provision of public services, the location of employment centers, and the production of appropriate housing within the City of Medford.”

The development of this site will provide for additional detached single family housing within the Southwest Medford area.

CONCLUSION: The Goals and Policies of the Housing Element ensure any development within the City of Medford will be consistent with the standards listed in the MLDC. The development of this site will help prevent sprawl by providing for compact urban form of development within the City of Medford. The development of this site will also provide for additional appropriate housing opportunities for the City. The City of Medford finds the request SFR-6 zoning on the subject property is consistent with the applicable Goals and Policies of the Housing Element.

PUBLIC FACILITIES ELEMENT:

This element is designed to assure there has been adequate planning for public facilities and services.

Discussion:

Goals #1, Policy #3 notes in order to provide for maximum consistency and coordination of individual Public Facility lands, the Land Use Element MATS sectors shall be the basic geographic planning unit whenever possible.

Further, Goal #2 notes the City shall make every reasonable effort to assure a continuing and consistent process for the development, coordination and prioritization of city public facilities Capital Improvement Program.

Goal #3, Policy #1 delineates the essential urban facilities and services necessary for “minimum adequate service levels”. These are basically Sanitary sewer, Domestic Water, Storm Drainage and Streets.

In reviewing the element, the policies and goals for the Waste Water/ Drainage, Water Systems are in fact statements of public policy, delineating how the City of Medford will realistically provide the various levels of service within the City Limits and UGB. The traffic and street issues have generally been subordinated to comply with the Statewide Transportation Planning Rule, OAR 660-012-0060.

The subject property is not located within a limited services area.

CONSLUSION: The City of Medford concludes the applicable Goals and Policies of the Comprehensive Plan have been addressed and this application is consistent with them. The City of Medford concludes the area requested to be developed has already

generally been developed with public facilities including streets, sewer, storm drainage and water that have been or can be extended to the site.

FINDING: Based upon the fact the City of Medford has implemented the Goals and Policies of the Comprehensive Plan, the City finds the application is consistent with those applicable Goals and Policies, and this application is in compliance with the Medford Comprehensive Plan. This application is in compliance with the MLDC.

2. COMPLIANCE WITH URBAN SERVICES AND FACILITIES

The second criteria for a PUD modification is:

“Urban services and facilities are available to adequately serve the property, or will be made available upon development”.

The Medford Comprehensive Plan, Public Facilities Element provides the list of Category “A” public Facilities to be considered. These are:

Sanitary Sewer
Water
Storm Drainage
Streets

Sanitary Sewer: Sanitary Sewer service is provided by City of Medford. There is currently an 12 inch line existing along Springbrook Road. In addition there are lines in adjacent properties that will be extended and looped to adequately serve the subject property. These collection lines will serve the subject site. The Sanitary Sewer collection system is adequate to accommodate the proposed change in land use, as set forth herein. Sewer service will be extended to the proposed project by the owner/developer consistent with existing regulations.

Sewage treatment is provided by the City of Medford Regional Waste Water Treatment Plant. The plant presently serves approximately 125,000 persons. The treatment capacity of the plant is approximately 190,000 persons. The treatment plant has capacity to serve the expected population in the region for the foreseeable future. The issue is not the sewage treatment plant, but the size of approximately ½ mile of main sewer line located near the airport and which will be increased in size in the near future.

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

Water Service: Water service by the Medford Water Commission is currently serving the site. There is an existing 12 inch line located in Springbrook Road that abuts

the subject property that serves adjoining property. Extension and development of the water system within the property is the responsibility of the property owner/developer.

Water capacity of the Medford Water Commission system is currently serving a population of approximately 123,000 persons, with a present day average daily consumption of 28,000,000 gallons. The present sources and distribution system have a capacity of 56.5 million gallons per day (Medford Water Commission, 1-96). Adequate water capacity exists to serve the subject site.

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

Storm Drainage: At the time of development storm sewer will be collected in an underground collection system and will be designed in accordance with the City of Medford Master Storm sewer Program.

The development of the site will require an integrated storm sewer system, with a maximum of 0.25 CFS discharge. The construction drawings prepared for the development of this property will provide the engineering to provide the storm sewer system in accordance with the City of Medford.

Streets: Springbrook Road terminates at the south side of the subject property. It will be extended through the property connecting with Hondeleau Lane and other side streets. Construction of the extension of Springbrook Road from its present terminus on the south side of the subject property to Hondeleau Lane will complete an important part of the neighborhood circulation plan for the area. Access to the site will be from Springbrook Road. The maximum potential development of 8 additional dwelling units will generate an estimated 72 vehicle trips per day based on the Institute of Traffic Engineers manual.

Springbrook Road will be developed to City of Medford standards for Collector Streets.

The streets have and will have ample capacity in their present form to accommodate the projected vehicle trips from the development of the site and certainly will have sufficient capacity at the time of construction to Collector Street standards.

CONCLUSION: Based upon the information contained herein, the City of Medford concludes there are adequate public facilities to supply potable water to the property, as water distribution system improvements have already been in place on the property; sanitary sewer service is available to the site and capacity at the Regional Treatment Plant is adequate to accommodate the area; there is sufficient capacity on the existing local street system to accommodate the proposed use, and the storm drainage facilities will be in compliance with the Medford Master Storm Drain Plan.

FINDING: The City of Medford finds there are adequate Category “A” public facilities available and sufficient capacity exists to extend these facilities to serve the proposed zoning and use of the site as SFR-6.

3. COMPLIANCE WITH OAR 660, DIVISION 12: TRANSPORTATION

Chapter 660, Division 12 of the Oregon Administrative Rules provides for implementation of the Statewide Transportation Goal (Goal 12). It is also designed to explain how local governments and state agencies responsible for transportation planning can demonstrate compliance with other statewide planning goals, and to identify how transportation facilities are provided on rural lands consistent with the goals.

The Transportation Planning Rules direct local governments to incorporate transportation planning processes that will:

- A. Consider all modes of transportation including rapid transit, air, water, rail, highway, bicycle and pedestrian.
- B. Inventory local, regional, and state transportation needs.
- C. Consider the social consequences that would result from using different combinations of transportation modes.
- D. Avoid total reliance upon any one mode of transportation.
- E. Minimize adverse social, economic, and environmental impacts and costs.
- F. Conserve energy.
- G. Meet the needs of the transportation disadvantaged by improving service.
- H. Facilitate the flow of goods and services so as to strengthen the local and regional economy.
- I. Conform with local and regional comprehensive plans.

More specifically, there are provisions within the chapter that apply specifically to Comprehensive Plan and Land Use Regulation Amendments.

These provisions are contained in OAR 660-012-0060, and state:

1. Amendments to functional plans, known as comprehensive plans, acknowledged comprehensive plans and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity and level of service of the facility. This shall be accomplished by either:
 - a. Limiting allowed land uses to be consistent with the planned function, capacity and level of service of the transportation facility;
 - b. Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division; or,
 - c. Altering land use designations, densities or design requirements to reduce demand for automobile travel and meet travel needs through other modes.

2. A plan or land use regulation amendment significantly affects a transportation facility if it:
 - a. Changes the functional classification of an existing or planned transportation facility;
 - b. Changes standards implementing a functional classification system;
 - c. Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility;
 - d. Would reduce the level of service of the facility below the minimum acceptable level identified in the TSP.

3. Determinations under sections 1 and 2 of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

Discussion:

Existing Transportation Facilities: An overview of existing transportation facilities that would provide service to the subject property indicates that ground transportation via existing City designated residential and collector streets is the sole transportation facility affected by this amendment.

The site does not have access to rail, light rail, water or other alternative transportation facilities or services. Pedestrian and bicycle access is or will be made available via the sidewalks and bicycle lanes in the immediate vicinity; the future improvement of Springbrook Road.

Transportation Planning Issues: An evaluation of the subject property and the orientation, location and size of the existing structural development, as well as the existing and historic uses of the properties, indicate there are basically two transportation issues that should be addressed:

1. The first planning issue is access management, involving the size, location, orientation and control of the access onto Springbrook Road; and
2. Trip generation potential, and if that generation will result in a significant effect on the function, capacity, or level of service on Springbrook Road or any new residential streets.

Access Management: The subject property is located on Springbrook Road. The development plan for the site will conform with all access management and location requirements of the City of Medford and Jackson County to insure adequate and effective Access Management.

This issue will be addressed during the Tentative Plat/development review process. The applicant submits this requested zone change will not have a significant effect on the access management for the transportation facility serving the site.

Trip Generation Potential: Existing and potential uses on this property is in essence already documented, and Springbrook Road is such the current capacity of the roadway will not be compromised by the addition of 8 dwelling units, or 72 ADT generated from this site. The extension of Springbrook Road will assist the current neighborhood plan and help bring to completion an integral part of the street improvements in the area.

A comparison of the traffic capacity and the traffic counts of this immediate area, provided by the City of Medford, indicates there is adequate capacity available to serve the subject site. This capacity of the existing road system will not be adversely affected by this application, due to the fact the capacity exists in excess of the anticipated cumulative generation in the area. In fact the opposite is true in the present case, as the proposed development will result in extending Arlington Drive to intersect with Thomas Road resulting in completing that portion of the street circulation plan for the area.

This issue, as part of the overall traffic management plan for this area, can be found to be consistent with the existing traffic facilities for the City of Medford, Jackson County and ODOT.

CONCLUSION: The City of Medford concludes based on the information contained herein this application is consistent with the intent of the statewide Transportation Planning Rule, in that:

1. The site is within an incorporated city with an adopted and acknowledged Comprehensive Plan.
2. The property is less than 1.50 acres, located on Springbrook Road. Uses proposed are consistent with the Comprehensive Plan and the zoning designation of MFR 15.
3. The additional lots do not significantly affect the overall transportation capacity, including the North Medford Interchange, or service levels of the existing transportation facility, as defined in OAR 660-012-0060(2) since the proposed use will be consistent with the maximum use established for the site.

FINDING: The City of Medford finds this application for the 8 lots is consistent with the Transportation Planning Rule, and is in compliance with the MLDC. There are no adverse impacts contemplated on the South Medford Interchange or the local street system.

LOT DESIGN CRITERIA: There are 6 lots total that fall under this provision. Lots 43 and 44 in phase 5 and the 4 lots in phase 6 in an area zoned MFR 15. Under the provisions of the MLDC 10.192(B)(1) lots in a PUD, the design standards for lots are less restrictive and under said code the request for the lots to not meet the design requirements of SFR 6 zoning is permitted.

The modified design standards are as follows: Lot 57 exceeds the maximum area and depth of Chapter 10 of the Medford Land Development Code. This size is dictated by a request of planning that we have no dead space in the rear of the lot, but include it in the lot as a whole. It is impossible to access the dead space, so by adding it to the lot, it creates a 22,674 square foot lot. Lots 43 and 44 were turned and will have common access from Monarch Lane and by conventional measurement do not meet minimum depth. Lots 51, 52 and 54 do not meet minimum depth but MLDC 10.192 (B)(1) allow for a relaxation of the design standards of Chapter 10 of the MLDC.

The modified design standards are necessary to:

- a) Allow for consistent development with the adjoining neighborhood
- b) The wet lands and creek to the immediate north of phase 6 prevent an orderly development of additional MFR 15 units on the parcel therefore the need for single family housing on the parcel.
- c) The wet lands to the north of Lot 57 dictate the size and dimensions of that lot.
- d) The configuration of the design of the bulb at the end of Kinsbury (serving Lots 50 thru 54 necessitate the size and dimension of those lots.
- e) The flag lots in those listed above meet the minimum standards as to street frontage and access as set forth in 10.450.
- f) The wet lands to the immediate south of lots 43 and 44 in phase 5 require an excepted design criteria.
- g) The proposed use request is consistent with the MLDC and PUD designation together with the Comprehensive Plan, GLUP Map and Zoning designation of MFR 15.

LOT ACCESS CRITERIA: The access for 3 lots of the additional 8 (phase 6) lots take access from Springbrook Road, a collector street. Lots 55 and 56 will share a common access off Springbrook Road. Lot 57 will also have access off Springbrook Road. Though access from a collector is not favored, it is allowed under the provisions of MLDC 10.192(B)(4) but it is mitigated by sharing a common access by two lots.

- a) The modified access is necessitated because the 3 lots taking access from Springbrook Road are essentially land locked without any other practical way for ingress and egress.
- b) The proposed access is allowable in that the standards for access may be modified in a PUD allowing application of modifications from the strict standards set out in the MLDC.

CUL-DE-SAC: It is necessary to construct a cul-de-sac serving Lots 50 thru 54 as there is a wet land immediately to the north of the parcel that cannot be crossed within such a short distance of the new crossing on Springbrook Road which has recently received state, federal and USACE approval.

CONCLUSION: The city of Medford concludes with the information contained herein the request for the 8 lots, and the design of said lots in the MFR 15 zoning district is consistent with MLDC and the PUD proponents of the Land Development Code.

FINDINGS: The city of Medford finds the request for 8 lots together with the requested ingress and egress from Springbrook Road and within a MFR 15 zoning district is in compliance with the MLDC.

4. CHANGE OF LANGUAGE IN PLANNING COMMISSION ORDER DATED JUNE 28, 2018:

The language contained in the referenced order reads as follows: “Construct and improve the extension of Springbrook Road, connecting its two existing termini, with the 16th lot. Final plat approval for a maximum of 15 lots may be approved prior to the completion of Springbrook Road”.

Applicant requests the language be modified to allow FINAL PLAT APPROVAL for all 51 lots if construction has commenced on the section of Springbrook Road between its two termini. This change allows for construction to move ahead and allow for the construction of houses on the lots prior to the completion of the Springbrook Road connection, but only if construction has started on the construction of Springbrook Road. In effect, it allows for the project to be completed sooner, allowing for additional housing units to be constructed in a city that clearly demonstrates the need for housing.

5. SUMMARY AND CONCLUSIONS:

A review of the application and supporting documentation will demonstrate the application complies with the applicable elements of the Comprehensive Plan, and the Land Development Code, in that this application:

1. Application for an additional 8 lots in an area noted for similar urban residential uses on the General Land Use Plan Map.
2. That Urban services and facilities are available to adequately serve the property, and cumulative impacts from the development of the site, consistent with the zone change, will not affect the capability of the City to provide the site with water, sanitary sewer, storm drainage, streets and public safety. The capacity of the water system and sanitary sewer facilities indicates this proposal will not tax the capacity of the plants, due to the pre-existing levels of development planning (see clarification page 6 due to inadequate size of a portion of existing sewer line slated for size increase in the near future).
3. The applicant is aware they are subject to, with any change of use, the systems development charges adopted by the City of Medford to insure developers pay their fair share of extending public facilities such as water, sanitary sewer and streets if necessary;

4. The additional 8 lots will not adversely impact the North Medford Interchange or any other state facility. This is in compliance with the Transportation Planning Rule as outlined in OAR 660-012-0060.
5. The change of the language in the existing order does not in any way have any adverse impact on the neighborhood. It simply allows for the construction process for the housing units to commence at an earlier date than to wait for the city to accept the final construction of the connector before issuing final plat on the final 36 lots of the 51 lot subdivision.

The applicant respectfully requests the City of Medford allow for the construction of the additional phase 6 (8 lots), exception to the design standards for lots 43 and 44 in phase 5 within the existing PUD and the change of language in the original order.

Respectfully submitted,

Steven L. Swartsley
Agent

AFTER RECORDING MAIL TO:

Springbrook Park Development, LLC
PO Box 8600
Medford, OR 97501

DECLARATIONS OF COVENANTS, CONDITIONS and RESTRICTIONS

RELATING TO LAND

The undersigned Springbrook Park Development, LLC, an Oregon limited liability company does hereby bind its heirs, administrators, executors and assigns, by and under the following covenants, restrictions and conditions to govern, relate to and restrict the use and occupancy of Springbrook Park, Phase 6 Medford, Jackson County, Oregon hereinafter called the "subdivision" and more particularly described as follows, to-wit:

Lots 50-58, SPRINGBROOK PARK, PHASE 6, JACKSON COUNTY OREGON

- 1.) No manufactured home or other mobile homes shall be sited on any lot in the subdivision.
- 2.) No temporary or unfinished building shall be used as a residence.
- 3.) No poultry or livestock shall be kept in this subdivision.
- 4.) No noxious or offensive trade shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
- 5.) Easements for installation and maintenance of utilities and drainage facilities may be reserved as shown on the recorded plat or as a recorded easement. Within these easements, no structure, planting or other material shall be placed — or permitted to remain — which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.
- 6.) At no time shall the lot or street frontage be used as a storage area for old cars, trailers, appliances or other material, which would detract from the appearance of the subdivision.
- 7.) Neither the streets nor front driveways of the homes in this subdivision shall — at any time — be used for the storage or long-term parking of boats, trailers, campers, motor homes, firewood or other materials.
- 8.) An owner shall be entitled to rent or lease his/her residence for a period of not less than 30 days.

ARTICLE II General Provisions



EXHIBIT
F

No building shall be erected, placed altered on any lot until the exterior elevation plans for the house and structures have been approved by the Architectural Control Committee as to external design and harmony with the intent of the subdivision. The Architectural Control Committee as to external design and harmony with the intent of the subdivision. The Architectural Control Committee is composed of: Director of ACC 2464 SW Glacier Place #110 Redmond, OR 97756 who shall serve without compensation until December 31, 2029. In the event of a death, inability to act or refusal to act of any member of the Architectural Control Committee, the remaining member shall have full authority to appoint a successor. A majority of the committee may designate a representative to act for the committee. In the event the committee, or its designated representative, fails to approve or disapprove within thirty (30) days after the plans and specifications have been submitted to it, and in the event, if no suit to enjoin the construction has been instituted prior to the start of construction, approval will not be required and related covenants shall be considered to have been fully complied with. In the event of dissolution or resignation of the Board, all privileges, powers and authority could be vested in a Board selected by the owners of a majority of the lots in the subdivision. The initial Developer's Architectural Control Committee shall be in existence only until all initial structures have been built on 100% of the lots in the subdivision.

ARTICLE III — General Provisions

- 1) These Covenants are to run with the land and shall be binding on all parties and all persons claiming under them.
- 2) Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages and the party prevailing shall be entitled to be reasonable fees and court costs.
- 3) Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.
- 4) Except for the ARTICLE II, these "DECLARATIONS OF COVENANTS, CONDITIONS and RESTRICTIONS RELATING TO LAND" are designed to be enforceable by owners of a lot or lots in this subdivision and the intent is not for the Developer to be the enforcer.
- 5) A contract purchaser shall be deemed a lot owner for purpose of these Covenants, Conditions and Restrictions.
- 6) That the restrictions and servitudes imposed hereby shall run with the land and shall bind the present owners, their heirs, administrators, executors, and assigns and all persons claiming through or under them, until December 31, 2029, after which time said covenants shall be automatically extended for successive periods of ten (10) years, unless an instrument signed by two thirds of the then owners of the lots has been recorded agreeing to change said covenants in whole or part.

ARTICLE IV — Sidewalks

In lieu of bonding for the installation of sidewalks and pursuant to Medford Land Development Code Section 10.667(B):

- 1) A Certificate of Occupancy is conditioned upon installation of sidewalks.
- 2) In the event owners fail to install said sidewalks prior to issuance of the Certificate of Occupancy, Developer shall install said sidewalks and charge the owner of the lot for said sidewalks.



PUBLIC WORKS DEPARTMENT STAFF REPORT

Springbrook Park Phase 6, PUD (revision)

Add 9-Lots

Project: 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.

Location: 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: Applicant, Springbrook Park, LLC.; Agent, Steven Swartsley; Planner, Dustin Severs.

Applicability: The Medford Public Works Department's conditions of Preliminary Plan Approval for Springbrook Park PUD were adopted by Order of the Medford Planning Commission on June 28th, 2018 (PUD-18-031). The adopted conditions of this action shall remain in full force as originally adopted except as amended or added to below.

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

- **Approval of Final Plat:**
The Developer has requested modifying the language of the original PUD approval to allow for final plat approval of all 51 lots if construction of Springbrook Road has commenced. The current condition requires that the final plat that creates the 16th lot shall be required to provide the Springbrook Road connection to the south. Final plat approval can be granted if financial security is provided for all public improvements. However, no building permits will be issued until the public improvements are completed, as noted below.

Therefore, right-of-way, construction and/or assurance to be public



improvements in accordance with Medford Land Development Code (MLDC), Section 10.666 & 10.667 (Items A, B & C) will be required prior to final plat approval.

- 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

Springbrook Road is classified as a Major Collector street within the Medford Land Development Code (MLDC) Section 10.428. Right-of-way has already been dedicated with the final plat for Springbrook Park, Phases 1 & 2 (Survey #22903). **No additional right-of-way is required.**

Kingsbury Drive – The proposed cul-de-sac at the north terminus shall be dedicated per MLDC 10.450, and have a minimum 45-foot radius. The cul-de-sac shall transition to the existing 40-foot dedication for Kingsbury Drive to the south as shown on the Applicant’s Site Plan.

Corner radii shall be provided at the right-of-way lines of all intersecting streets per MLDC 10.445 unless otherwise approved by the City Engineer.

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

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

2. Public Improvements

a. Public Streets

Springbrook Road shall be constructed to Major Collector street standards in accordance with MLDC 10.428. Springbrook Road shall be constructed to Major Collector street standards (full width). Springbrook Road shall be extended from its terminus at the south

side of phase 1 & 2 of this project, across the creek with the next phase of development. As noted in the approval for PUD-18-031 “The final plat that creates the 16th lot shall be required to provide the street connection”. Public Works does not support the Applicants request to remove the condition for construction of the crossing of the creek. The Applicant has not provided any traffic or safety analysis or addressed the concerns of the neighborhood as discussed during the public hearing for PUD18-031. In addition, a permit for the creek crossing has yet to be issued which potentially may require the redesign of the crossing and thereby prolong the time before this connection will be provided.

The Developer shall receive Street System Development Charge credits for the public improvements on Springbrook Road per the value established by the Medford Municipal Code, Section 3.815.

Kingsbury Drive – The proposed cul-de-sac shall be constructed in accordance with MLDC 10.450. The cul-de-sac shall transition to the existing 28-foot paved section of Kingsbury Drive to the south.

b. Street Lights and Signing

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

Street Lighting – Developer Provided & Installed:

- A. 1 - Type R-100 LED

Traffic 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 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.

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along the respective frontages.

The Developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any Public Street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given

City of Medford | 200 S. Ivy Street, Medford, OR 97501 | (541) 774-2100 | cityofmedford.org

the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

d. Soils Report

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

e. Access and Circulation

In accordance with MLDC 10.550, the driveway for lots 55 and 56 shall be a shared access curb cut.

The applicant has requested a PUD modification to remove the requirement for an accessway from the cul-de-sac to Springbrook Road. Kingsbury Drive is 80-foot long and is not being lengthened by this application, which means the accessway, if required, would save a maximum 160 feet of out of direction travel.

The driveway for Lots 55, 56, and 57 shall conform to the requirements of MLDC 10.550 and the turnaround requirements of MLDC 10.746.

f. Easements

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

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

3. Section 10.668 Analysis

To support a condition of development that an applicant 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.

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, and pedestrians, including travel to, from, and through the development. 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. It has been described as comparing apples to oranges. Further, we are allowed to consider the benefits to the development from the dedication and improvements when determining “rough proportionality.”

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.

Springbrook Road is classified as a Major Collector street. Springbrook Road shall be improved/constructed in its entirety with the first phase of this development in order to provide a critical southerly connection to Owen Drive from the development. As a Major Collector, Springbrook Road will have one travel lane in each direction, a center-turn median, bike lanes in each direction, and sidewalks. Completing this connection with the first phase of development will provide safe travel for vehicles, bicycles, and pedestrians to, from, and through the development. This Springbrook Road connection serves the development as a whole, including the first phase, and is not related solely or even primarily to the development of the multifamily units. When the PUD is fully constructed, it

is likely that all of the PUD will predominantly use the southern Springbrook Road connection, not just the residents of the multifamily units. Thus, the southern Springbrook Road connection is proportional with the first phase and not a future phase. As a higher order street, it is eligible for street SDC credits for both the right-of-way and roadway improvements, per MMC, Section 3.815 (5). Street SDC credits offset costs to the Developer and is the mechanism provided by the City of Medford to fairly compensate the applicant for the excess burden of dedicating for and constructing higher order streets.

Hondeleau Lane, Dragon Tail Place, Hayden Circle, Kingsbury Drive, Monarch Lane and Pearl Eye Lane:

In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square footage of right-of-way per dwelling unit for dedications. The proposed development has 57 dwelling units and will improve approximately 1,600 lineal feet of roadway which equates to 28 lineal feet per dwelling unit. Also the development will dedicate approximately 71,950 square feet of right-of-way which equates to approximately 1,241 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Heights at Hondeleau which is just north of this site and consisting of 21 dwelling units. The previous development improved approximately 1,017 lineal feet of roadway and dedicated approximately 25,136 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 48 lineal feet of road per dwelling unit and approximately 1,197 square feet of right-of-way per dwelling unit.

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

Further benefits include:

- a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 60 new Lots within the City of Medford and increase vehicular traffic by approximately 566 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.
- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.
- c. Dedication will provide access and transportation connections at urban level of service standards for this development. The connections proposed in this development will enhance the connectivity for all modes of transportation and

reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.

- d. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.

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

B. SANITARY SEWERS

The proposed development is situated within the Medford sewer service area. The Developer shall provide one service lateral to each platted lot prior to approval of the Final Plat. A 12-foot wide paved access shall be provided to any public sanitary sewer manholes which are not constructed within the street section.

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

In the original approval of this PUD approval (PUD-18-31), it was found that the Multi-Family Residential (MFR) portion of the site had sewer capacity issues. It was calculated that the MFR portion was limited to 74 MFR units or 89 townhouses (without making improvements). **The Applicant is now proposing 7 single-family lots in the MFR portion with a total of 57 SFR units in the PUD, this will change the allowable MFR units to 68, and the allowable Townhouse units to 81 units.**

C. STORM DRAINAGE

1. Hydrology

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

2. Stormwater Detention and Water Quality Treatment

This development shall provide stormwater detention in accordance with MLDC, Section

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

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

Prior to acceptance of the public improvements, the developer's design engineer shall provide verification that the stormwater quality and detention system is constructed per plan. Verification shall be provided to the Engineering Division on a form provided by the Engineering Division.

The City is responsible for operational maintenance of the public storm water facility. Irrigation and maintenance of landscape components shall be the responsibility of the Developer during the three year vegetation establishment period. The Developer shall establish vegetation per the Rogue Valley Stormwater Quality Design Manual. The Developer's engineer shall submit a draft agreement to this effect (provided by the City or in a form acceptable to the City) during plan review and shall execute the agreement prior to final plat.

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. Wetlands

The Developer shall contact the Division of State Lands for approval of any work proposed in the wetlands on the south side of the property.

6. Erosion Control

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

D. SURVEY MONUMENTATION AND PLAT REQUIREMENTS

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, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will

keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

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

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

3. Phasing

The Tentative Plat illustrates that this subdivision will be developed in phases. Any public improvements needed to serve a particular phase shall be improved at the time each corresponding phase is being developed. Public improvements not necessarily included within the geometric boundaries of any given phase, but are needed to serve that phase shall be constructed at the same time. The applicant shall construct the extension of Springbrook Road, including a bridge over the creek, as noted under Section A(2) of this report. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase.

4. Draft of Final Plat

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

5. 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.

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. Contractors shall work off a set of public improvement drawings that have been approved by the City of Medford Engineering Division. Any work within the County right-of-way shall require a separately issued permit from the County.

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

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

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Springbrook Park Phase 6, PUD (revision), Add 9-Lots

PUD-20-032

A. Streets

1. Street Dedications to the Public:

- No additional right-of-way on **Springbrook Road**.
- Dedicate full right-of-way for Cul-de-sac on **Kingsbury Drive**, including appropriate transition into existing right-of-way to the south.
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- Construct **Springbrook Road** to Major Collector street standards.
Construct **Kingsbury Drive** Cul-de-sac to current City standards, including transition to the existing paved section.

Lighting and Signing

- Developer supplies and installs all street lights at own expense.

Access and Circulation

- In accordance with MLDC 10.550, the driveway for lots 55 and 56 shall be a shared access curb cut.
- The applicant has requested a PUD modification to remove the requirement for an accessway from the cul-de-sac to Springbrook Road. Kingsbury Drive is 80-foot long and is not being lengthened by this application, which means the accessway, if required, would save a maximum 160 feet of out of direction travel.
- The driveway for Lots 55, 56, and 57 shall conform to the requirements of MLDC 10.550 and the turnaround requirements of MLDC 10.746.

Other

- No pavement moratorium currently in effect along this frontage.
- Provide pavement moratorium letters.
- Provide soils report.

B. Sanitary Sewer

- Provide a private lateral to each lot.
- Provide easements.
- **The Applicant is now proposing 7 new single-family lots in the MFR portion, this will change the allowable MFR units to 68, and the allowable Townhouse units to 81 units.**

C. Storm Drainage

- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Provide Engineers verification of stormwater facility construction.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide DSL signoff if wetlands are present.
- Provide Erosion Control Permit from DEQ.

D. Survey

- Provide all survey monumentation.

E. General Conditions

- Provide public improvement plans and drafts of the final plat.
- Additional Site Plan to ensure fire apparatus access per MLDC 10.430(2) if project includes Minor Residential streets.
- = City Code Requirement
- = Discretionary recommendations/comments

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



Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: PUD-20-032 (Revised)

PARCEL ID: 371W08BD TL 516

PROJECT: 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.

DATE: June 11, 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. Installation of an 8-inch water line is required in Kingsbury Drive from the existing north end of the existing 8-inch water line. The new 8-inch line shall extend north into the proposed cul-de-sac and terminate at a proposed fire hydrant in front of Lot 52.
4. Installation of five (5) water services is required for proposed Lots 50 – 54 in Kingsbury Drive cul-de-sac.
5. Installation of two (2) water meters is required for proposed Lots 55, and 56. Applicants Civil Engineer shall coordinate with MWC Engineering staff for approved location of water meters for proposed Lots.
6. Installation of one (1) water meter is required for proposed Lot 57. Applicants Civil Engineer shall coordinate with MWC Engineering staff for approved location of water meters for proposed Lot 57.
7. Installation of "private" water service lines from each proposed lot to the street is required within the proposed Minimum Access Easement for each proposed lot.



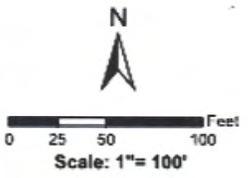
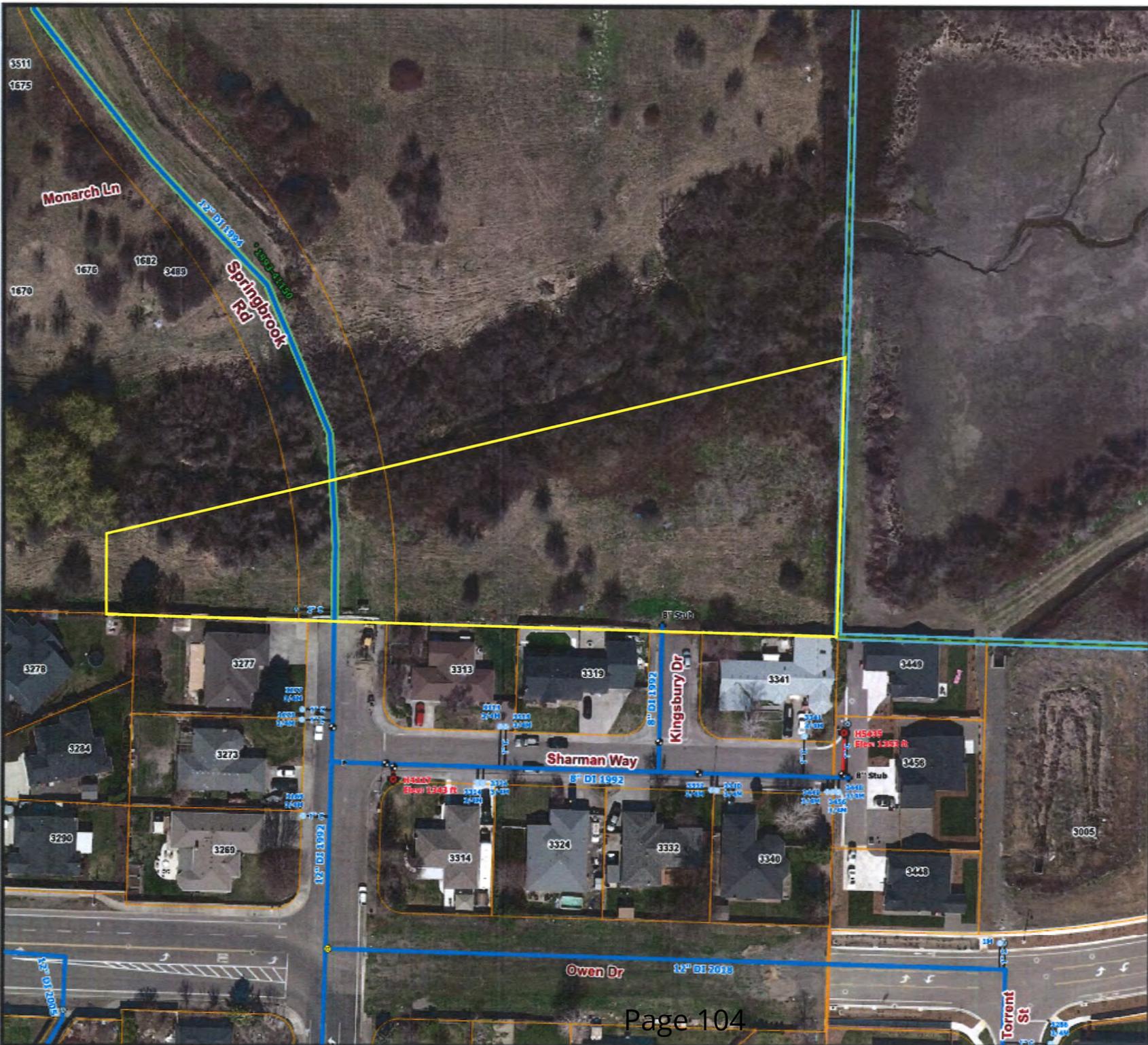


Staff Memo

8. Static water pressure is expected to be approximately 105 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
9. Installation of a water service for proposed Lot 9 is required. Water Meter shall be located near south property line, 5-feet south of the existing air release valve in front of the south side of this parcel.
10. The Applicant and/or Engineer shall coordinate with Medford Fire Department and Medford Water Commission for proposed location of a Fire Hydrant at the south end of the proposed minimum access (MAE) drive near the south end of proposed Kingsbury Drive.

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is required. (See condition 3 above)
3. MWC-metered water service does not exist to this property. (See Condition 4 & 5)
4. Static water pressure in this area of our water distribution system is approximately 105 psi. (See Condition 7 above).
5. Access to MWC water lines is available. There is an existing 12-inch water line located in Springbrook Road, and an existing 8-inch waterline Kingsbury Drive.



**Water Facility Map
for
PUD-20-032
March 25, 2020**

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



This report was prepared by the Medford Water Commission for the City of Medford. The City of Medford Water Commission and its employees are not responsible for any errors or omissions in this report. The City of Medford Water Commission is not liable for any damages or losses resulting from the use of this report.



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 3/20/2020

Meeting Date: 3/25/2020

LD File #: PUD20032

Planner: Dustin Severs.

Applicant: Springbrook Park, LLC.; Agent, Steven Swartsley

Site Name: Springbrook Park Planned Unit Development

Project Location: Along Springbrook Road north of Owen Drive

ProjectDescription: 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.

Specific Development Requirements for Access & Water Supply

Reference	Comments	Conditions Description
OFC 508.5	Two fire hydrants will be required for this project in the following locations: One on Springbrook Rd in front of lot #56 and one on Kingsbury Dr.	When fire hydrants are required, the approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site. In addition, blue reflective fire hydrant markers are required to be installed on the road surface to identify fire hydrant locations at night. Plans and specifications for fire hydrant system shall be submitted to Medford Fire-Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).

Construction General Information/Requirements

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

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

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

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

www.medfordfirerescue.org



Dustin J. Severs

From: Kathy Fennell <krfennell@gmail.com>
Sent: Tuesday, April 7, 2020 4:45 PM
To: Dustin J. Severs
Subject: Re: Tentative plat and PUD Plan for Springbrook Park Planned Unit Development

Thank you!

On Tue, Apr 7, 2020 at 3:42 PM Dustin J. Severs <Dustin.Severs@cityofmedford.org> wrote:
Thank you, Kathleen. Your email will be added into the record.

Sent from my iPhone

On Apr 7, 2020, at 2:07 PM, Kathy Fennell <krfennell@gmail.com<<mailto:krfennell@gmail.com>>> wrote:

Hi Dustin,

I live at 1738 Dragon Tail Place. I spoke to you today regarding PUD-20-032 , nine additional lots at the southeast corner of the Springbrook Park Planned Unit Development scheduled for consideration at the April 23, 2020 Planning Commission Public Hearing. You suggested that I send this email instead of a letter to be shared with the Planning Commissioners.

I am in favor of this PUD as long as Exhibit A-1, Springbrook Park - PUD; PUD-18-031/ZC-18-036/LDS-18-044 Conditions of Approval for the Springbrook Park - PUD dated June 14, 2018 are followed. There are 10 code required conditions that must be met. Exhibit A-1 is attached. My main concern is Item 1:

"Prior to final plat approval for each applicable phase, the applicant shall:
Construct and improve the full extension of Springbrook Road, connecting its two existing termini, with the 16th lot. Final plat approval for a maximum of 15 lots may be approved prior to the completion of Springbrook Road. The reserve acreage lot shall not count as part of the 15 lots."

15 houses have been built. Springbrook Road needs to be completed as specified by the Planning Commission before starting to build on these 9 lots. Please don't allow this to slip through the cracks.

Thank you for your consideration.

Sincerely,
Kathleen Fennell



EXHIBIT
J

Dustin J. Severs

From: swartsley@charter.net
Sent: Tuesday, June 16, 2020 8:27 AM
To: Dustin J. Severs
Cc: tombecker@becker-properties.com
Subject: Relief from construction of pedestrian accessway

<EXTERNAL EMAIL **Click Responsibly!**>

Dustin; As agent for Springbrook Park, LLC I respectfully request the Planning Department relieve the owner/developer from the requirement to construct a pedestrian accessway from the cul-de-sac. The MLDC provides relief from the construction of such an access but this request is being made as a PUD modification rather than under 10.464. It is infeasible and inappropriate to construct such a passage. The property to the North is wet lands, and it is not appropriate and incompatible to construct access to that portion of the development. Also, the abutting development provides for a collector street which will be finished shortly, and in the interests of safety, directing pedestrians to that roadway in the middle of a block is unsafe when they can walk approximately 200' and be at an intersection where crossing is safer and more practical. Therefore, as agent for the landowner/developer and on their behalf, I request a pedestrian accessway from the proposed cul-de-sac not be required. Thanks, Steve



**EXHIBIT
K**

**PRELIMINARY P.U.D. PLAN
SPRINGBROOK PARK
A PLANNED COMMUNITY SUBDIVISION
In the N.W. 1/4 of Sec. 8, T.37S, R.1W, W.M. &
in the City of Medford Jackson County, Oregon**

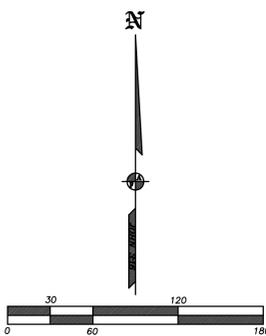
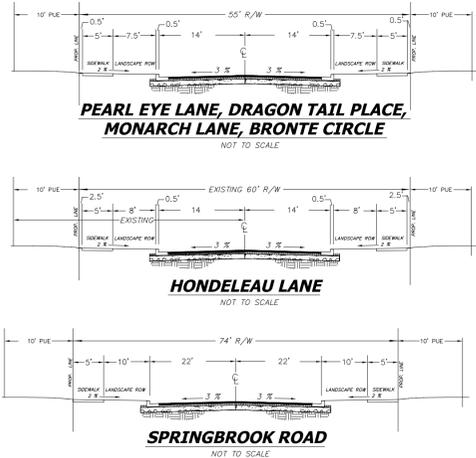
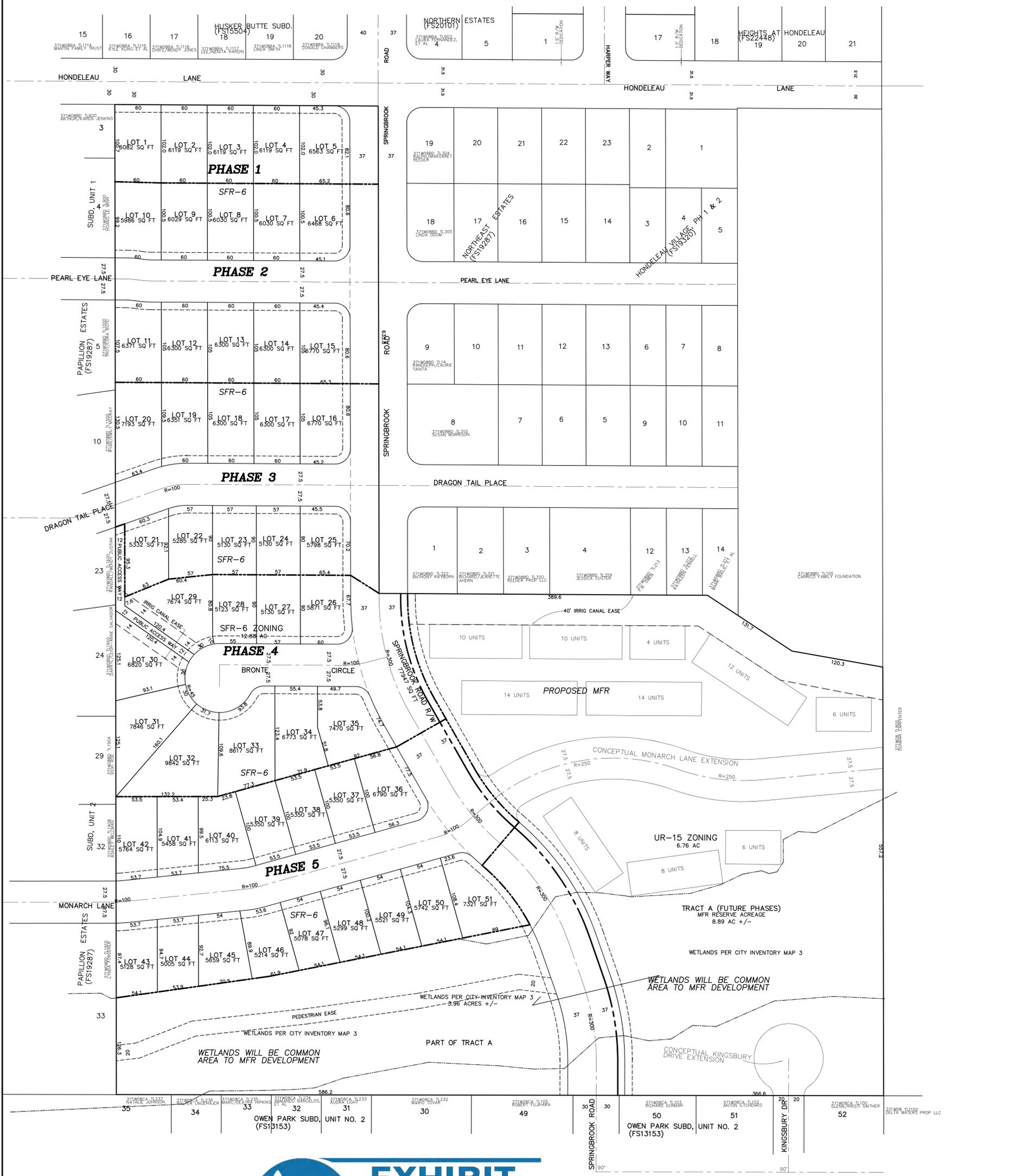
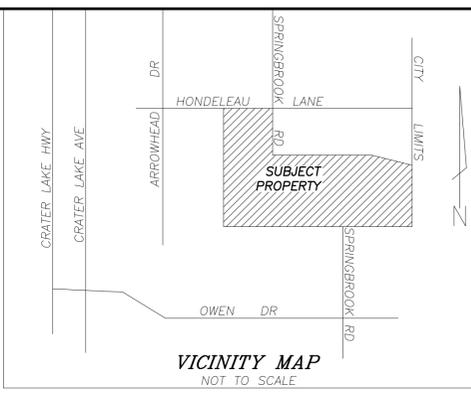


EXHIBIT "A"

FILE NO.: _____ DATE: _____
 ASSESSOR'S PARCEL NO.: 371W08BD TL500
 ZONING DISTRICT: SFR-6 & MFR-1 PROPOSED
 MIN. LOT SIZE: 4500 SQ.FT. MIN. LOT SIZE: 12500 SQ.FT.
 NO. OF LOTS: _____
 MATS TRACT: _____
 COMP. PLAN DESIGNATION: URBAN RESIDENTIAL
 RECEIVED BY: _____ DATE: _____
 RECEIVED BY: _____ DATE: _____



NOTES:
 SCHOOL DISTRICT: MEDFORD 549C
 IRRIGATION DISTRICT: M.I.D.
 GROSS ACREAGE: 19.873 ACRES.
 NET ACREAGE: 19.638 ACRES.
 TOPO TAKEN FROM 2016 CITY OF MEDFORD AERIAL MAPPING.
 PROPERTY IS CURRENTLY VACANT.
 CONTOURS ARE NOV 20 (UNADJUSTED) PER 2016 CITY OF MEDFORD AERIAL MAPPING.
 ALL R/W INTERSECTION RADI ARE 20'.
 C/L RADI OF SPRINGBROOK ROAD AS SHOWN ARE 300'.
 WETLANDS = 41.6 % OF RESERVE ACREAGE.



EXHIBIT
L

OWNER OF RECORD:
 AEI OREGON PROPERTY, LLC
 1150 17TH ST. NW
 WASHINGTON, DC 20036

REGISTERED PROFESSIONAL LAND SURVEYOR
James E. Hibbs
 OREGON
 JULY 17, 1986
 JAMES E. HIBBS
 2234
 RENEWAL DATE 6-30-19
 © L.J. FRIAR & ASSOCIATES, P.C. 2018

TITLE: PRELIMINARY P.U.D. PLAN
 ASSESSOR'S MAP #: 371W08BD TL500
 FOR: STEVE SWARTSLEY
 P.O. BOX 8600
 MEDFORD, OR 97501

L.J. FRIAR & ASSOCIATES P.C.
 CONSULTING LAND SURVEYORS
 P.O. BOX 1947, PHOENIX, OR 97535
 (541) 752-5746
 lfriar@charter.net

DATE: 1 JUNE 2018
SCALE: 1 inch = 60 feet
DRAWN BY: JEH
CHECK BY: JEH
ORIGIN: 0.0
ROTATION: 0°
JOB#: 171927M
 Sheet 1 of 1.



Project Name:

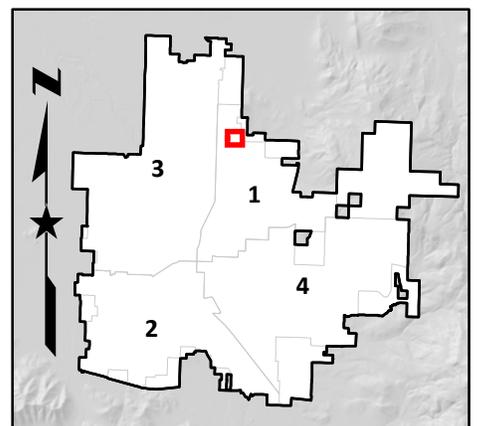
**Kinsbury at
Springbrook Park**

Legend

-  Subject Area
-  Tax Lots



3/11/2020





STAFF REPORT

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

Project Owen Zone Change
Applicant: Fred Owen; Agent: Richard Stevens and Associates, Inc.

File no. ZC-20-112

To Planning Commission *for 6/25/2020 hearing*

From Dustin Severs, Planner III

Reviewer Kelly Evans, Assistant Planning Director

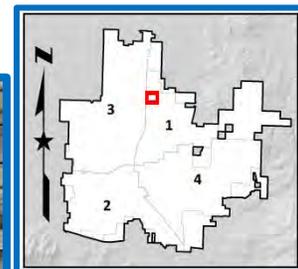
Date June 18, 2020

BACKGROUND

Proposal

Consideration of a request for a change of zone of two contiguous parcels totaling 6.26 acres located approximately 880 feet east of Crater Lake Avenue, south of Owen Drive, and north of Delta Waters Road. The applicant is requesting a change from I-G (General Industrial) and I-L (Light Industrial) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre) zoning district (371W08C TL 900 & 901).

Vicinity Map



Subject Site Characteristics

GLUP UH (Urban High Density Residential)
Zoning I-G and I-L
Overlay None
Use Vacant land

Surrounding Site Characteristics

North Zone: I-L (Light Industrial)
 Use(s): Industrial

South Zone: MFR-20 (Multiple-family Residential, twenty dwelling units per gross acre)
 Use(s): Single-family residential (Mountain Gate Village subdivision)

East Zone: SFR-6 (Single-family Residential, six dwelling units per gross acres)
 Use(s): Single-family residential (Pearwood and Owen Park subdivisions)

West Zone: I-L
 Use(s): Mercedes Benz of Medford

Related Projects

None

Applicable Criteria

MLDC 10.204: Zone Change Criteria

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

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

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

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

(b) Adequate streets and street capacity must be provided in one (1) of the following ways:

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

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

(iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs:

(a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or

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

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

Approval Authority

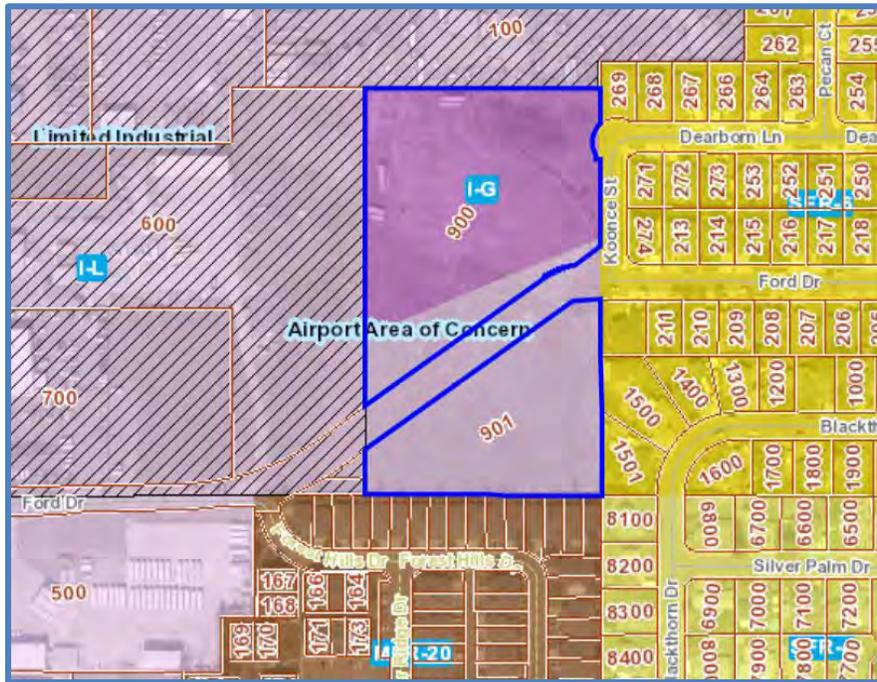
This is a Type III land use decision. The Planning Commission is the approving authority under Medford Land Development Code (MLDC) Section 10.108(1).

ISSUES AND ANALYSIS

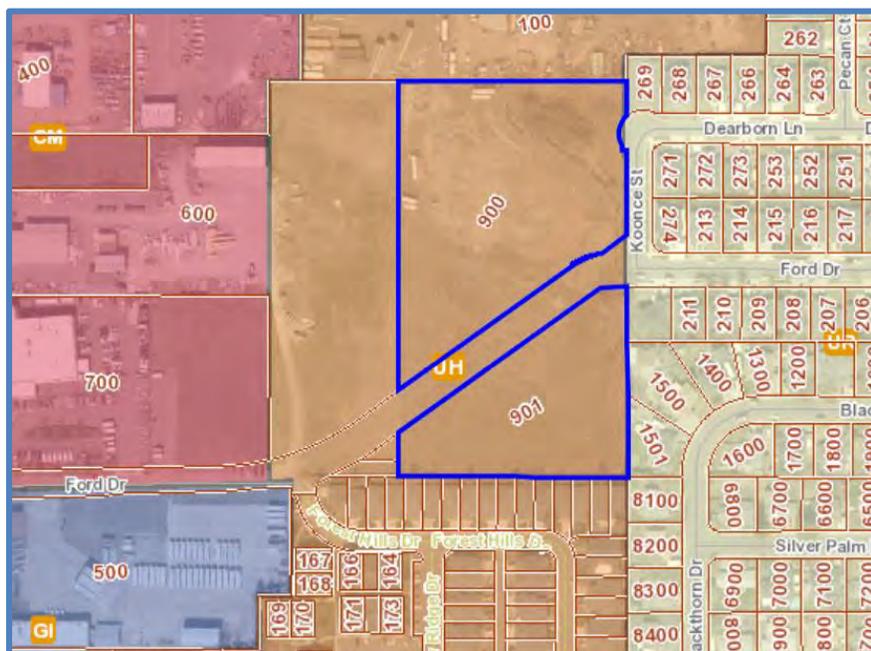
Background

The subject site consists of two vacant, contiguous parcels divided by the unimproved right-of-way of Ford Drive. The northern parcel—Lot 900—totals 4.03 acres and is currently split-zoned between I-G and I-L. The southern parcel—Lot 901—totals 2.23 acres and is zoned I-L. (The abutting Ford Drive right-of-way is zoned I-L.) The site's GLUP designation—along with the abutting parcels to the south, west, and north—is UH, a designation permitting the MFR-20 and MFR-30 zoning districts, and intended for multi-family developments. The land abutting the site to the east is UR (zoned SFR-6), and is developed with single-family residences.

Zoning Map



CLUP Map



CRITERIA COMPLIANCE

GLUP/TSP Consistency

The General Land Use Plan (GLUP) designation for the subject site is UH (Urban High Density Residential). According to the General Land Use Plan Element of the *Comprehensive Plan*, the MFR-20 zoning district is a permitted zone within the UH GLUP designation.

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. A traffic Impact Analysis (TIA) is required when an application has the potential of generating more than 250 net Average Daily Trips (ADT) or the Public Works Department has concerns due to operations or accident history.

Public Works has reviewed the proposed zone change and found that there will be a net decrease in the Annual Daily Trips (ADT). A TIA was not required with this application.

Locational Criteria

Zone changes to Multiple-Family zones do not include locational criteria.

Facility Adequacy

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

The agency comments included in Exhibits F-H, demonstrate that Category A facilities are adequate to serve the property at the time it is developed.

Committee Comments

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit A) and recommends the Commission adopt the findings as provided by staff below:

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposal is consistent with the UH General Land Use

- Plan Map designation and the Transportation System Plan. The Commission can find that this criterion is met.
- With regard to Criterion 2, there are no locational criteria for a change of zone to MFR-20. The Commission can find that this criterion is inapplicable.
 - With regard to Criterion 3, the agency comments, included as Exhibits F-H, demonstrate that Category A facilities are adequate to serve the property at the time of issuance of a building permit for vertical construction. The Commission can find that this criterion is met.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of ZC-20-112 per the staff report dated June 18, 2020, including Exhibits A through H.

EXHIBITS

- A Applicant's Findings of Fact and Conclusions of Law, received April 23, 2020.
- B Legal description, received June 17, 2020.
- C Applicant's Assessor's map, received April 23, 2020.
- D Applicant's current zoning map, received April 23, 2020.
- E Applicant's current GLUP map, received April 23, 2020.
- F Public Works staff report, received June 3, 2020.
- G Medford Water Commission report/map, received June 3, 2020.
- H Medford Fire Department memo, June 3, 2020.
Vicinity Map

PLANNING COMMISSION AGENDA:

JUNE 25, 2020

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

**IN THE MATTER OF AN APPLICATION FOR)
A CHANGE IN ZONING DESIGNATION)
FROM I-G AND I-L TO MFR-20 ON TWO)
PROPERTIES IDENTIFIED AS T.37S-R.1W-)
S.08C, TAX LOTS 900 & 901; LOCATED ON)
FORD DRIVE WEST OF KOONCE STREET)
CONTAINING 6.26 ACRES; FRED OWEN,)
APPLICANT, RICHARD STEVENS &)
ASSOCIATES, INC., AGENTS)**

FINDINGS OF FACT

I. RECITALS PERTAINING TO THE PROPERTY:

**OWNER/
APPLICANT:** Fred Owen Jr.
3400 Crater Lake Ave.
Medford, OR 97504

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

PURPOSE OF APPLICATION:

The applicant is requesting a change of zoning designation from City of Medford Light Industrial (I-L) and General Industrial (I-G) zoning districts to City of Medford Multiple-Family Residential – 20 dwelling units per gross acre (MFR-20) zoning for two tax lots totaling 6.26 acres, located along Ford Drive and west of Koonce Street. The properties are currently vacant of any development. The two parcels are described as T.37S-R.1W-SEC.08C, Tax Lots 900 & 901, within the Medford city limits. The General Land Use Plan (GLUP) map designation for the subject properties is currently UH (Urban High-Density Residential), based on Ordinance No. 2014-154, Internal Study Areas.



Attachments:

Exhibit A: A copy of the legal description for this property

Exhibit B: An assessor's map with the site indicated

Exhibit C: A current zoning map for the vicinity

Exhibit D: A current GLUP map for the vicinity

II. APPLICABLE CRITERIA:

In order to approve a Zoning Amendment and change the Zoning Map, the applicant must submit findings addressing Sections 10.204 of the Land Development Code. A review of Section 10.204(D) indicates that an application for a Zone Change must contain the following:

- 1. A vicinity map drawn to scale of 1"=1000' identifying the proposed area of change.*
- 2. An Assessor's map with the proposed zone change area identified.*
- 3. Legal description of the area to be changed. Legal description shall be prepared by a licensed surveyor or title company.*
- 4. Property owner's names, addresses and map and tax lot numbers within 200 feet of the subject property, typed on mailing labels.*
- 5. Findings prepared by the applicant or his representative addressing the criteria for zone changes as per Section 10.204(B), Zone Change Criteria.*

FINDING:

The City of Medford finds that this application for a change in zoning designation from I-L and I-G to MFR-20, with the information presented in support of the application, is consistent with the criteria for submission as required above, accompanied with the applicable maps, the legal description of the area to be changed, the names and addresses of all adjacent properties within 200 feet typed on mailing labels, and findings in compliance with the requirements of Section 10.204(B).

**III. COMPLIANCE WITH SECTION 10.204(B) OF THE
MEDFORD LAND DEVELOPMENT CODE:**

Section 10.204(B) provides that the approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

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

(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below section (2)(a), (2)(b), (2)(c), or (2)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

In addition, 10.204(B)(3) states:

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

**10.204(B)(1) CONSISTENCY WITH TRANSPORTATION SYSTEM PLAN AND
THE GENERAL LAND USE PLAN MAP DESIGNATION:**

Discussion regarding TSP:

The adopted Medford Transportation System Plan (TSP) addresses Chapter 660, Division 12 of the Oregon Administrative Rules which provides for implementation of the Statewide Transportation Goal (Goal 12), Transportation Planning Rule (TPR). It is also designed to explain how local governments and state agencies are responsible for transportation planning to address all modes of travel including vehicles, transit, bicycles and pedestrians. The TPR envisions development of local plans that will provide changes in land use patterns and transportation systems that make it more convenient for people to walk, bicycle, use transit, and drive less.

The TSP identifies both existing and future needs and includes improvements to meet those needs. In order to achieve those needs, the TSP has established the City's goals, policies, and implementation measures in order for the City to develop and maintain its transportation system for both the short and long-term needs. Like other portions of the Comprehensive Plan, the TSP is implemented through the Development Code. Sections 10.460 and 10.461 address the requirement for a traffic analysis letter (TIA) when an application has the potential of generating more than 250 net average daily trips (ADT).

The subject properties are approximately 6.26 net acres or 6.96 gross acres in size. The existing zoning districts, I-L & I-G, allow for commercial and light industrial uses. The 6.26 acres on the subject properties could produce as much as 1800 ADT with its existing I-L and I-G zoning. Properties zoned MFR-20 can develop with a maximum residential density of 20 DU per gross acre. MFR-20 zoning does not allow for the development of single-family detached homes; however, the zone allows for the development of multiple-family – apartment dwellings. Apartments are expected to generate 6.65 ADT per unit. The 6.96-gross acres for both parcels could produce as much as 926 ADT ($6.96 \times 20 \times 6.65 = 925.68$ ADT). There will be a net decrease in traffic between what the current zoning could produce and what the proposed zoning could produce.

The applicant submits that this requested zone change will have a negligible effect on the capacity of the existing local street system as demonstrated by the fact that the proposed change of zoning and future development of the property will produce less than anticipated traffic, to not require a TIA.

Discussion regarding GLUP:

The General Land Use Plan (GLUP) map designation for the subject properties has been changed from GI (General Industrial) to UH (Urban High-Density Residential) by Ordinance No. 2014-154, Internal Study Areas (ISA). The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that the permitted zoning districts within the UH designation are MFR-20 or MFR-30.

FINDING:

The City of Medford finds that there will be a net decrease in trips generated with the proposed zone change. Therefore, no traffic analysis is required, and the requested zone change is found to have a negligible effect on the capacity of the existing local street system and the requested zone change to MFR-20 is found to be consistent with the TSP.

The subject properties General Land Use Plan Map designation is currently Urban High-Density Residential (UH). The MFR-20 zoning requested is found to be consistent with the General Land Use Plan Map designation.

10.204(B)(2) CONSISTENCY WITH ADDITIONAL LOCATIONAL STANDARDS:

There are no additional locational standards applicable to the MFR-20 zone listed in Section 10.204 (2)(a), (2)(b), (2)(c) and (2)(d). However, Section 10.311, MLDC indicates that the MFR-20 zone is "suitable and desirable for locations near neighborhood activity centers or mass transit."

FINDING:

The City of Medford finds that Section 10.204(B)(2) is Not Applicable. There are no additional locational standards applicable for the MFR-20 zone listed in Section 10.204 (2)(a), (2)(b), (2)(c) or (2)(d).

10.204(B)(3) COMPLIANCE WITH URBAN SERVICES AND FACILITIES

The Medford Comprehensive Plan, Public Facilities Element, and the Transportation System Plan, provides the list of Category "A" urban services and facilities to be considered. These are:

Water Service
Sanitary Sewer and Treatment
Storm Drainage and
Streets, Transportation Facilities

Water Service:

Water service is provided by the Medford Water Commission, which is currently serving adjacent properties in the vicinity. There is an existing 12-inch main line along Ford Drive, east of the subject properties, and there are 8-inch lines along Koonce Street and Dearborn Lane. The properties will be developed as a multifamily residential development meeting the density standards of the MFR-20 zone. Adequate water service lines are available to be extended onto the subject site.

Water service for fire protection is also currently available in the vicinity of the site. Additional fire hydrants can be developed on Ford Drive, or on the properties if warranted for residential development.

Sanitary Sewer:

There is existing sanitary sewer service, provided by the City of Medford, serving the existing development in the neighborhood with service lines traversing the subject property. There are existing 8-inch sanitary sewer main lines along Ford Drive, Koonce Street and Dearborn Lane. These lines are connected to a 15-inch main line traversing Tax Lot 900. Per Mr. Thom with the Medford Public Works Department, there are capacity concerns downstream from the subject properties. The City of Medford has identified this fix as a Tier 1 sanitary sewer upgrade and anticipates completion in the near future, 2-3 years. Per Mr. Thom, the existing Industrial zoning is calculated to generate approximately 1,000-gallons/ac flows compared to multifamily dwellings generating approximately 1,800-gallons/ac flows. This calculates to approximately 56% of the subject properties being able to develop at the MFR-20 standard ($56\% \times 20 = 11.2\text{DU} \times 6.96\text{ac} = 77.95\text{DU}$ total). There is existing capacity in the sanitary sewer system in the vicinity to accommodate 78 multifamily dwelling units. The subject properties have the capability to develop 139DU to the MFR-20 density standards; therefore, phasing will be considered with the development plan until the capacity concern is upgraded and resolved.

Storm Drainage:

Any future development of the site will require an integrated storm sewer system, with the construction drawings prepared and the engineering to provide the storm sewer system in accordance with the City of Medford, at the time any new development is proposed. The properties are located within the Upton Slough drainage basin with a 24-inch line along the northern boundary for storm sewer discharge. The change of zoning designation to MFR-20 will have no greater impact on the availability of storm water facilities in the vicinity.

Transportation:

The subject properties are approximately 6.26 net acres or 6.96 gross acres in size. The existing zoning districts, I-L & I-G, allows for commercial and light industrial uses. The 6.26 acres on the subject properties could produce as much as 1800 ADT with their existing I-L and I-G zoning. Properties zoned MFR-20 can develop with a maximum residential density of 20 DU per gross acre. MFR-20 zoning does not allow for the development of single-family detached homes; however, the zone allows for the development of multiple-family – apartment dwellings. Apartments are expected to generate 6.65 ADT per unit. The 6.96-gross acres for both parcels could produce as much as 926 ADT ($6.96 \times 20 \times 6.65 = 925.68$ ADT). Therefore, there will be a net decrease in potential traffic generation between what the current zoning could produce versus what the proposed MFR-20 zoning could produce.

The applicant submits that this requested zone change will have a negligible effect on the capacity of the existing local street system as demonstrated by the fact that the proposed change of zoning and future development of the properties will produce less than the anticipated traffic compared with the existing Industrial zones.

FINDING:

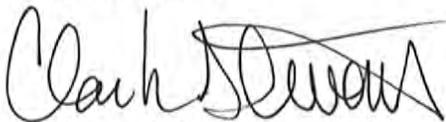
Based upon the information contained herein there are adequate Category "A" public facilities available and sufficient capacity exists to extend these facilities to serve the proposed zoning and use of the site as MFR-20.

IV. SUMMARY AND CONCLUSIONS:

In order for an amendment to the Medford Zoning Map to be approved, the Planning Commission must find that the applicant has made the requisite findings for a change of zoning. The City of Medford concludes that upon review of the application and the above Findings of Fact with the supporting documentation attached, it is demonstrated that this application complies with the applicable standards of the Medford Land Development Code, is consistent with GLUP map and is consistent with the Medford TSP.

With this in mind, the applicant respectfully requests that the City of Medford designate the subject properties, T.37S-R.1W-SEC.08C, Tax Lots 900 & 901 as MFR-20 on the Official Zoning Map for the City of Medford, Oregon.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Richard Stevens", written over a horizontal line.

Richard Stevens & Associates, Inc.

LEGAL DESCRIPTION OF TAX LOT 371W08C - 900

FOR: F.B. Owen Inc.

Parcel No. 1 of Partition Plat recorded November 24, 1993 as Partition Plat No. P-102-1993 of the Official Records of Jackson County, Oregon, and filed as Survey No. 13739 in the Office of the County Surveyor.

EXCEPTING THEREFROM: That portion conveyed to the City of Medford, a municipal corporation of the State of Oregon, being that tract described in PARCEL 1 of Instrument No. 2005-066442 of the Official Records of Jackson County, Oregon.

ALSO EXCEPTING THEREFROM: That portion conveyed to the City of Medford, a municipal corporation of the State of Oregon, being that tract described in Instrument No. 2016-012098 of the Official Records of Jackson County, Oregon.

June 16, 2020



Kaiser Surveying
2178 Butte Falls Hwy.
Eagle Point, OR 97524

Bary D. Kaiser
R.P.L.S. ORE. 52923

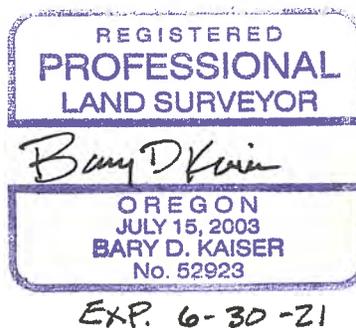
Phone: (541) 830-3995
Bary@KaiserSurveying.com

LEGAL DESCRIPTION OF TAX LOT 371W08C – 901

FOR: F.B. Owen Inc.

Parcel No. 2 of Partition Plat recorded November 24, 1993 as Partition Plat No. P-102-1993 of the Official Records of Jackson County, Oregon, and filed as Survey No. 13739 in the Office of the County Surveyor. EXCEPTING THEREFROM: That portion conveyed to the City of Medford, a municipal corporation of the State of Oregon, being that tract described in PARCEL 2 of Instrument No. 2005-066442 of the Official Records of Jackson County, Oregon.

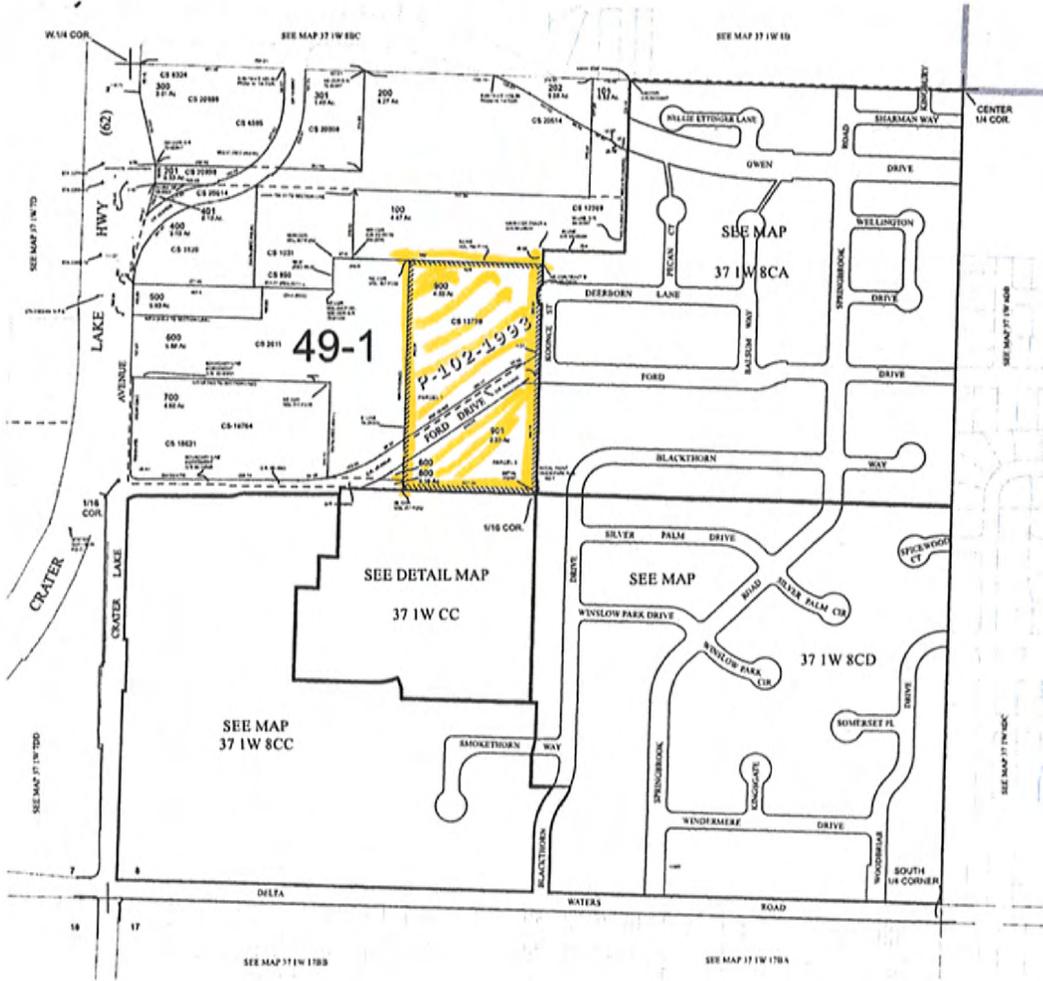
June 16, 2020



FOR ASSESSMENT AND TAXATION ONLY

S.W.1/4, SEC.8, T.37S., R.1W., W.M.
JACKSON COUNTY
1" = 200'

37 1W 08C
MEDFORD



CANCELLED TAX LOT NUMBERS

37 1W 08C
MEDFORD

NEW MAP FEBRUARY 14, 1993
REV MAY 06, 2016

05/06/2016 12:24:53 PM - 447/10



EXHIBIT
C



LD DATE: 6/3/2020

Revised Date 6/4/2020

File Number: ZC-20-112

PUBLIC WORKS DEPARTMENT STAFF REPORT

Ford Drive (TLs 900 & 901)

I-L/I-G to MFR-20 (Fred Owen)

Project: Consideration of a request for a change of zone of two contiguous parcels totaling 6.26 acres.

Location: The property is located approximately 880 feet east of Crater Lake Avenue, south of Owen Drive, and north of Delta Waters Road. The applicant is requesting a change from I-G (General Industrial) and I-L (Light Industrial) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre) zoning district (371W08C TL 900 & 901).

Applicant: Applicant: Fred Owen; Agent: Richard Stevens & Associates, Inc; Planner; Dustin Severs.

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

I. Sanitary Sewer Facilities

The proposed zone change has the potential to increase flows to the sanitary sewer system. The downstream sanitary sewer system currently has capacity constraints. Based on this information, the Public Works Department recommends this zone change be denied, or the applicant stipulate to only develop so the total sewer flows do not exceed current zoning limitation, or the Developer make improvements to the downstream sanitary sewer system to alleviate capacity constraints, or the Developer provide an engineering study of the downstream sewer system to show capacity exists to allow the proposed zone change.



II. Storm Drainage Facilities

This site will be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

III. Transportation System

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

No conditions pertaining to streets, street capacity, or access are requested by Public Works at this time.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

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



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: ZC-20-112

PARCEL ID: 371W08C TL's 900 & 901

PROJECT: Consideration of a request for a change of zone of two contiguous parcels totaling 6.26 acres located approximately 880 feet east of Crater Lake Avenue, south of Owen Drive, and north of Delta Waters Road. The applicant is requesting a change from I-G (General Industrial) and I-L (Light Industrial) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre) zoning district (371W08C TL 900 & 901). Applicant: Fred Owen; Agent: Richard Stevens & Associates, Inc; Planner; Dustin Severs.

DATE: June 3, 2020

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

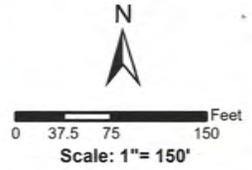
COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. On-site water line installation will be required at time of future Land Development Review.
 1. Static water pressure is approximately 70 psi.
 2. MWC-metered water service does not exist to this property.
 3. Access to MWC water lines is available. There is an existing 12-inch water line stub at the existing west end of Ford Drive east of these properties. There is also an 8-inch water line in both Koonce Street, and Dearborn Lane. There is an existing 8-inch water line in Ford Drive, west of Forest Hills Drive. There is also an existing 12-inch water line Forest Hills Drive.



EXHIBIT

G
Page 1 of 1



Water Facility Map for City of Medford Planning App#: ZC-20-112 June 3, 2020

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
- Active Main w/ Easement
- - - Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

Boundaries:

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

MWC Facilities:

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



This map is a representation of the City of Medford's water system. It is not intended to be used for legal purposes. Medford Water Commission cannot accept responsibility for errors, omissions or for use of this map. The information is provided for informational purposes only.



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 5/28/2020
Meeting Date: 6/3/2020

LD File #: ZC20112

Planner: Dustin Severs

Applicant: Fred Owen

Site Name: n/a

Project Location: 880 feet east of Crater Lake Avenue, south of Owen Drive, and north of Delta Waters Road

Project Description: Consideration of a request for a change of zone of two contiguous parcels totaling 6.26 acres located approximately 880 feet east of Crater Lake Avenue, south of Owen Drive, and north of Delta Waters Road. The applicant is requesting a change from I-G (General Industrial) and I-L (Light Industrial) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre) zoning district (371W08C TL 900 & 901).

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 combustibile 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



EXHIBIT H



Project Name:

Fred Owen

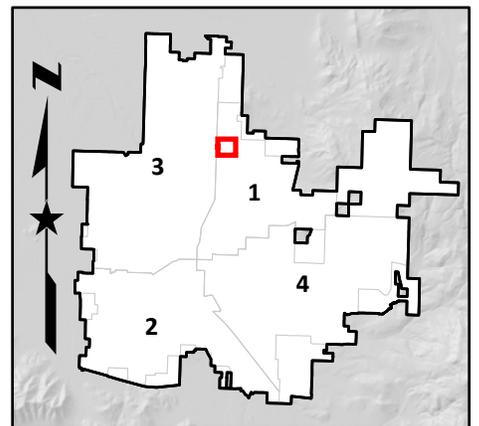
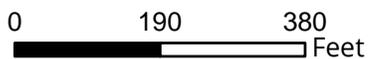
Map/Taxlot:

371W08C TL 900 & 901

Legend

-  Subject Area
-  Tax Lots

5/5/2020





STAFF REPORT

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

Project Hotel at the Cedars
Applicant: Cedar Hotel 1 LLC; Agent: ORW Architecture

File no. ZC-20-131

To Planning Commission *for 6/25/2020 hearing*

From Dustin Severs, Planner III

Reviewer Kelly Evans, Assistant Planning Director

Date June 18, 2020

BACKGROUND

Proposal

Request of a change of zone on a 3.6-acre parcel located at 2399 South Pacific Highway from C-H (Heavy Commercial) to the C-R (Regional Commercial) zoning district (371W32CD TL 4100).

Vicinity Map



Subject Site Characteristics

GLUP CM (Commercial)
Zoning C-H
Overlay None
Use Journey Church and unoccupied warehouse

Surrounding Site Characteristics

North Zone: SFR-00 (Single-Family Residential – 1 dwelling unit per existing lot) and C-R (Regional Commercial)
 Use(s): Roxy Ann Lanes, Bear Creek Golf Course

South Zone: C-H and Jackson County land
 Use(s): Roller Rink

East Zone: C-H
 Use(s): Charles Point Apartments

West Zone: Jackson County
 Use(s): Harry & David

Related Projects

PA-19-051 Pre-app to review the subject request
AC-20-129 SPAC approval for 5-story hotel

Applicable Criteria

MLDC 10.204: Zone Change Criteria

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

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

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

(iii) The overall area of the C-R zoning district shall be over three acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (2)(e) below.

(e) For purposes of (2)(c) and (2)(d) above, a zone change may be found to be suitable where compliance is demonstrated with one or more of the following criteria:

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

(ii) At least 50% of the subject property's boundaries abut zones that are expressly allowed under the criteria in (2)(c) or (2)(d) above;

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

(iv) Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Subsection (2) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least 60 feet in width.

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

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

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

- (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,*
- (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,*
- (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.*

Approval Authority

This is a Type III land use decision. The Planning Commission is the approving authority under Medford Land Development Code (MLDC) Section 10.108(1).

ISSUES AND ANALYSIS

Background

The subject site totals 3.6 acres and contains two buildings: a church (Journey Church) on the westerly half of the lot, and on the easterly half of the lot is an unoccupied warehouse.

The applicant has submitted an application to the Site Plan & Architectural Commission (SPAC) to remove the two existing buildings and develop the property with a with a five-story hotel. The height of the proposed hotel—63.25 feet—exceeds the 35 foot maximum height for the C-H zone. The subject application has been submitted in order to change the property's zoning from Heavy Commercial to Regional Commercial, which allows a maximum height of 85 feet. With the approval of the subject application, the proposed height of 63.25 feet will be permitted.

The applicant's SPAC application is scheduled for the June 19, 2020 hearing. The approval of the SPAC application will be contingent on approval of the subject application.

CRITERIA COMPLIANCE

GLUP/TSP Consistency

The General Land Use Plan (GLUP) designations for the subject site is CM (Commercial). According to the General Land Use Plan Element of the *Comprehensive Plan*, the C-R zoning district is a permitted zone within the CM GLUP designation.

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. A traffic Impact Analysis (TIA) is required when an application has the potential of generating more than 250 net Average Daily Trips (ADT) or the Public Works Department has concerns due to operations or accident history.

Public Works determined that the proposed zone change will not increase the Average Daily Trips (ADT) for the site, and therefore a TIA was not required with this application.

Locational Criteria

Zone change requests require an assessment of the locational criteria for the proposed zoning district. The subject parcel abuts parcels zoned C-R, and alone exceeds three acres; the subject parcel abuts a state highway (Highway 99); and is located in a centralized location. The parcel does abut the SFR-00 zoning district along an approximate 150 foot stretch which the property shares with the Bear Creek Golf Course; however, the existing use of the abutting parcel (golf course) is a permitted use in the C-R zone, consistent with MLDC 10.204(2)(e)(iii).

Facility Adequacy

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

The agency comments included in Exhibits C-E, demonstrate that Category A facilities are adequate to serve the property at the time it is developed.

Committee Comments

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit A) and recommends the Commission adopt the findings as requested by staff:

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposal is consistent with the CM General Land Use Plan Map designation and the Transportation System Plan. The Commission can find that this criterion is met.
- With regard to Criterion 2, the subject property alone exceeds three acres, and the abutting SRR-00 parcel includes use permitted in the C-R zone, meeting the locational criteria as per MLDC 10.204(2)(c)(iii) and 10.204(2)(e)(iii), respectively. The Commission can find that this criterion is met.
- With regard to Criterion 3, the agency comments included as Exhibits C-E, demonstrate that Category A facilities are adequate to serve the property at the time of issuance of a building permit for vertical construction. The Commission can find that this criterion is met.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and adopt the final order for approval of ZC-20-131 per the staff report dated June 18, 2020, including Exhibits A through E.

EXHIBITS

- A Applicant's Findings of Fact and Conclusions of Law, received May 12, 2020.
- B Applicant's Accessor's Map, received May 12, 2020.
- C Public Works staff report, received June 3, 2020.
- D Medford Water Commission report, received June 3, 2020.
- E Medford Fire Department memo, June 3, 2020.
Vicinity Map

PLANNING COMMISSION AGENDA:

JUNE 25, 2020

HOTEL AT THE CEDARS

ZONE CHANGE APPLICATION - FINDINGS OF FACT

May 12, 2020



10.204 Zone Change Approval Criteria

1. The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule
2. Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.
 - a. For zone changes to SFR-2, the zoning shall be approved under either of the following circumstances:
 - i. if at least 70% of the area proposed to be re-zoned exceeds a slope of 15%,
 - ii. if other environmental constraints, such as soils, geology, wetlands, and flooding, restrict the capacity of the land to support higher densities.

Not Applicable

- b. For zone changes to SFR-10 one of the following conditions must exist:
 - i. At least one parcel that abuts the subject property is zoned SFR-10; or
 - ii. The area to be re-zoned is three acres or larger; or
 - iii. The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least three acres.

Not Applicable

- c. For zone changes to any commercial zoning district, the following criteria shall be met for the applicable zoning sought



- i. The overall area of the C-N zoning district shall be three acres or less in size and within, or abutting on at least one boundary, with residential zoning. In determining the overall area, all abutting property(s) zoned C-N shall be included in the size of the district.
- ii. The overall area of the C-C zoning district shall be over three acres in size and shall front upon a collector or arterial street or state highway. In determining the overall area, all abutting property(s) zoned C-C shall be included in the size of the district
- iii. The overall area of the C-R zoning district shall be over three acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (2)(e) below.

The parcel for our project is over 3.6 Acres and is abutted to the North and South by C-R designations. A portion on the North side of our parcel is abutted by a SFR-4 parcel. The actual use of the parcel is a golf course and not used for residential purposes. Our building is over 150'-0" away from the residential zone which is therefore exempt from the 35' building height limit.

- iv. The C-H zone shall front upon an arterial street or state highway. The C-H zone may abut the General Industrial (I-G), Light Industrial (I-L), and/or any commercial zone. The C-H zone is ordinarily considered to be unsuitable if abutting any residential or I-H zones, unless the applicant can show it would be suitable pursuant to (2)(e) below.
- d. For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought:
 - i. The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant can show it would be suitable pursuant to (2)(e) below.
 - ii. The I-G zone may abut the Heavy Commercial (C-H), Light Industrial (I-L), and the Heavy Industrial (I-H) zones. The I-G zone is ordinarily considered to be unsuitable when abutting the other commercial and residential zones, unless the applicant can show it would be suitable pursuant to (2)(e) below.
 - iii. The I-H zone may abut the General Industrial (I-G) zone. The I-H zone is ordinarily considered to be unsuitable when abutting other zones, unless the applicant can show it would be suitable pursuant to (2)(e) below

Not Applicable

- e. For purposes of (2)(c) and (2)(d) above, a zone change may be found to be suitable where compliance is demonstrated with one or more of the following criteria:
 - i. The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows only one zone;
 - ii. At least 50% of the subject property's boundaries abut zones that are expressly allowed under the criteria in (2)(c) or (2)(d) above;
 - iii. At least 50% of the subject property's boundaries abut properties that contain one or more existing use(s) which are permitted or conditional use(s) in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing use(s); or
 - iv. Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Subsection (2) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least 60 feet in width.

The proposed zone fits within Medford's General Land Use Plan (GLUP). The GLUP Map designates this parcel as Commercial (CM), which permits the commercial use serving retail shoppers from the surrounding area. The current zoning of the parcel is C-H, and we are proposing a zone change to C-R. According to the General Land Use Plan Element of Medford's Comprehensive Plan, the CM designation permits the C-H & C-R zoning districts within its boundaries. Our proposed rezone from C-H to C-R fits within the limits of the GLUP and maintains Medford's vision set forth in the Comprehensive Plan.

Our proposed use on this parcel also fits within all zoning requirements of the C-R classification. The designated project will not produce excessive noise, vibration, air pollution, and glare, which are factors exclusive to C-H designation.

- f. For zone changes to apply or to remove an overlay zone (Limited Industrial, Exclusive Agricultural, Freeway, Southeast, Historic) the criteria can be found in the applicable overlay section (Sections 10.345 through 10.413).
3. It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive Plan.
- a. Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

Storm drainage, sanitary sewer, and water facilities are already in place along Highway 99. Each of these services is in adequate condition & location to serve this parcel after the rezone or it will be extended or improved to adequately serve this parcel after the rezone. The water meter will need to be resized from a 1.5" to a 2+" to handle the new demands of the commercial use.

- b. Adequate streets and street capacity must be provided in accordance with Oregon Administrative Rule 660-012-0060, commonly referred to as the Transportation Planning Rule (TPR); approval under subsection (9) of the TPR is not allowed. The Public Works Department may require that planned improvements be constructed prior to issuance of building permits for reasons of public safety and, when possible, shall base findings for the required improvements on the safety review required by the Transportation Impact Analysis (TIA), see Section 10.461(E)(19). When a roadway's Average Daily Trip (ADT) values are shown to exceed the street functional classification as identified in the TSP, per Section 10.461 Transportation Impact Analysis (TIA), a Comprehensive Plan Amendment may be required.

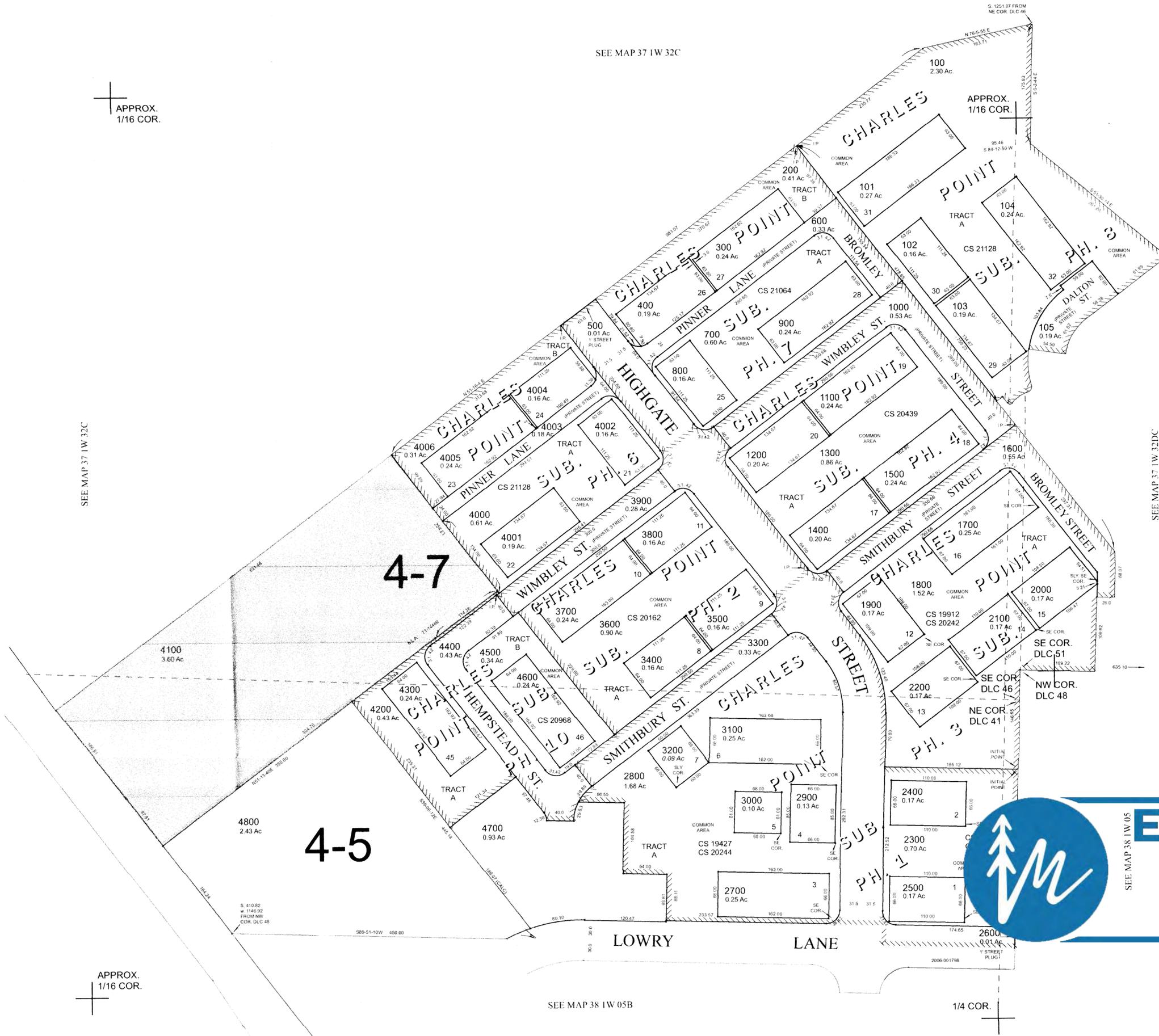
Streets which serve this parcel presently exist and have adequate capacity for this rezone and subsequent development. A traffic engineer has reviewed the proposed development and determined that No traffic impact analysis is required.

- c. In determining the adequacy of Category A facilities, the Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change. Special development conditions, stipulations, or restrictions shall be established by deed restriction or covenant, and must be recorded at the Jackson County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:
 - i. Restricted Zoning is a restriction of uses by type or intensity. In cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development on the subject property or adjacent parcels. In no case shall residential densities be approved that do not meet minimum density standards;
 - ii. Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule;
 - iii. Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools, mandatory car-sharing programs, alternative work schedules, employer provided transit passes or other measures that incentivize transportation options other than single-occupancy vehicles.

SEE MAP 37 1W 32C

APPROX.
1/16 COR.

SEE MAP 37 1W 32C



CANCELLED TAX LOT NUMBERS:

SEE MAP 37 1W 32DC



SEE MAP 38 1W 05B
EXHIBIT B

APPROX.
1/16 COR.

SEE MAP 38 1W 05B

1/4 COR.



PUBLIC WORKS DEPARTMENT STAFF REPORT

2399 South Pacific Highway (TL 4100) C-H to C-R (Hotel at the Cedars)

- Project:** Request of a change of zone on a 3.6-acre parcel.
- Location:** The property is located at 2399 South Pacific Highway from C-H (Heavy Commercial) to the C-R (Regional Commercial) zoning district (371W32CD TL 4100).
- Applicant:** Applicant: Cedar Hotel 1 LLC; Agent: ORW Architecture; Planner: Dustin Severs.

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

I. Sanitary Sewer Facilities

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

II. Storm Drainage Facilities

This site may be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

III. Transportation System

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



No conditions pertaining to streets, street capacity, or access are requested by Public Works at this time.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

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



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: ZC-20-131

PARCEL ID: 371W32CD TL 4100

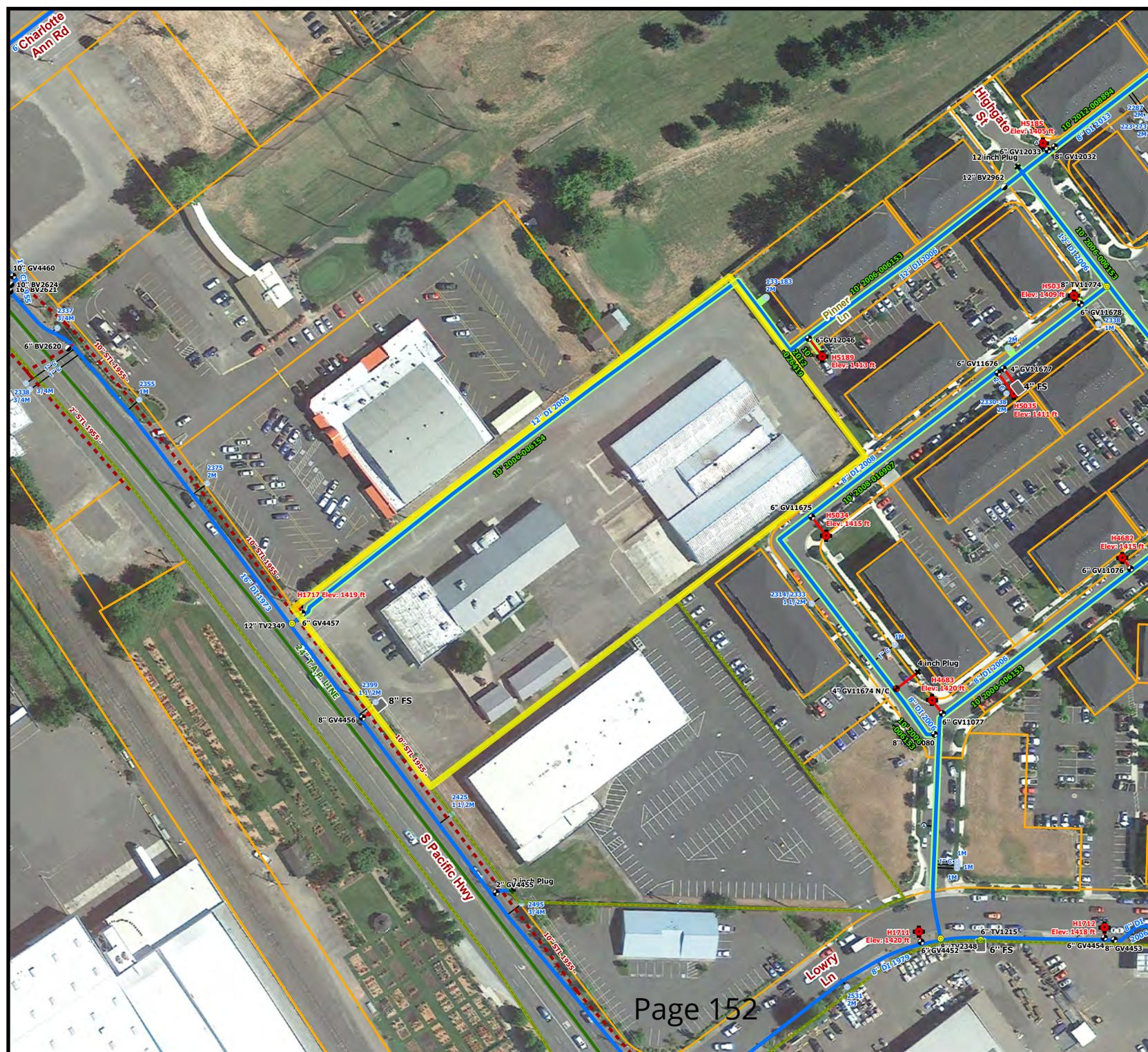
PROJECT: Consideration of plans for the construction of the Hotel at the Cedars, a proposed five story, 65,353 square foot, hotel (111 keys) on a 3.6-acre parcel located at 2399 South Pacific Highway within C-H (Heavy Commercial) zoning district (371W32CD TL 4100). Applicant: Cedar Hotel 1 LLC; Agent: ORW Architecture; Planner: Dustin Severs.

DATE: June 3, 2020

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. On-site water line installation will be required at time of future land Development Review.
5. Static water pressure is approximately 74 psi.
6. MWC-metered service is does exist to this property. There is an existing 1.5-inch water meter along S. Pacific Highway.
7. MWC Fire Service does exist to this property. There is an existing 8-inch fire service along S. Pacific Highway, approximately mid-lot.
8. There is an existing 12-inch water line along the north property line south of the existing Bowling Alley. This water line is in a 10-foot wide easement per 2006-006154. Jackson County records.



0 37.5 75 150 Feet
 Scale: 1"= 150'

Water Facility Map
 for
City of Medford
 Planning App#:
 ZC-20-131
 June 3, 2020

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
- Active Main w/ Easement
- Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

Boundaries:

- Urban Growth Boundary
- City Limits
- Tax Lots

MWC Facilities:

- Control Station
- Pump Station
- Reservoir



This map is based on a GIS® database compiled by Medford Water Commission from a variety of sources. Medford Water Commission cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.
 Date: 6/4/2020
 Path: R:\Department\GIS\MapDocs\MWD\MapDocs\ACGIS Pro - Multi-Layered - 3-13-20.aprx



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 5/28/2020
Meeting Date: 6/3/2020

LD File #: ZC20131 **Associated File #1:** AC20129

Planner: Dustin Severs

Applicant: Cedar Hotel 1 LLC

Site Name: Hotel at the Cedars

Project Location: 2399 South Pacific Highway

ProjectDescription: Request of a change of zone on a 3.6-acre parcel located at 2399 South Pacific Highway from C-H (Heavy Commercial) to the C-R (Regional Commercial) zoning district (371W32CD TL 4100)

Specific Development Requirements for Access & Water Supply

Conditions

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

Construction General Information/Requirements

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

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

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

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

www.medfordfirerescue.org



EXHIBIT E



Project Name:

Hotel at the Cedars

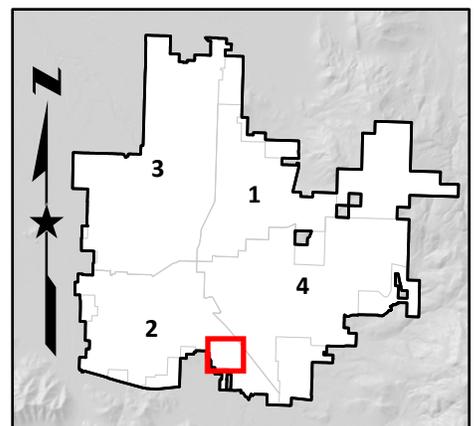
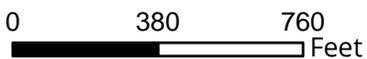
Map/Taxlot:

371W32CD TL 4100

Legend

-  Subject Area
-  Tax Lots

5/19/2020





STAFF REPORT

for a Type-IV legislative decision: **Development Code Amendment**

Project Public Utility Easement (PUE) Removal
File no. DCA-19-013
To Planning Commission *for 06/25/2020 hearing*
From Kyle Kearns, AICP, Planner II
Reviewer Carla Angeli Paladino, Principal Planner
Date June 18, 2020

Proposal

An amendment to portions of Chapter 10, Article II, by creating a new Type I land use procedure for the removal of Public Utility Easements.

History

Throughout 2019 Planning staff had received inquiries and two land use applications in regards to the vacation (removal) of public utility easements (PUE). This exposed the lengthy process for a land use review that is more easily accomplished administratively. Staff is proposing that requests for removing PUEs become administrative land use reviews (Type I) rather than as the current Type IV land use review (Planning Commission and City Council hearings). The City processed two PUE vacations in 2019, zero in 2018, one in 2017 (another was associated with a street vacation), and zero in 2016 and 2015. As proposed, the new PUE removal process would save approximately a month to two months in the approval process. The proposal (Exhibit A) would not amend the process for vacating streets, alleys, or other similar transportation related right-of-way.

Land Development Committee Meeting December 12, 2019

Staff submitted the proposal for review in a Land Development committee meeting in December of 2019. Staff received comments from several agencies, the majority required no action, however three of the comments aided in drafting the current proposal. The materials submitted for the LD meeting, proposed and amendment to set the removal of a PUE as an entirely administrative process, removing the public hearings. Comments received from the City and County surveyors (Exhibit F & G,

respectively) advocated for maintaining a public hearing, per Oregon Revised Statute (ORS) 271. As proposed, PUE removals shall be reviewed administratively by the Planning Director. Comments from agencies and the public are addressed further in the Findings and Conclusions of this staff report.

Authority

This proposed plan authorization is a Type IV legislative amendment of Chapter 10 of the Municipal Code. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to Chapter 10 under Medford Municipal Code §§10.214 and 10.218.

ISSUES AND ANALYSIS

Background

Removal of a public utility easement from land within the City of Medford, is put through the same land use review as vacating a roadway. ORS 271, Use and Disposition of Public Lands Generally; Easements states that a party wishing to petition for a vacation may do so for "...any street, avenue, boulevard, alley, plat, public square or other public place..." §ORS 271.080(1). Although not explicitly stated as utility easements in ORS 271, public place is identified. Therefore, it has been the practice of the City to send public utility easements through the vacation process.

Medford's Legal Department investigated the matter further, and Deputy City Attorney Eric Mitton stated the following:

"No LUBA or Court of Appeals case has expressly addressed whether the statutory vacation process is necessary to terminate a PUE, but based on a commonly-applied maxim of statutory construction, I do not believe that the "or other public place" catchall in ORS 271.080 is referring to public utility easements. Under Oregon rules of statutory construction, when a general catchall follows a list of specific items, the catchall refers to others of the same kind. *State v. Corcilus*, 294 Or App 20, 29 (2018) (explaining "ejusdem generis" and summarizing Oregon's case law on the maxim). Here, that catchall follows the list of specifics "street, avenue, boulevard, alley, plat, public square," all of which are places where members of the public inherently have a right to travel and pass through. A PUE is a fundamentally different concept than those list of specifics, so I don't think the catchall was intended to include PUEs."

Email Communication from Eric Mitton to Kyle Kearns “RE:
PUE Vacation Amendment” dated Tuesday, April 14, 2020.

Combining the Legal Department’s conclusion with research of other Oregon municipalities shows that the process for vacation, particularly for a public utility easement, differs from Medford’s current. For example, Ashland reviews PUE removals through City Council with a quitclaim deed. Scott Fleury, the Public Works Director of Ashland, stated in an email (dated November 19, 2019) that “I don’t think we have anything formally adopted in our municipal code with respect to PUE vacations only ROW vacations that generally follows ORS requirements.” The City of Hillsboro has an administrative process, which once completed, the PUE vacation is considered at the next City Council meeting for a consent calendar reading. The City of Corvallis and Bend process request for a PUE vacation administratively, without a public hearing.

The City of Medford uses the provisions outlined in ORS 271 to administer the process of vacating a PUE. Yet, as identified by the aforementioned research, the current process for “vacating PUEs” is not needed to be considered in the same manner as streets, public plazas or boulevards. Therefore, staff has proposed Exhibit A for replacing the PUE “vacation” process with a new, administrative process (Type I).

Proposal Summarized

In regards to process, the removal of a PUE will now be consistent with a Type I land use review. Staff modeled the draft text after the processes reviewed in Hillsboro and Ashland, while combining Medford’s process for Property Line Adjustments (§10.158). As proposed, the new process has criteria included that is not currently in the MLDC.

In short, staff is proposing that the Planning Director review and approve PUE removals. Approval would come as a final sign off on a quit claim deed, stating the removal of the PUE. The proposal is summarized as follows:

- Section 10.159A, Removal of Public Utility Easement (PUEs)
- Created criteria for application submittal and review
- Set Planning Director as final approval body
- Set a sixty day time frame in which to record with the Jackson County Recorder

LEFT BLANK INTENTIONALLY

FINDINGS AND CONCLUSIONS

The criteria that apply to code amendments are in Medford Municipal Code §10.218. The criteria are rendered in italics; findings and conclusions in roman type.

Land Development Code Amendment. The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:

10.218(A). Explanation of the public benefit of the amendment.

Findings

When a parcel is considered for development review, typically a land division, in the City of Medford it is a requirement of the Land Development Code that a "...public utility easement ten feet in width...be provided adjoining all lot lines abutting a street, or as otherwise required by the City of Medford," (per section 10.471). PUEs can be located in the front, side and rear yards. At or near the time of development of a parcel the PUE is used to convey utilities needed to support development. However, City utility providers do not use every PUE.

The result, as development concludes and time passes, is that a PUE may be empty of utilities; yet the easement will remain on the parcel and prevent placement of structures within the easement. Property owners who wish to construct within a PUE without utilities are then restricted. Currently, to remove such a PUE, a property owner would need to seek a Type IV land use review using the Vacation process found in MLDC section 10.228. This requires a public notice to surrounding property owners within 200 feet, a public hearing, City Council initiation, conformance with the Public Facilities element and ORS 271. However, through researching other cities processes for PUE removal, staff concluded that Medford's process is onerous.

Conclusions

Of the cities surveyed (Ashland, Bend, Corvallis, Hillsboro, and Redmond) the removal of a PUE is administered as a Type I land use review or administrative process, approved by city staff. As identified in MLDC, Section 10.106 Type I land use reviews are intended for "non-discretionary administrative decisions" with "clear and objective criteria and standards" Type IV land use reviews, per Section 10.106, are identified as a land use reviews that are "legislative" with "the greatest degree of discretion" and "widespread and significant impacts beyond the immediate area." The removal of a PUE not needed for future development has very immediate impacts that are not widespread,

Furthermore, the criteria proposed (Exhibit A) for removing a PUE is non-discretionary and clear and objective, making it a Type I land use review.

Additionally, the criteria proposed for removing PUEs adds transparency and clarity to the process. Current Medford Land Development Code (MLDC) lacks criteria on what to submit for a PUE removal. As proposed, the additional criteria will alleviate this MLDC gap. Furthermore, the removal the public hearing will shorten the timeline for approval by more than two months as the new process has a turnaround time of 45 days as opposed to two public hearings requiring a minimum of three-four months' time.

The vacation of a public utility easement is largely a matter addressed between property owners and utility companies/providers. The proposal adds clarity on how to obtain proper approval from the affected parties/property owners, which currently is not available in the MLDC. Removing the public hearing also shortens the approval timeline for interested parties, expediting the development of land for the petitioners wanting to remove the PUE. . (I would remove this since we don't know what a PUE removal is going to cost yet)

In short, the intent of the amendment is to add clarity to the process, remove onerous land use processes and to shorten timelines for removing PUEs, all benefiting the public.

The criterion has been satisfied.

10.218(B). The justification for the amendment with respect to the following factors:

1) Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.

Findings

The proposed code amendment supports the goals, policies, and action items of the following Comprehensive Plan Elements; they are as follows:

Public Facilities – General Public Facilities Goals, Policies, and Implementation Measures

Goal 1: To assure that the development is guided and supported by appropriate types and levels of urban facilities and services, provided in a timely, orderly, and efficient arrangement.

Policy 1-B: The City of Medford shall encourage other agencies that are responsible for the planning and/or provision of public facilities and services within Medford to coordinate public facility planning consistent with Medford's Comprehensive Plan. Such coordination should assure, to the greatest extent possible, the logical and efficient provision of the following public facilities and services:

- Energy and communication services

Conclusions

In creating a Type I land use process for the removal of PUEs (Exhibit A), the City would enable private property owners, utility providers, and "other agencies that are responsible for the planning and/or provision of public facilities and services within Medford to coordinate public facility planning consistent with Medford's Comprehensive Plan. The new process requires sign off from the utility providers and review from City staff including the Planning Director, Public Works department and City Surveyor, all of whom would ensure compliance with the Comprehensive Plan. Lastly, the new process would create a "logical and efficient provision of...energy and communication services," as the new process is clear and objective.

The criterion has been satisfied.

2) Comments from applicable referral agencies regarding applicable statutes or regulations.

Findings

Staff took the proposal to the Land Development Committee (LD) meeting on December 18, 2019. The intent of LD meetings is to solicit comment from applicable agencies who review development in the City. Official "No Comment" memorandums were received from the following departments/agencies:

Medford Fire and Rescue – Exhibit B
Medford Building Department – Exhibit C
Medford Public Works, Traffic Signal Electrical Inspector – Exhibit D
Jackson County Roads – Exhibit E

Additional comments were received from the City Surveyor (Exhibit F), Jackson County Surveyor (Exhibit G) and Avista Corporation (Exhibit H).

Comments received from the Avista Corporation provided the direction to include a requirement that franchise utility companies be informed of the vacation, when approved (see Exhibit A, §10.159A[C][3][b]). Comments from the City and County surveyors provided additional insight into the process of establishing and then removing PUEs; the aforementioned surveyors supported maintaining the current Type IV land use review.

Conclusions

A large majority of the comments received required no changes to the proposed text or staff made different conclusions.. Staff has incorporated applicable directives.

As reviewed in the “Issues and Analysis” section of this staff report, the Medford Legal Department has concluded that “A PUE is a fundamentally different concept than those list of specifics [in ORS 271], so I don’t think the catchall was intended to include PUEs.” The City and County surveyor concluded that a PUE is dedicated to the public and therefore should be reviewed under the provisions of ORS 271 and the Type IV land use review, Vacations (MLDC Section 10.228).

However, the planning staff agrees with the legal department that a PUE is not considered a public place as defined in ORS 271 and the removal of a PUE should not be considered as a Type IV land use reviews, . Per Section 10.106, Type IV land use reviews are identified as a land use reviews that are “legislative” with “the greatest degree of discretion” and “widespread and significant impacts beyond the immediate area.” Staff addressed this in the above Findings addressing 10.218(A). The removal of a vacant PUE is not “widespread” nor does it have “significant impacts beyond the immediate area.” Thus, a different process is identified for a PUE removal. The Type I review process that is “non-discretionary administrative decisions” with “clear and objective criteria and standards” is proposed.

It is staff’s conclusion that a PUE removal (Exhibit A) is consistent with the Type I land use review and is not considered a public place as defined in ORS 271, counter to the comments received from the aforementioned surveyors. .

This criterion is found to be satisfied.

3) Public comments.

Findings

To date, no public comment has been received.

Additionally, staff had solicited public comment from a group of local professionals, experts, developers, non-profit organizations and other agencies affected by changes to the Medford Land Development Code. This list is in excess of 45 individual persons. Lastly, staff will post the amendment to the City website a minimum of a week prior to the public hearing.

Conclusions

This criterion is found to be satisfied.

4. Applicable governmental agreements.

Findings

Staff is proposing amendments to land use approvals, consistent with State law. Additionally, no agreements are proposed to change.

Conclusions

This criterion is found to be not applicable.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are either satisfied or not applicable, forward a favorable recommendation for approval of DCA-19-013 to the City Council per the staff report dated June 18, 2020, including Exhibits A through H.

EXHIBITS

- A Proposed amendment – DCA-19-013
- B Medford Fire-Rescue Department Comment
- C Medford Building Department Comment
- D Medford Public Works, Traffic Signal Electrical Inspector Comment
- E Jackson County Roads Comment

- F City Surveyor, Jon Proud, Comment
- G Jackson County Surveyor, Scott Fein, Comment
- H Avista Corporation Comment

PLANNING COMMISSION AGENDA:

JUNE 25, 2020

Exhibit A

Proposed Text DCA-19-013

~~Deleted Text~~ New Text

ARTICLE I - GENERAL PROVISIONS

* * *

10.012 Definitions, Specific.

When used in this chapter, the following terms shall have the meanings as herein ascribed:

* * *

City Manager. The city manager of the City of Medford or any city employee appointed in writing by the manager to act for them in the exercise of the authority granted by the Charter and this code.

* * *

ARTICLE II - PROCEDURAL REQUIREMENTS

10.142 Type I Land Use Actions.

Type I land use actions comprise the following land use reviews:

Type I Land Use Actions

De Minimis Revision(s) to an Approved PUD Plan

Final PUD Plan

Final Plat, Partition/Subdivision

Minor Historic Review

Minor Modification to Conditional Use Permit

Minor Modification to a Park Development Review

Minor Modification to a Site Plan and Architectural Review

Nonconformities

Pre-Application

Property Line Adjustment

Removal of Public Utility Easement (PUE)

Riparian Corridor Reduction or Deviation

Sign Permit

Wireless Communication Facilities in Public Right-of-Way

* * *

10.159A Removal of Public Utility Easement (PUEs)

(A) Purpose. Certain properties contain public utility easements (PUEs) without any utilities located in them. It is the intent of this section to create a process for removing these PUEs

(B) Application Form. An application to remove a PUE shall be made by the property

owner or their designee. Request to remove PUEs shall be submitted to the Planning Department on application forms supplied by the Planning Department. The Planning Director or designee may waive the submittal of any of the materials or information that is deemed to be excessive, repetitive, or unnecessary. The application for the PUE removal shall require the following information:

- (1) A scaled site plan or vicinity map identifying the location of the public utility easement to be removed;
- (2) Legal description of the easement to be removed prepared by an Oregon registered surveyor;
- (3) Assessor's map and tax lot identification for subject properties;
- (4) A statement or letter from all franchise utilities verifying that they have been notified of the proposed removal of the PUE and do not oppose its removal;
- (5) A quitclaim deed, with a signature line for the Planning Director,
- (6) Written findings that address the approval in Section 10.159A(C).

(C) Approval Criteria. The removal of a PUE shall be approved if it complies with the following:

- (1) The easement does not grant public access for open space, trails, shared-use paths or other similar facilities.
- (2) The City, or a franchise utility provider licensed by the City, have no need for the public utility easement or any portion thereof.
- (3) There are no existing or known utility facilities within the easement.
- (4) Future plans for development of the property do not necessitate the PUE.

(D) Removal of PUE, Procedure.

Once the application has been submitted and deemed complete within 30 calendar days of receipt, the Planning Department shall send a copy to affected agencies, including the City and County Surveyor, Medford Public Works Engineering and other applicable agencies for review; agencies shall have 15 calendar days to provide comment. Following the agency comment period, the Planning Director, or designee, shall send a written report -to the applicant indicating:

- (1) The application has been conditionally approved and is consistent with, the criteria in Section 10.159A(C); or
- (2) The application has been disapproved as it is not consistent with the criteria in Section 10.159A(C).

(E) PUE Removal Recordation, Notification and Expiration.

- (1) Within sixty days of the final decision date, the PUE removal quitclaim deed shall be recorded with the Jackson County Recorder's Office. If the quitclaim deed is not filed within sixty days the approval shall expire.
- (2) Once a decision on the removal of the public utility easement (PUE) has been made, the property owner, agent, and franchise utility companies shall be sent written notification of the decision.

* * *

10.228 Vacation of Public Right-of-Way.

(A) Vacations of public rights-of-way are a means of returning ~~ownership of~~ unneeded public streets and alleys to adjacent property owners. Vacations of plats ~~and public utility easements (PUEs)~~ are a means of removing unnecessary plat designations from a parcel of land. For the process of removing public utility easements (PUEs) from plats, see Section 10.159A.

(B) Vacation of Public Right-of-Way Application. A request to vacate a public street, alley, easement, plat, or public place shall, in addition to the requirements contained herein, be subject to ORS Chapter 271.

(C) Vacation of Public Right-of-Way Initiation.

Vacations of public rights-of-way shall be initiated either by petition under ORS 271.080 or by City Council under ORS 271.130.

(D) Vacation of Public Right-of-Way Approval Criteria. A request to vacate shall only be approved by City Council when the following criteria have been met:

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

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

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

(E) Vacation Application Form

Petitioners or persons requesting a vacation shall file an application containing the following items:

(1) Vicinity Map drawn at a scale of 1" = 1,000' identifying the proposed area of vacation.

(2) Legal description of area proposed to be vacated, including an electronic form.

* * *

Exhibit B

Medford Fire-Rescue Department Comment



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 12/13/2019

Meeting Date: 12/18/2019

LD File #: DCA19013

Planner: Kyle Keams

Applicant: City of Medford

Site Name: n/a

Project Location: n/a

Project Description: 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 the land use review, creating consistency with State law. Additionally, the vacation process of PUEs would no longer be reviewed as a land use procedure.

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 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 reviews shall not prevent the correction of errors or violations that are found to exist during construction. This plan reviews 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 110, Medford OR 97501 541-774-2300

www.medfordfirerescue.org

Exhibit C

Medford Building Department Comment

MEMORANDUM

To: Kyle Kearns, Planning Department
From: Chad Wiltrout, Building Department (541) 774-2363
CC: none
Date: December 18, 2019
Subject: DCA-19-013_Public Utility Easement Vacation Amendment to Chapter 10

Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2019 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

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

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

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. No Comments from the building department.

Exhibit D

Medford Public Works, Traffic Signal Electrical Inspector Comment

From: [Mike J. Casper](#)
To: [Kyle W. Keams](#)
Subject: DCA-19-013 Request for Comments - "Public Utility Easement Vacation"
Date: Thursday, December 5, 2019 7:32:59 AM

Kyle

I have no comment on this one.

Thanks

Mike Casper | *Traffic Signal Electrical Inspector*
City of Medford, Oregon | Public Works
Engineering & Development Division
200 S. Ivy St., Medford, OR 97501
Ph: 541-774-2119 | C: 541-951-7064
[Website](#)

Exhibit E

Jackson County Roads Comment



JACKSON COUNTY
Roads

**Roads
Engineering**

Chuck DeJanvier
Construction Engineer

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

December 6, 2019

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

RE: Consideration of a land development code amendment
Various city maintained roads.
Planning File: DCA-19-013.

Dear Kyle:

Thank you for the opportunity to comment on consideration of a land development code amendment to modify portions of chapter 10, Article II to revise the City's Vacation land use review standards to omit Public Utility Easement (PUE) from land use review, creating consistency with State law. Additionally, the vacation process of PUEs would no longer be reviewed as a land use procedure. Jackson County Roads has no comment.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Chuck DeJanvier'.

Chuck DeJanvier, PE
Construction Engineer

Exhibit F

City Surveyor, Jon Proud, Comment

From: [Jon M. Proud](#)
To: [Jodi K. Cope](#); [Kyle W. Kearns](#)
Cc: [Douglas E. Burroughs](#); [Alex T. Georgevitch](#)
Subject: RE: DCA-19-013 PUE Vacation
Date: Monday, December 16, 2019 1:24:59 PM
Attachments: [image002.jpg](#)
[image004.jpg](#)

Jodi and Kyle, I believe the planning department sent this proposed code change to me for my professional input as the City Surveyor opposed to public works input (?). Either way I have compiled the following for consideration of amending the code section.

To whom it may concern:
Re: DCA-19-013 PUE Vacation proposed code amendment

It is my opinion as the City Surveyor of Medford that the amendment to Land Development Code to remove public utility easements (PUE's) from the vacation process is not in the public's best interest for the following reasons.

When PUE's are created as they are in the City of Medford (COM), they are dedicated to the **Public of the City of Medford** opposed to a single entity or person. It is my understanding that the vacation process is the correct process to use to "vacate" the **interest of the public** in the easement. Our own standard documents for PUE's state "_____, Grantor, hereby **dedicate(s) to the public of the City of Medford, a perpetual easement, for facilities of public utilities,** described as follows:.....". Furthermore the standard language used in declarations on land division plats use language similar to

length of all lines are plainly set forth, and that this is a correct representation of the subdivision. The City of Medford Urban Renewal Agency, **dedicates to the public for public use** the street and those areas shown as "Area to be dedicated to the city for public street right of way", **together with those easements labeled as public utility easements, storm drainage easement and sewer easement,** over across and through those strips of land as shown hereon. The City of Medford Urban Renewal Agency does hereby designate said subdivision as SOUTH GATEWAY CENTER SUBDIVISION to the City of Medford.

depicted hereon, and hereby designates this subdivision as 10TH FAIRWAY OFFICE PARK. Declarant hereby dedicates that area depicted as a 15.00 foot wide Public Utility Easement, a 6.00 foot wide Storm Drain Easement across a portion of Lots 4 and 5, a 10.00 foot wide Storm Drain Easement across a portion of Lot 5, a 10.00 foot wide Sanitary Sewer Easement, and a 15.00 foot wide Sanitary Sewer Easement across a portion of the Common Area, all for public use and as depicted hereon. Declarant hereby creates: a 5.00 foot wide Private Storm Drain Easement across a portion of Lot 3,

These above two snippets are from two subdivisions within the city as declared by the owner(s) in the declarations. First is South Gateway Center Subdivision (sn #13449) and second is 10th Fairway Office Park Subdivision (sn #22741).

It is my understanding that the City acts as a type of “trustee” for the public on lands dedicated for public use and the proper vehicle to withdraw the public from that use is a vacation process as provided in ORS 271 and “replatting” process per ORS 92. Opposed to the owner granting a utility easement (Sewer, Storm Drain, electrical, gas....) to the COM (or some other entity) for a specific use. In which the two parties (property owner and entity (city, Gas Company, Power Company)) can extinguish said easement with a quitclaim deed or another type of extinguishment document because there is no public interest.

It should also be mentioned that when an easement is dedicated to the public on a land division plat, ORS 271 calls for the county surveyor to be notified as part of the vacation process so that he can note the vacation on the surveyor’s office “exact copy” of the recorded plat therefore being further public notice that something shown on the original plat has changed e.g. vacated public utility easement. I see no mention of this being within the amended part of the code which could have real consequences to the public and the public utility companies. For instance, a PUE is vacated and not noted on the exact copy in the county surveyor’s office. A few years go by and some entity, say the gas company pulls a copy of the land division plat that shows a PUE along X Street so they place a gas line in the platted PUE with no understanding that the said PUE has been vacated causing issues with the adjoining property owner and the entity.

To minimize the vacation process by what is proposed in this code amendment could expose the city to unwanted liability and would not serve to protect the public safety, health and welfare in my opinion as a Land Surveyor.

While the code is open I have the following recommendations for changes:

- In the first line of 10.228(A) the word “ownership” is incorrect. Unless the city owns the underlying fee title to the property or the city received the dedication in “fee” the city does not have “ownership” only a right to use the property for specific purpose (Road, Park, Pedestrian walk way) according Black’s Law dictionary and many other reference materials.
- In 10.228(E)(2) “in electronic form per” Should be removed because the language is obsolete according to the city recorder and troublesome since licensed land surveyors are required to stamp their work.
- In 10.228(E) (2) I would suggest that language be added to the legal description to require an exhibit map attached thereto depicting the area to be vacated. This is in accordance with ORS 93.310 and the rules for construing legal descriptions. Section (6) states “When the description refers to a map, and that reference is inconsistent with other particulars, it controls them, if it appears that the parties acted with reference to the map; otherwise the map is subordinate to other definite and ascertained particulars.” It has been my experience that many maps of convenience such as vicinity maps and GIS maps seem to accompany vacations during the public process and even get recorded with vacations. If the legal description had an exhibit map attached it would be more assured that the parties acted upon a legal map instead of a map of convenience.

It should also be noted that language in the “Proposed Text” states that there is “New text” and “~~Deleted Text~~” I noticed that text has been omitted from the code as it now exists. Specifically in 10.228(A) “...of removing unnecessary plat designations...” should say ...of removing unnecessary *easements or plat designations*...

In closing I believe that the vacation process and replatting has been and is the proper procedure for removing the public’s interest in real property and to make changes to this code section would not be in the public’s best interest.

Sincerely, Jon

Jon Proud, L.S.

City Surveyor

200 S. Ivy Street

Medford, Or. 97501

jon.proud@ci.medford.or.us

p.541-774-2126

f.541-774-2552

From: Jodi K. Cope

Sent: Friday, December 13, 2019 3:54 PM

To: Jon M. Proud

Cc: Douglas E. Burroughs

Subject: DCA-19-013 PUE Vacation

Hi Jon,

Did you get routed, and have any comments on the code amendment for PUE Vacations?

Thanks,

[Jodi K Cope](#) | *Engineering Technician*
City of Medford, Oregon | *Public Works* | *Engineering*
Development Services

200 S. Ivy Street, Medford, OR 97501

Ph: 541-774-2137 | Ph: 541-774-2100

[Website](#) | [Facebook](#) | [Twitter](#)

Exhibit G

Jackson County Surveyor, Scott Fein, Comment

From: [Scott Fein](#)
To: [Kyle W. Kearns](#)
Cc: [Jon M. Proud](#)
Subject: DCA-19-013 PUBLIC UTILITY EASEMENT VACATION
Date: Monday, December 16, 2019 11:58:04 AM

Mr. Kearns,

Hope this finds you well. This email is the official comment in response to request for comment in relation to code amendments surrounding the vacations of public utility easements in the city of Medford.

Specifically section 10.228 of the code.

The interest of the County Surveyors Office pertains to the requirements for posting vacations on plats which the County Surveyor is required to do under ORS 271.230.

Many of these public utility easements defined under ORS 92.012(19) which are dedicated to the public and held in public trust by the city of Medford at time of platting in accordance with ORS 92.175.

Much of the physical infrastructure inside of said easements are part of the public utility commission. These easements are frequently for sewer, water, communications, and gas lines. Without having Land Surveyor certified as-built surveys of all of the underground utilities combined with Medford and failing to provide public notice through standard vacation proceedings outlined in ORS 271; there is substantial risk that utilities whose true location is unknown and/or are not a part of the "franchise utilities" licensed by the city that active infrastructure which serves residences and business will then exist without an easement by failing to hold the appropriate public hearings. It appears the city is attempting to define public utility easements as not being a "other public place" in the context of ORS 271 to avoid going through the seemingly burdensome vacation process. This appears to conflict with the city's acceptance on plats under ORS 92.175. I would encourage the city to not do this within the context of ORS 271.230 to ensure that a vacation order is issued by the governing body (City Council) to ensure that we are properly noticed to be able to post said vacations on plats.

Keeping accurate and thorough land records is essential for cohabitation and to avoid costly disputes.

I feel that it would be a disservice to not follow the required vacation process outlined in ORS 271 for

what is created as a public dedication for public utilities under ORS 92.
Please feel free to contact me with any questions.

Scott Fein, PLS, CWRE, CFEDS

County Surveyor

Jackson County Surveyor's
Office

feinsd@jacksoncounty.org

[541-774-6190](tel:541-774-6190)

www.co.jackson.or.us/surveyor

Exhibit H

Avista Corporation Comment

From: [Vincent, Steve](#)
To: [Kyle W. Kearns](#)
Subject: FW: Vacationing of Public Utility Easements
Date: Friday, December 6, 2019 9:58:22 AM
Attachments: [\[Untitled\].pdf](#)

<EXTERNAL EMAIL **Be cautious with links and attachments**>

Kyle,

In reviewing the draft amendments to 10.228 Vacation of Public Right-of-Way, at Avista we'd like to make one additional request that you may want to add to the of (F)(1). Would you consider adding that copy of the recorded document be provided to franchise utilities licensed by the City? While (F)(1)(b) already requires notification of a proposed PUE vacation, in some circumstances we may need to know that a vacation was approved so as to have a record of it where natural gas facilities may exist.

Thank you.

Steve Vincent, Oregon Regional Business
Manager 580 Business Park Dr, Medford,
OR97504
Ph 541-858-4773 Cell 541-944-8992
www.myavista.com

CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or an agent of the intended recipient, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments.

-----Original Message-----

From: McFadden, David
Sent: Friday, December 6, 2019 6:56 AM
To: Vincent, Steve <Steve.Vincent@avistacorp.com>; Hesler, Greg
<Greg.Hesler@avistacorp.com> Subject: Vacationing of Public Utility Easements

Mr. Vincent and Mr. Hess:

I received this notice from the City of Medford Oregon this morning.

While I see no particular concern for Avista, I thought you should see this proposal.

To my knowledge, and maybe our Real Estate would know more, but Avista do not currently track the creation, occupancy of utilities in specific PUEs, vacation of such PUEs, nor does Avista map system show Public or Private Utility Easements in our AFM/GIS system.

However, if they pass this amendment to their Land Development Code, it might be nice to ask the City to send Avista and other utilities a copy of any recorded document concerning such Vacations.

David
McFadden
Avista
Medford

CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or an agent of the intended recipient, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments.



STAFF REPORT

for a Type-III quasi-judicial decision: **Partition & Exception**

Project West Partition
Applicant: Ryder & Tyler West; Agent: Neathamer Surveying

File no. LDP-20-120 & E-20-121

To Planning Commission *for 06/25/2020 hearing*

From Steffen Roennfeldt, Planner III

Reviewer Kelly Evans, Assistant Planning Director

Date June 18, 2020

BACKGROUND

Proposal

Consideration of tentative plat approval for a two-lot partition and an Exception pertaining to relief to street and storm improvement standards on one parcel of land, 0.76 acres in size, located at 2133 Dellwood Avenue within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W29DB4300).

Vicinity Map



Subject Site Characteristics

GLUP	UR	Urban Residential
Zoning	SFR-4	Single Family Residential, 2.5 to 4 dwelling units per acre
Use		Single Family Dwelling

Surrounding Site Characteristics

<i>North</i>	Zone:	SFR-4
	Use:	Low density residential
<i>South</i>	Zone:	SFR-4
	Use:	Low density residential
<i>East</i>	Zone:	SFR-4
	Use:	Low density residential
<i>West</i>	Zone:	SFR-4
	Use:	Low density residential

Related Projects

PA-20-013	Pre-Application for Partition
-----------	-------------------------------

Applicable Criteria

Medford Municipal Code §10.170(D) Partition Approval Criteria

The Planning Director shall not approve any tentative partition plat unless they can determine that the proposed land partition, 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) 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;*
- (4) 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;*

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

MLDC 10.186(B) – Exception Criteria

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

- (1) *The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.*
- (2) *The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.*
- (3) *There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.*
- (4) *The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question.*

Approval Authority

This is a Type III land use decision. The Planning Commission is the approving authority under MLDC 10.110(D).

Corporate Names

Timothy Jackle is the Registered Agent for Neathamer Surveying, Inc. according to the Oregon Secretary of State Business Registry. Robert Neathamer is listed as the President and Secretary.

ISSUES AND ANALYSIS

Background

The subject site is located at the northwest corner of Dellwood Avenue and Windsor Avenue and is 0.76 acres in size. The northern portion of the property is fully developed with a single family residence which will remain on the proposed second parcel.

Proposal



Figure 1 - Proposed tentative plat

Proposed are two single family residential parcels which is within the permitted density range of two to four parcels. Parcel 1 is proposed to be 10,128 square feet in size and Parcel 2 will be 22,956 square feet. Parcel 2 will be over the allowed maximum for lot sizes of 18,750 square feet within the SFR-4 zoning district. However, MLDC 10.708(3)(c) does allow for oversized residential lots for lots with an existing house and yard, that exceed the maximum lot area as allowed in Section 10.702(3)(a).

Density Table (MLDC 10.710)

Minimum /Maximum Density	Allowed	Shown
2.5 to 4 dwelling units per acre	2 min. – 4 max.	2

Single Family Residential Site Development Table (MLDC 10.710)

SFR-4 Zone	Lot Area (Square Feet)	Minimum Lot Width (Interior)	Minimum Corner Lot Width	Minimum Lot Depth	Minimum Lot Frontage
Required	6,500 to 18,750	60 feet	70 feet	90 feet	30 feet
Shown	Parcel 1: 10,128 Parcel 2: 22,956	135.3 feet	84.4 feet	150.6 feet	Parcel 1: 135.3 feet Parcel 2: 150.6 feet

Access

The applicant proposes a shared driveway and access easement along the westerly boundary of Parcel 1 for the use and benefit of both parcels. The easement will allow Parcel 2 to continue to use the current access from Dellwood Avenue to the garage located near the back of the property.

Exception Request

The Exception application requests relief from the street improvement standards per MLDC 10.430 and the storm drain improvement standards per 10.481, 10.486 and 10.729.

Pursuant to the Public Works Report (Exhibit E), half plus 12 feet of street improvements are required for both Dellwood Avenue and Windsor Avenue. The standard street section for a minor residential street contains a paved width of 28 feet, along with curb, gutter and a five-foot sidewalk. The Public Works Staff Report also requests the applicant to provide stormwater and detention facilities in accordance with MLDC 10.481, 10.486 and 10.729.

As stated in the applicant’s findings (Exhibit D), due to the age of the subdivision, many street and storm improvements in the neighborhood have been established for a considerable amount of time. The requested improvements would require the installation of sidewalk, curb and gutter and paving of the street. According to the applicant, the existing street and storm improvements have been successfully provided access and managed the storm waters in the neighborhood for a considerable amount of time. The addition of one single family dwelling will not

change that. Also per the applicant, requiring the half plus 12 feet of street improvements and additional storm improvements would place an unwarranted burden on the applicant and would not provide additional connectivity, nor coincide with the surrounding development as there are no sidewalks that currently exist within the immediate area. Furthermore, there has not been evidence to suggest that the current street section is inadequate, or the storm facilities are ineffective.



Figure 2 - Existing Dellwood Avenue and Windsor Avenue street improvements

Committee Comments

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

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Land Partition

Staff has reviewed the applicant's findings and conclusions (Exhibit X) and recommends the Commission adopt the findings as presented for the proposed Land Division request.

Exception

Staff finds that the approval of the exception request is in harmony with the general purpose and intent of the SFR-4 zoning district, and will not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adja-

cent natural resources; will not permit the establishment of a use which is not permitted in the SFR-4 zoning district; the addition of one dwelling unit will not negatively impact existing storm water resources in the area and the installation of street improvements will not coincide with the surrounding development; and the need for the exception is not the result of an illegal act.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of LDP-20-120 & E-20-121 per the staff report dated June 18, 2020, including Exhibits A through K.

EXHIBITS

- A Conditions of Approval, dated June 18, 2020
- B Tentative Plat, received May 4, 2020
- C Land Division Findings of Fact, received May 4, 2020
- D Exception Findings, received May 4, 2020
- E Revised Public Works Staff Report, dated June 4, 2020
- F Medford Water Commission Report, dated June 3, 2020
- G Medford Fire Department Report, dated May 28, 2020
- H Building Department Report, dated June 3, 2020
- I Addressing Memo, dated February 19, 2020
- J Jackson County Roads Memo, dated May 26, 2020
- K Assessor Map, received May 4, 2020
Vicinity map

PLANNING COMMISSION AGENDA:

JUNE 26, 2020

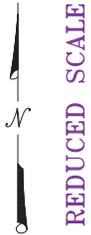
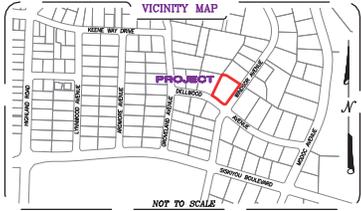
EXHIBIT A

West Partition
LDP-20-120 & E-20-121
Conditions of Approval
June 18, 2020

CODE REQUIRED CONDITIONS

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

1. Comply with all conditions stipulated by the Revised Medford Public Works Department (Exhibit E)
2. Comply with all conditions stipulated by the Medford Water Commission Report (Exhibit F)



LAND USE INFORMATION

SCHOOL DISTRICT:	S44L
IRIGATION DISTRICT:	MEDFORD
SANITATION DISTRICT:	CITY OF MEDFORD
PROJECT AREA:	0.76 ACRES
EXISTING ZONING:	SFR-4
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	RESIDENTIAL

GENERAL SURVEY NOTES:

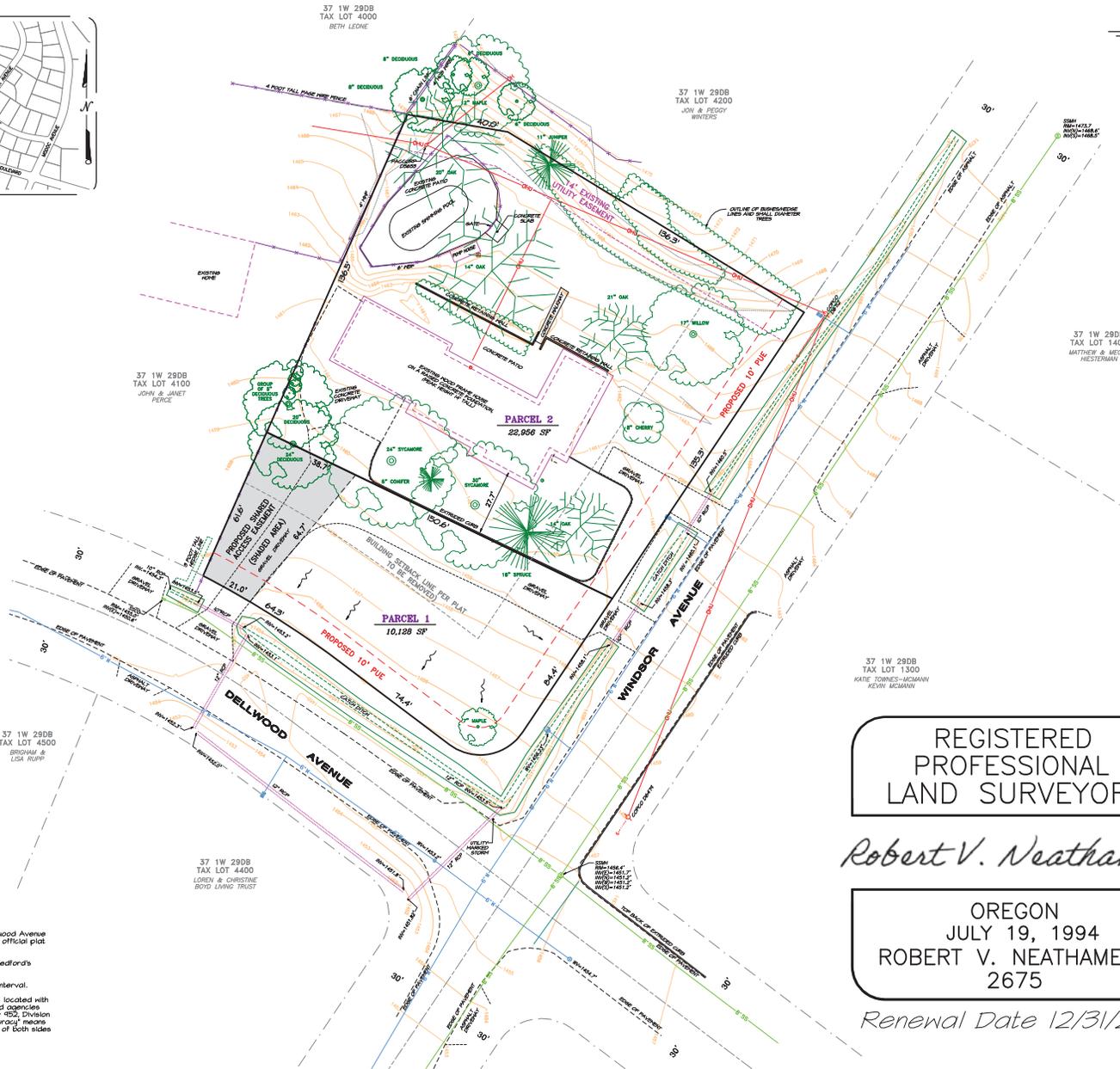
Basis of Bearings for this survey is the centerline of Dellwood Avenue per Verde Hills Subdivision, Unit Number 1, according to the official plat thereof, now of record.

Elevations for this survey are referenced to the City of Medford's vertical datum (MSVD23).

Contours: 0.5-foot contour interval; 1-foot index contour interval.

All existing underground utilities, as depicted hereon, were located with reasonable accuracy, as marked on the ground by affected agencies and utility companies, Oregon Administrative Rules Chapter 852, Division 1, Definitions, 852-001-0010 (2), states: "reasonable accuracy" means location, within 24 inches, of the outside lateral dimensions of both sides of an underground facility.

Jackson County Assessors Map No. 37 1W 29DB, Tax Lot 4300



TENTATIVE PARTITION PLAT

A Replat of Lot 3, Block 3, Verde Hills, Unit No. 1, being located in the Northwest One-Quarter of the Northwest One-Quarter of Section 32, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

PREPARED FOR:

RYDER WEST, LAUREN WEST AND TYLER WEST
 2151 Dellwood Avenue
 Medford, OR 97504

LEGEND:

- - - - - Indicates a utility marked natural gas line.
- - - - - Indicates an existing natural gas valve.
- - - - - Indicates an existing natural gas meter.
- - - - - Indicates an existing natural gas fiberglass placard.
- - - - - Indicates a utility marked sanitary sewer line.
- - - - - Indicates an existing sanitary sewer manhole.
- - - - - Indicates an existing sanitary sewer cleanout.
- - - - - Indicates an existing sanitary sewer lateral.
- - - - - Indicates a utility marked storm drain line.
- - - - - Indicates an existing storm drain manhole.
- - - - - Indicates an existing storm drain area drain.
- - - - - Indicates an existing manhole.
- - - - - Indicates an existing streetlight.
- - - - - Indicates an existing electric pedestal.
- - - - - Indicates an existing electric meter box.
- - - - - Indicates an existing utility pole and guy anchor.
- - - - - Indicates an existing aerial utility line.
- - - - - Indicates an existing aerial electric line.
- - - - - Indicates a utility marked electric line.
- - - - - Indicates a utility marked cable tv line.
- - - - - Indicates a utility marked telephone line.
- - - - - Indicates an existing telephone pedestal.
- - - - - Indicates a utility marked water line.
- - - - - Indicates an existing water meter.
- - - - - Indicates an existing water valve.
- - - - - Indicates an existing fire hydrant.
- - - - - Indicates an existing pop-up water sprinkler.
- - - - - Indicates an existing domestic irrigation box.
- - - - - Indicates a deciduous tree with drip-line diameter drawn to scale.
- - - - - Indicates a non-deciduous tree with drip-line diameter drawn to scale.
- - - - - Indicates the elevation of the top of a valve riser for a water valve.
- - - - - Indicates centerline of an existing fence line as noted hereon.
- - - - - Indicates direction of surface drainage.

ABBREVIATIONS:

- CLF+ Indicates a chain link fence.
- CMF+ Indicates an existing corrugated metal pipe.
- EP+ Indicates the edge of a paved surface.
- PVC+ Indicates an existing polyvinyl chloride pipe.
- RCF+ Indicates an existing re-reinforced concrete pipe.
- SDCB+ Indicates an existing storm sewer catch basin.
- SDCI+ Indicates an existing storm sewer curb inlet.
- SDCO+ Indicates an existing storm sewer cleanout.
- SDCH+ Indicates an existing storm sewer manhole.
- SDCL+ Indicates an existing sanitary sewer cleanout.
- SDMH+ Indicates an existing sanitary sewer manhole.
- TBC+ Indicates the top back of a curb line.
- TH+ Indicates an existing telephone manhole.
- HEF+ Indicates a hood board fence.
- HPFL+ Indicates a white painted flag line.
- HV+ Indicates an existing water valve.
- N, NE, SW Indicates a general direction: northerly, northeasterly, southwesterly, etcetera.

REGISTERED PROFESSIONAL LAND SURVEYOR

Robert V. Neathamer

OREGON
 JULY 19, 1994
ROBERT V. NEATHAMER
 2675

Renewal Date 12/31/20

PREPARED BY: Neathamer Surveying, Inc.
 3126 State St, Suite 203
 P.O. Box 1504
 Medford, Oregon 97501
 Phone (541) 732-2869
 FAX (541) 732-1382

PLOT DATE: May 1, 2020 **PROJECT NUMBER:** 20021
 Sheet 1 of 1 © NR

Drawing N:\581 Projects\West, Ryder, Lauren & Tyler\20021 Dellwood Partition\20021 Tent Partition.dwg



FINDINGS OF FACT AND CONCLUSIONS OF LAW

BEFORE THE CITY OF MEDFORD PLANNING COMMISSION

IN THE MATTER OF AN APPLICATION FOR THE TENTATIVE PLAT APPROVAL FOR A MINOR PARTITION IN THE CITY OF MEDFORD.

APPLICANT: Ryder West and Tyler West
2133 Dellwood Avenue
Medford, OR 97504

AGENT: Neathamer Surveying, Inc.
P.O. Box 1584
Medford, OR 97501

A. BACKGROUND INFORMATION

The subject property is located at the northwest corner of Dellwood Avenue and Windsor Avenue, having a situs address of 2133 Dellwood Avenue and is commonly known as Jackson County Assessor's Map Number 37 1W 29DB, Tax Lot 4300. The lot consists of 0.76 acres and is within the Single Family Residential – 4 units/acre (SFR-4) zoning district.

The northerly portion of the property is fully-developed with an existing single-family residence which will remain on proposed Parcel 2. Surrounding the site are other fully-developed residences.

This land division application is being submitted concurrently with an exception application to request relief from the street and storm improvement standards. The applicant has submitted a pre-application for the proposal under City of Medford's File Number PA-20-013.

B. SCOPE, PURPOSE, AND OVERVIEW OF THE APPLICATION

The purpose of this application is for the approval of Tentative Partition Plat consisting of two residential parcels with detached, single-family dwelling units.

C. APPROVAL CRITERIA

CITY OF MEDFORD LAND DEVELOPMENT CODE

SECTION 10.170 (D) – PARTITION APPROVAL CRITERIA

The Planning Director shall not approve any tentative partition plat unless they can determine that the proposed land partition, 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. 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;*
- 4. 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;*
- 5. Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.*

D. FINDINGS OF FACT

CRITERION NO. 1

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

FINDINGS OF FACT

Pursuant to the density calculations provided to this office by City of Medford Planning staff and per the Planning Department's comments contained in the pre-application, dated February 18, 2020, the allowed density range for the subject property is two to four dwelling units. The proposal contained herein consists of two single-family dwelling units, being within the permitted density range per the SFR-4 zoning district.

As the site already contains an existing residence, and an associated yard area, Parcel 2 exceeds the maximum lot area of 18,750 square feet as stated in MLDC Section 10.710. However, Section 10.702(3)(a) of the MLDC states that, “a new residential lot may exceed the maximum lot area (...) when an existing residence and associated yard area, containing improvements and established landscaping, occupy a larger area.” As such, the oversized lot meets the criteria per Section 10.702(3)(a) and is therefore allowed. Parcel 1 meets all of the lot development standards.

It should also be noted that a shared driveway and access easement is being proposed along the westerly boundary of Parcel 1 for the use and benefit of both Parcels 1 and 2. This was determined to be the best solution as it was not possible for Parcel 1 to meet the minimum lot width of 70 feet while keeping the existing driveway from Windsor Avenue within the boundary of Parcel 2. Said easement will allow Parcel 2 to continue to use the current access from Dellwood Avenue to the garage located near the back of the property.

Other than said exception request, the development is consistent with the relevant design criteria specified in Article IV and V of the MLDC.

CRITERION NO. 2

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

FINDINGS OF FACT

The property is proposed to be developed in its entirety. Additionally, the adjoining lots are already fully developed residences that receive access from the existing public streets. Approval of the land division contained herein will not prevent the development of the remainder of the property under the same owner, or the adjoining lands.

CRITERION NO. 3

3. *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

There are no streets or alleys being proposed in this development.

CRITERION NO. 4

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

FINDINGS OF FACT

There are no private streets or alleys that are proposed to be held for private use.

CRITERION NO. 5

- 5. *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

There are no lands which adjoin the subject project that are zoned Exclusive Farm Use.

E. CONCLUSION OF LAW

Based upon the submitted application materials and the above Findings of Facts, the City of Medford’s Planning Commission concludes that the subject application is consistent with the relevant approval criteria for a Partition Tentative Plat found in Section 10.170(D) of Medford’s Land Development Code and can therefore be approved.

Respectfully Submitted,

Neathamer Surveying, Inc.

Robert V. Neathamer
Robert V. Neathamer, President

Agent for Applicant:
Ryder West and Tyler West

Date: May 1, 2020

FINDINGS OF FACT AND CONCLUSIONS OF LAW

**BEFORE THE CITY OF MEDFORD
PLANNING COMMISSION**

**IN THE MATTER OF AN
APPLICATION FOR AN EXCEPTION
TO THE STREET & STORM DRAIN
IMPROVEMENTS FOR A TWO-
PARCEL PARTITION.**

APPLICANT: Ryder West and Tyler West
2133 Dellwood Avenue
Medford, OR 97504

AGENT: Neathamer Surveying, Inc.
P.O. Box 1584
Medford, OR 97501

A. BACKGROUND INFORMATION

The subject property is located at the northwest corner of Dellwood Avenue and Windsor Avenue, having a situs address of 2133 Dellwood Avenue and is commonly known as Jackson County Assessor's Map Number 37 1W 29DB, Tax Lot 4300. The lot consists of 0.76 acres and is within the Single Family Residential – 4 units/acre (SFR-4) zoning district.

The northerly portion of the property is fully-developed with an existing single-family residence which will remain on proposed Parcel 2. Surrounding the site are other fully-developed residences.

This exception application is being submitted in conjunction with the land division application for the two-parcel partition. The applicant has submitted a pre-application for the proposal under City of Medford's File Number. PA-20-013.

B. SCOPE, PURPOSE, AND OVERVIEW OF THE APPLICATION

Pursuant to the Public Works Department Staff Report for the pre-application dated February 19, 2020, both Dellwood Avenue and Windsor Avenue are classified as minor residential streets. Furthermore, the report is requesting for half plus 12 feet of street improvements per MLDC Section 10.430. The standard street section for a minor residential street contains a paved width of 28 feet, along with curb, gutter and a five-foot sidewalk.

Said staff report is also requesting the applicant to provide stormwater and detention facilities in accordance with MLDC Sections 10.481, 10.486 and 10.729.

The purpose of this exception application is to request relief from the street improvement standards per MLDC 10.430 and the storm drain improvement standards per 10.481, 10.486 and 10.729.

C. APPROVAL CRITERIA

CITY OF MEDFORD LAND DEVELOPMENT CODE

SECTION 10.186 – CRITERIA FOR AN EXCEPTION

Section 10.186(B) of the Medford’s Land Development Code (MLDC) states that:

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.*

D. FINDINGS OF FACT

CRITERION NO. 1

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.*

FINDINGS OF FACT

The property is described as Lot 3 of the subdivision known as Verde Hills Unit No. 1, recorded in 1951. Due to the age of the subdivision, many of the street and storm improvements in the neighborhood have been established for a considerable amount of time.

The requested street improvements contained in said staff report would require sidewalk, curb, gutter and 26 feet of paving (14 feet half street, plus 12 feet of additional paving). A portion of Windsor Avenue contains curb on the easterly side of the street and has paved width of 28 feet in this area. However, the remaining frontage along Windsor Avenue, and the entire frontage along Dellwood Avenue is absent of curb and has a paved width of 22 feet. It should be noted that many of the street sections in this neighborhood share the 22-foot paved width with no curb, gutter or sidewalks.

The applicant is requesting relief to the street improvements stated in the staff report by waiving the improvement requirements and allowing the current street improvements to continue to serve the property and surrounding neighborhood.

The applicant is also requesting relief to the storm drain improvements stated in the staff report. MLDC Section 10.486(B)(1) states, “*stormwater quality and detention facilities for developments containing publicly maintained streets shall provide stormwater detention (...) when constructing streets and associated surfaces containing 5,000 square feet or more of impervious surface.*” Storm runoff for the property and existing streets are managed with street-side ditches. No additional impervious surfaces for streets are being proposed herein. As a result, the development is below the 5,000 square foot requirement per 10.486(B)(1) and is not subject to the stormwater quality and detention facilities requirement.

MLDC Section 10.729(B)(1) states the following:

Stormwater quality and detention facilities shall be required for development and building permits, with the exception of single-family residences and duplexes, which meet any one (1) of the following conditions

(1) Building permits for development that creates 5,000 square feet or more impervious surface; or

(2) Building permits for development that adds or reconstructs 1,000 square feet or more of impervious surface, if that construction activity is part of a larger common plan of development that contains, or will contain, 5,000 square feet or more of impervious surface. A "common plan of development" means the overall plan for development of land, including any pre-existing development and approved plans for future development; or

(3) Building permits for development that existed prior to adoption of City regulations requiring stormwater detention facilities that add or reconstruct 1,000 square feet or more of impervious surface. These shall provide stormwater detention for only the added or reconstructed portion; or

(4) Subdivisions, partitions, or PUDs which will contain new private streets, Minimum Access Easements, or other easements creating 5,000 square feet or more of impervious surface.

The proposed partition will create a new single-family parcel and will not contain any new or private streets. A shared driveway is being proposed on the westerly end of Parcel 1. However, the shared driveway will be below 5,000 square feet. Thus, the stormwater quality and detention facilities requirement per 10.792 does not apply to the project.

Said street and storm improvements have stood the test of time and effectively provided the necessary circulation and runoff management for the property and neighboring development. As such, the proposal is in harmony with the general purpose and intent of the regulations per the MLDC in the SFR-4 zoning district and the neighboring development. Furthermore, the approval of the requested relief to the street and storm improvements would not be injurious to the general area or negatively impact the general welfare or adjacent natural resources.

CRITERION NO. 2

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

FINDINGS OF FACT

The proposed single-family residential use is consistent with the permitted uses in the SFR-4 zoning district. Therefore, the granting of the subject exception will not permit the establishment of a use which is not permitted in the zoning district.

CRITERION NO. 3

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

FINDINGS OF FACT

As previously mentioned, the property is a corner lot containing frontage along both Dellwood Avenue and Windsor Avenue. The existing street and storm improvements have successfully provided access and managed the storm waters in the neighborhood for a considerable amount of time. The addition of a single dwelling unit will not change that reality.

Requiring the half plus 12 feet of street improvements and additional storm improvements would place an unwarranted burden on the applicant and would not provide additional connectivity, nor coincide with the surrounding development as there are not sidewalks that currently exist within the immediate area. Furthermore, there has not been evidence to suggest that the current street section is inadequate, or the storm facilities are ineffective.

CRITERION NO. 4

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

FINDINGS OF FACT

The need for this exception is not due to an illegal act, nor is it established on the basis of a purchaser of the land. The need for the exception is the result of having improvements already in place that have sufficiently served the property and surrounding development and will continue to do so by granting the relief that is being requested herein.

E. CONCLUSION OF LAW

Based upon the submitted application materials and the above Findings of Facts, the Planning Commission concludes that the application for an exception to street and storm improvement standards is consistent with the relevant criteria for an exception contained in Section 10.186(B) of Medford's Land Development Code, and can therefore be approved.p

Respectfully Submitted,

Neathamer Surveying, Inc.

Robert V. Neathamer
Robert V. Neathamer, President

Agent for Applicant:
Ryder West and Tyler West

Date: May 1, 2020



LD DATE: 6/3/2020

Revised Date: 6/4/2020

File Number: LDP-20-120/E-20-121

PUBLIC WORKS DEPARTMENT STAFF REPORT

2133 Dellwood Avenue (TL 4300)

2-Lot Partition – Ryder & Tyler West

Project: Consideration of tentative plat approval for a two-lot partition and an Exception pertaining to relief to street and storm improvement standards on one parcel of land, 0.76 acres in size.

Location: Located at 2133 Dellwood Avenue within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W29DB4300).

Applicant: Applicant, Ryder & Tyler West; Agent, Neathamer Surveying Inc.; Planner, Steffen Roennfeldt.

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

Dellwood Avenue and Windsor Avenue are classified as a Minor Residential streets within the MLDC, Section 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width of right-of-way,



which is 27.5-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

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

An **exception request** has been submitted requesting relief from the street improvement standards per MLDC 10.430 and the storm drain improvements standards per MLDC 10.481, 10.486 and 10.729. If the exception request is denied, Dellwood Avenue and Windsor Avenue shall be constructed as outlined below including street lights. If the exception request is approved then no additional Street and/or Stormdrain improvements will be required at this time.

Dellwood Avenue shall be improved to Minor Residential street standards in accordance with the MLDC, Section 10.430. The Developer shall improve the north half plus 12-feet south of the centerline or to the far edge of the existing pavement, whichever is greater, along the frontage of this development.

Windsor Avenue shall be improved to Minor Residential street standards in accordance with the MLDC, Section 10.430. The Developer shall improve the west half respectively plus 12-feet east of the centerline or to the far edge of the existing pavement, whichever is greater, along the frontage of this development.

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

If the these street 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 approval of the final plat or issuance of building permits, whichever occurs first. (MLDC, Section 10.432).

b. Street Lights and Signage

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. 2 – Type R-100 (LED)

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

- A. None

NOTE – *The PPL street light on Windsor Avenue (pole #06479) will be removed.*

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.

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along this developments frontage to Dellwood Avenue or Windsor Avenue.

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

d. Soils Report

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

report shall be completed by a licensed Geotechnical Engineer in the state of Oregon.

e. Access to Public Street System

Driveway access to the proposed lots shall comply with MLDC 10.550.

f. Easements

All public sanitary sewer or storm drain mains shall be located in paved public streets or within easements. A 12-foot wide paved access shall be provided to any public manholes 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 and the public improvement plans for all sanitary sewer and storm drain mains or laterals which cross lots, including any common area, other than those being served by said lateral. The City requires that easement(s) do not run down the middle of two tax lot lines, but rather are fully contained within one tax lot.

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

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

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

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all

modes of travel, including motor vehicles, transit, bicycles, emergency services and pedestrians. Further, these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and storm drains to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

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

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

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

Dellwood Avenue & Windsor Avenue:

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

The benefits of the public right-of-way improvements include: providing access and transportation connections at urban level of service standards, on street parking, improved connectivity reducing all modes of trips generated, decreased emergency response times, benefits from using right-of-way to provide public utility services, the additional traffic that is being generated by this proposed land division and the necessity to provide connections for all modes of trips generated

Dedication of the Public Utility Easement (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 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 lot prior to approval of the Final Plat.

C. STORM DRAINAGE

1. Drainage Plan

Future development 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, 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 future 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 shall provide a comprehensive grading plan showing the relationship between adjacent property and the proposed development. 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. Detention and Water Quality

Future development shall provide stormwater quality and detention facilities in accordance with MLDC Sections 10.481 and 10.729 and 10.486.

4. Mains and Laterals

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

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.

5. 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 Department of Environmental Quality (DEQ). Erosion Prevention and Sediment Control Plans shall be submitted to the Building Department with the project plans for development. All disturbed areas shall be covered with vegetation or properly stabilized prior to certificate of occupancy.

D. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to 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, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit.

The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

3. Phasing

The proposed plans do not show any phasing.

4. Draft of Final Plat

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

5. Easements

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

6. Permits

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

7. System Development Charges (SDCs)

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

This development is also subject to storm drain system development charges. The storm drain system development charge shall be collected at the time of the approval of the final plat.

8. Construction and Inspection

Contractors proposing to do work on public streets (including street lights), sewers, or storm drains shall 'prequalify' with the Engineering Division prior to starting work. Contractors shall work off a set of public improvement drawings that have been approved

by the City of Medford Engineering Division. Any work within the County right-of-way shall require a separately issued permit from the County.

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

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

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL
2133 Dellwood Avenue (TL 4300) – 2-Lot Partition
Ryder & Tyler West

LDP-20-120/E-20-121

A. Streets

1. Street Dedications to the Public:

- **Dellwood Avenue and Windsor Avenue** – Dedicate additional right-of-way as required.
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- Improve **Dellwood Avenue and Windsor Avenue** half plus 12' to Minor Residential street standards, unless otherwise approved with the requested exception.

Lighting and Signing

- Developer supplies and installs all street lights at own expense, unless otherwise approved with the requested exception.

Access to Public Street System

- Driveway access to the proposed lots shall comply with MLDC 10.550.

Other

- No pavement moratorium currently in effect along this frontage to Dellwood Avenue or Windsor Avenue.
- Provide pavement moratorium letters.
- Provide soils report.

B. Sanitary Sewer:

- Ensure or construct separate individual sanitary sewer connection.

C. Storm Drainage:

- Provide an investigative drainage report, with future development.
- Provide a comprehensive grading plan, with future development.
- Provide water quality and detention facilities, unless otherwise approved with the requested exception.
- Provide storm drain laterals to each tax lot.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

- Provide public improvement plans and drafts of the final plat.
- 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: LDP-20-120 & E-20-121

PARCEL ID: 371W29DB TL 4300

PROJECT: Consideration of tentative plat approval for a two-lot partition and an Exception pertaining to relief to street and storm improvement standards on one parcel of land, 0.76 acres in size, located at 2133 Dellwood Avenue within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W29DB4300); Applicant, Ryder & Tyler West; Agent, Neathamer Surveying Inc.; Planner, Steffen Roennfeldt.

DATE: June 3, 2020

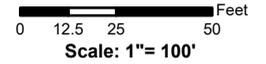
I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

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 approximately mid-lot along Windsor Avenue shall remain in place and continue to serve the existing home located at 2133 Windsor Avenue.
4. Proposed Parcel 1 is required to have a new water service installed. The water meter shall be located along the Dellwood Avenue street frontage. Water meters shall not be installed in existing or proposed driveways. Applicant shall coordinate with MWC for location and payment for proposed installation for the required water meter serving proposed Parcel 1 on Dellwood Avenue.

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is not required.
3. MWC-metered water service does exist to this property. (See Condition 3 above)
4. Static water pressure is approximately 57 psi at the existing fire hydrant on the corner of Dellwood Avenue & Windsor Avenue.
5. Access to MWC water lines is available. There is an existing 6-inch water line located on the south side of Dellwood Avenue. There is also an existing 6-inch water line in Windsor Ave.



**Water Facility Map for
City of Medford
Planning App#:
PA-20-138
June 3, 2020**

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
- Active Main w/ Easement
- Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

Boundaries:

- Urban Growth Boundary
- City Limits
- Tax Lots

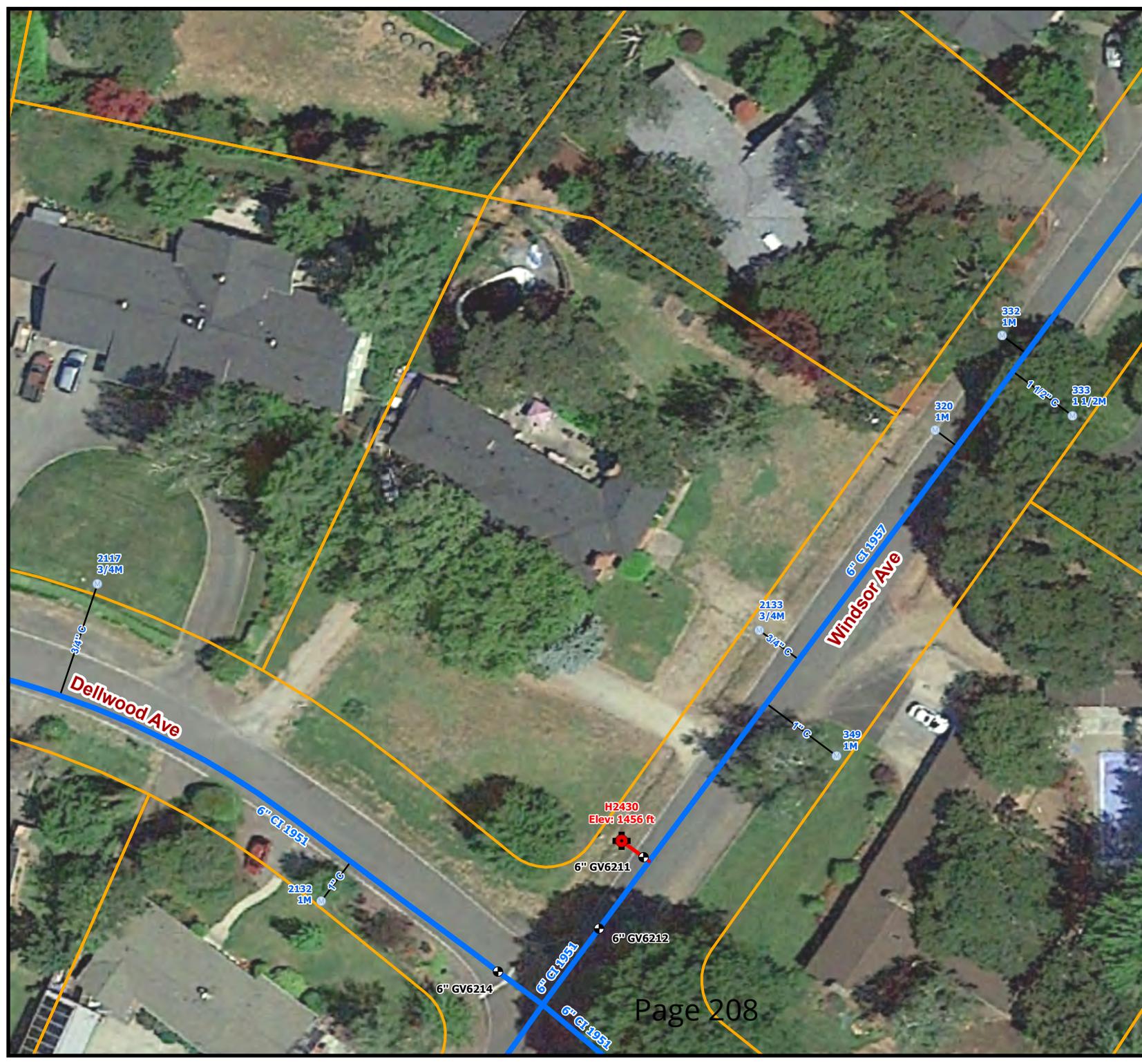
MWC Facilities:

- Control Station
- Pump Station
- Reservoir



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

Date: 6/3/2020
Path: R:\Department\GIS\MapDocs\Roads\MCD\Roads\ACGIS Pro - Multi-Layered - 5-13-20.aprx





Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 5/28/2020
Meeting Date: 6/3/2020

LD File #: LDP20120 **Associated File #1:** E20121

Planner: Steffen Roennfeldt

Applicant: Ryder & Tyler West

Site Name: N/A

Project Location: 2133 Dellwood Avenue

ProjectDescription: Consideration of tentative plat approval for a two-lot partition and an Exception pertaining to relief to street and storm improvement standards on one parcel of land, 0.76 acres in size, located at 2133 Dellwood Avenue within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W29DB4300);

Specific Development Requirements for Access & Water Supply

Conditions

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

Construction General Information/Requirements

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

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

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

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

www.medfordfirerescue.org



MEMORANDUM

To: Steffen Roennfeldt, Planning Department
From: Mary Montague, Building Department
CC: Tyler West, Applicant; Neathamer Surveying, Inc., Agent
Date: June 3, 2020
Subject: LDP-20-120_E-20-121; 2133 Dellwood Ave. West Partition

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.

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us 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.

Comments:

5. Provide a letter to the building official per Section R401.4 indicating if expansive soils are present or not. If expansive soils are present then a site specific soils geotech report is required by a Geotech Engineer prior to foundation inspections. The report must contain information per Section 403.1.10 and on how you will prepare the lot for building and a report confirming the lot was prepared per their recommendations.



MEDFORD

BUILDING SAFETY

6. This area is in the Hillside Ordinance area. Must follow guidelines as set forth in the Municipal code Section 10.929 – 10.933.
7. The existing residence would need to meet the minimum setbacks per planning dept.



MEMORANDUM

To: Liz Conner

From: Jennifer Ingram

Date: February 19, 2020

Subject: PA-20-013

Regarding the applicant's question number 8:

Yes, the new construction can become 2133 Dellwood Ave, if the front door faces Dellwood Ave. The existing house will need to have a Windsor Ave address.



EXHIBIT

I



JACKSON COUNTY

Roads

JC Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

May 26, 2020

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

RE: Tentative plat approval for a two-lot partition & exception for relief to street & storm improvements to
Dellwood Avenue – a city-maintained road.
Planning File: LDP-20-120/E-20-121

Dear Steffen:

Thank you for the opportunity to comment on this consideration of a tentative two-lot partition and an Exception pertaining to relief to street and storm improvements on one parcel of land, 0.76 acres in size, located at 2133 Dellwood Avenue within the Single-Family Residential – 2.5 to 4 dwellings per gross acre (SFR-4) zoning district. Jackson County Roads has no comments.

If you have any questions or need further information feel free to call me at 774-6228

Sincerely,

Chuck DeJanvier
Construction Engineer



FOR ASSESSMENT AND
TAXATION ONLY

N.W.1/4 S.E.1/4 SEC.29 T.37S. R.1W. W.M.
JACKSON COUNTY
1" = 100'

371W29DB
MEDFORD



GIS DATA
06/26/2019 10:01:47 AM bosmanjb

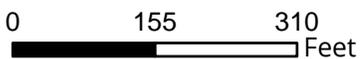
371W29DB
MEDFORD
NEW MAP January 12, 2010





Project Name:
2133 Dellwood Avenue
West Partition

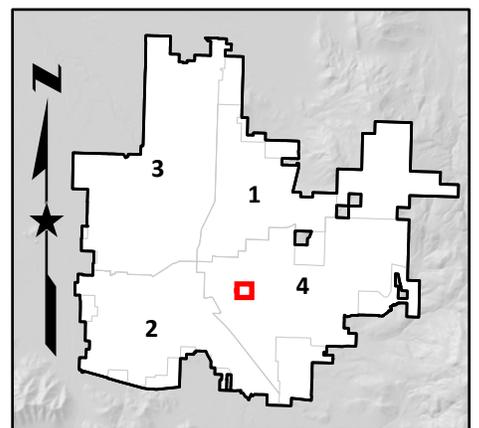
Map/Taxlot:
371W29DB TL 4300



Legend

-  Subject Area
-  Tax Lots

5/7/2020





STAFF REPORT for a Type-IV legislative decision: **Comprehensive Plan Amendment – Urbanization Plan**

Project Urbanization Plan for Planning Unit MD-3a

Applicant Steven Skinner & Veritas Properties, LLC

Agent Jay Harland, CSA Planning, Ltd.

File no. UP-20-095

To Planning Commission

for 06/25/2020 hearing

From Seth Adams, AICP, Planner III

Reviewer Carla Angeli Paladino, Principal Planner

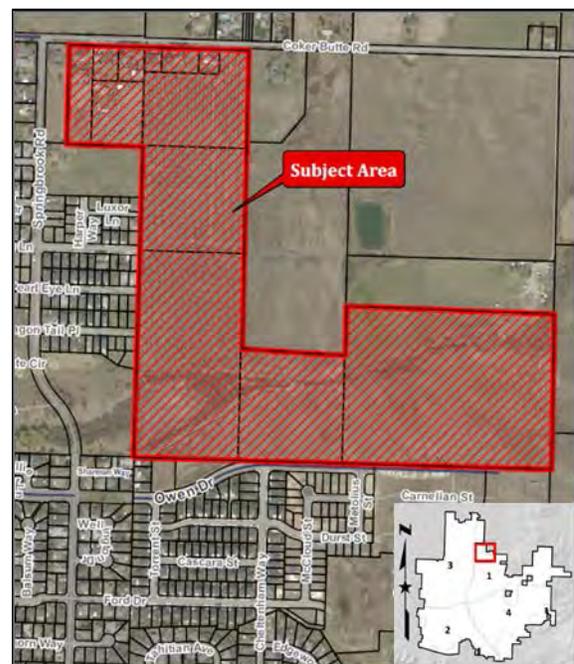
Date June 18, 2020

BACKGROUND

Proposal

A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan for approximately 88.73 acres of property located between Owen Drive and Coker Butte Road, and to the east of Springbrook Road (Planning Unit MD-3a) (371W08 300 - 1000; and 371W08BA 100 - 400 4700). (Exhibit A)

The Urbanization Plan is filed in conjunction with an annexation request for four tax lots within the Urbanization Plan area, plus adjacent right-of-way along Coker Butte Road (totaling approximately 79.6 acres). (ANNX-20-094)



Urbanization Plan Details

Minimum Residential Density	Open Space	Street Extensions
443 dwelling units (UR) ~29% (UM) ~10% (UH) ~61%	Required: 16.0% (14.1 acres) Proposed: 18.1% (16 acres)	Hondeleau Lane (Minor Collector) Cheltenham Way (Minor Collector) Owen Drive (Minor Arterial) McLoughlin Drive (Major Collector)

Subject Site Characteristics

Zoning: Exclusive Farm Use (EFU) and Rural Residential 5 (RR-5)

GLUP: Urban Residential, Urban Medium Density Residential, Urban High Density Residential, Service Commercial, and Commercial

Uses: Rural single-family residential and agriculture

Acreage: 88.73 acres

Surrounding Site Characteristics

North Zone: County Exclusive Farm Use (EFU) and Rural Residential 5 (RR-5)
 Use(s): Residential and agriculture

South Zone: City SFR-6
 Use(s): Residential

East Zone: County Exclusive Farm Use (EFU)
 Use(s): Agriculture and vacant land

West Zone: City SFR-6, SFR-10
 Use(s): Residential

History

In June 2018, the Department of Land Conservation and Development acknowledged the City of Medford's proposed Urban Growth Boundary (UGB) amendment providing for the inclusion of 1,658 acres of buildable land to be developed. Following the adoption of the UGB, the City established the Urbanization Planning process in order to provide a regulatory framework for ensuring specific development goals are met as land converts from rural to urban uses. The land included in the UGB was categorized into distinct planning units and coded with a specific numbering and lettering system (e.g. MD-3a). Each planning unit must adopt an Urbanization Plan prior to or in conjunction with a proposal for annexation. The Urbanization Plans are high level master plans intended to show conformance with the Regional Plan and transportation plan requirements.

A pre-application conference with planning staff and other internal and external review agencies is required prior to submitting a formal application in order to discuss the proposal. A pre-application conference was held with the applicants to discuss the subject properties on December 11, 2019. In addition, applicants are required to hold a neighborhood meeting with surrounding neighbors and property owners in order to provide an opportunity to explain the proposal and provide for questions and answers. A neighborhood meeting was held for this project on January 6, 2020.

Planning Unit MD-3a was approved with five General Land Use Plan (GLUP) designations: Urban Residential (UR), Urban Medium Density Residential (UM), Urban High Density Residential (UH), Service Commercial (SC), and Commercial (CM). The planning unit consists of eleven tax lots that are located south of Coker Butte Road and north of Owen Drive. Springbrook Road and a new residential subdivision are to the west, and the future extension of McLoughlin Drive to the east. The proposal was initiated by two property owners who own 89.5% of the property within the planning unit.

The two property owners that initiated the Urbanization Plan have also requested concurrent annexation of the 79.4 acres of property that they own within the plan area, along with approximately 0.2 acres of the adjacent right-of-way along Coker Butte Road. The City Council set the annexation hearing date for August 20, 2020, through Resolution No. 2020-60. The review and decision on the Urbanization Plan and Annexation will be held on the same evening.

Public Comments

No public comments on the proposal have been received at the time of the writing of this report.

Related Projects

ANNX-20-094: Annexation request for four parcels and adjacent right-of-way

CP-16-075: Urbanization Planning Comprehensive Plan Amendments

CP-14-114: Urban Growth Boundary Amendment

Authority

This proposed plan authorization is a Type IV legislative Comprehensive Plan Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Comprehensive Plan under Medford Municipal Code §§10.102–10.122, 10.214, and 10.220.

ANALYSIS

Planning unit MD-3a was adopted into the City's Urban Growth Boundary in 2016 and acknowledged by the State in 2018 to help accommodate future growth. The site is located in northeast Medford and provides for the continued development of residential neighborhoods that have recently been constructed within the existing city limits to the south and west. The area is bordered by a major collector street (Coker Butte Road) on the north and a minor arterial street (Owen Drive) on the south. Also to the south are an existing minor collector street (Cheltenham Way) that will eventually be extended north through the planning area, and a major collector (McLoughlin Drive) that will eventually extend north immediately to the east of the planning area.

Finally, there is an existing minor collector street (Hondeleau Lane) on the west edge of the site that will extend east to the future McLoughlin Drive. Coker Butte Road is currently maintained by Jackson County, and in accordance with the City's Urban Reserve Management Agreement, the City will assume maintenance of Coker Butte Road at the time of annexation, and request that a jurisdictional transfer be completed.

As described below, this proposal meets the plan requirements/criteria for incorporation into the Neighborhood Element of the Comprehensive Plan. The proposed plan (**Exhibit B**), which has been named by the applicants as the “Chilsonrise Neighborhood Plan,” provides for future street connectivity in all directions with the extension of local, collector, and arterial streets to serve existing and future residents of the area.

FINDINGS AND CONCLUSIONS

Applicable Criteria

For the applicable criteria, the Medford Municipal Code §10.220(B)(4) redirects to the criteria in the “Review and Amendments” chapter of the Comprehensive Plan. The applicable criteria in this action are those for an Urbanization Plan found in Sections 5 and 6 in the Urbanization Planning Chapter of the Neighborhood Element. The criteria are set in *italics* below; findings and conclusions are in roman type.

The applicant’s findings of fact and conclusions address each of the criteria in detail and are attached as **Exhibit C**.

Section 5 - PLAN CONTENTS

Criterion 5.1 RPS Density Requirements: Compliance with the Regional Element minimum gross density performance measures. The urbanization plan shall include specific zoning designations or text that assures development under the minimum densities will meet or exceed the density expected to be achieved for the planning unit(s) in the UGB Amendment residential land supply analysis. Plan techniques that can be employed to achieve this standard include but are not limited to the following:

5.1.1 Specify residential zoning districts for certain areas.

5.1.2 Commit to specific quantities of residential development in commercial areas.

The findings supporting the urbanization plan submittal shall include density calculations that explain how the plan complies.

The text below also includes findings that demonstrate compliance with Goal 10 (Housing).

Findings

The Regional Plan Element of the Comprehensive Plan was adopted in August 2012 and established the minimum residential densities that each of the participating jurisdictions agreed to achieve. For Medford, the minimum target density is 6.6 dwelling units per gross acre until 2035, when the density increases to 7.6 dwelling units per gross acre. Gross acreage in the City of Medford includes the total area of the properties' boundaries plus any adjacent right-of-way measured to the center line, multiplied by the zoning district minimum and maximum density factors.

The City's Housing Element indicates 15,050 dwelling units are needed between 2009 and 2029. Of that total, the need for single-family detached housing is 9,034 units, of which 384 are identified as being attached units. The need for multi-family housing includes 651 duplexes and 4,586 multi-units. The applicant proposes to supply a minimum total of 443 dwelling units within the overall planning area. A total of 127.5 units will be supplied within the approximately 41.5 gross acres of Urban Residential (UR) GLUP designated lands. These areas are proposed to be zoned Single-Family Residential – 6 dwelling units per gross acre (SFR-6) and Single-Family Residential – 10 dwelling units per gross acre (SFR-10).

The planning area also includes approximately 6.3 gross acres of Urban Medium Density Residential (UM) GLUP designated land which is planned to be zoned Multi-Family Residential 15 (MFR-15), and approximately 32.6 gross acres of Urban High Density Residential (UH) GLUP designated land which is planned to be zoned Multi-Family Residential 20 (MFR-20). These areas will supply a minimum of 315.8 multi-family dwelling units.

The proposed 443 dwelling units will contribute to meeting the two greatest needs outlined in the Housing Element, which are the detached single family and multi-family dwelling type categories.

The zoning districts noted above include minimum and maximum density factors at the following dwelling units per acre (du/acre):

Zoning	SFR-6	SFR-10	MFR-15	MFR-20
Minimum Density	4.0	6.0	10.0	15.0
Maximum Density	6.0	10.0	15.0	20.0

Using a detailed spreadsheet to standardize how residential density is calculated for each of the planning units, the Planning Department has calculated 434 dwelling units as the minimum residential density needed within the planning unit. (**See Exhibit D for calculation summary**). The applicant proposes to exceed this number by 9 units by requiring SFR-6 and SFR-10 zoning in the areas with the UR GLUP designation.

Conclusions

Satisfied. The minimum residential density requirement as calculated by staff is 434 dwelling units, and the applicant proposes to exceed this number by providing 443 dwelling units. To ensure this number of units is met, the applicant proposes to zone the UR GLUP areas to the Single-Family Residential 6 (SFR-6) and the Single-Family Residential 10 (SFR-10) zones. The area designated with the UM GLUP is proposed to be zoned Multi-Family Residential 15 (MFR-15), and the area designated with the UH GLUP is proposed to be zoned Multi-Family 20 (MFR-20). The re-zoning of the property and future development will be required to meet the minimum residential densities as an obligation of meeting the Regional Plan elements.

The City has an adopted Housing Element (2010) that describes the housing needs of the City through 2029. The housing mix allocations assumed roughly two-thirds of the dwelling units to be constructed as single family detached homes, single-family attached homes, manufactured homes, and two-family attached homes (duplexes). The remaining one third would accommodate multi-family homes (3 or more attached units). The overall needed density in the Housing Element was calculated as 6.3 dwellings per gross acre.

The Regional Plan (2012) imposes a density standard that exceeds that outlined in the Housing Element at a minimum density of 6.6 dwelling units per gross acre. The City has committed to this density until 2035, and then the density factor increases to 7.6 dwelling units per gross acre from 2036 through 2050. Land use changes made as part of the Urban Growth Boundary Phase I (Internal Study Areas 2014) project increased the supply of medium and high density residential designations within the City limits and reallocated lower density residential into the expansion areas. The Urbanization Planning (2018) process was established in order to establish minimum residential density standards in the UR GLUP designations and track housing production within each planning unit as the land develops. This process helps ensure land within the Urban Growth Boundary is being used to its maximum capacity to ensure needed housing of all types is being constructed and the City's obligations under the Regional Plan are being met to the extent possible. This criterion is satisfied.

Criterion 5.2 Transportation Planning: A neighborhood circulation plan map showing:

5.2.1 Locations of higher-order streets. Locations and alignments of higher order streets should be planned in appropriate locations.

The plan will depict how local streets, alleys and paths could be arranged to comply with the City's applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes.

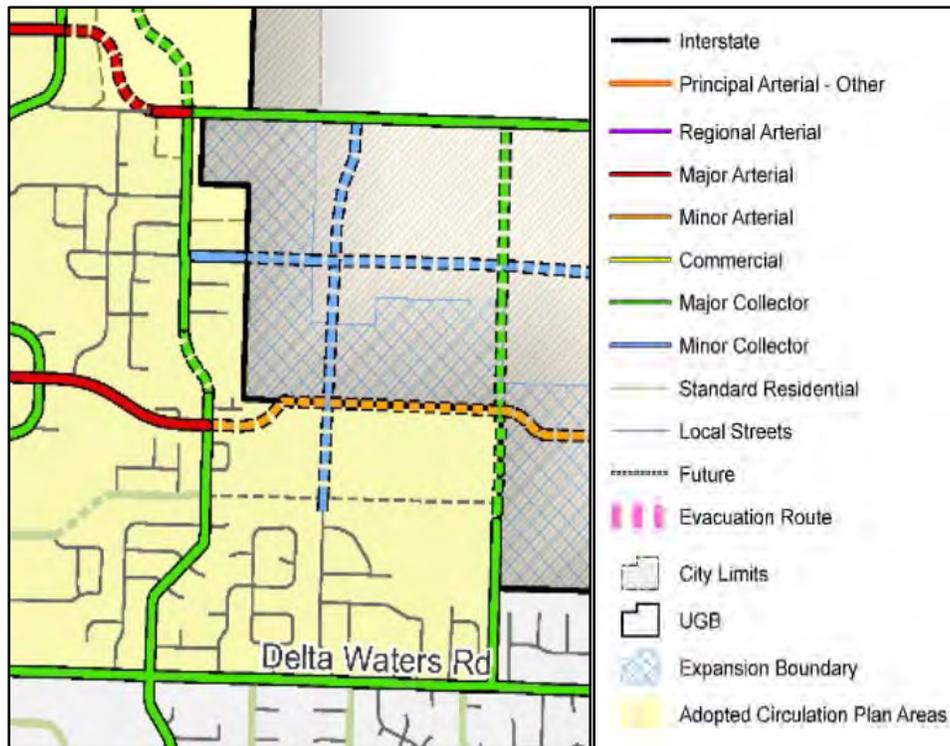
The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) that is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity.

Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths.

Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City's adopted Transportation System Plan.

Findings

The subject properties are bordered by existing higher order streets, including Coker Butte Road (major collector) on the north, and Owen Drive (minor arterial) on the south. Per the Transportation System Plan (TSP) as identified in Figure 18 (Roadway Functional Classification), Cheltenham Way (minor collector) will be extended north through the planning area from its current terminus to the south, and McLoughlin Drive (major collector) will be extended north along the east edge of the planning unit from its current terminus to the southeast. Hondeleau Lane (minor collector) is an existing street that currently terminates at the western edge of the planning unit, and it will be extended to the east to connect with the future McLoughlin Drive. These streets and their future extensions are depicted in an excerpt from Figure 18 of the TSP on the following page.



Portion of Figure 18 from TSP

The applicant proposes to shift the future alignments of Cheltenham Way and McLoughlin Drive from what is shown in the TSP. In order to minimize environmental impacts to Garrett Creek, Cheltenham Way is proposed to be shifted slightly to the east. Similarly, McLoughlin Drive is also proposed to be shifted slightly east as the TSP alignment runs within the Garrett Creek drainage and wetland area (**Exhibit E**). This shifting of McLoughlin Drive will also avoid impacts to a large irrigation pond that is located to the north, outside of the planning area and the Urban Growth Boundary.

Conclusions

Satisfied. There are two higher order streets planned within this planning unit: Cheltenham Way and Hondeleau Lane. Additionally, the future McLoughlin Drive extension will run along a portion of the planning unit's eastern boundary. Existing local streets on the west edge of the planning unit, including Luxor Lane, Pearl Eye Lane, and Dragon Tail Place, can be extended east through the area, and the spacing between the higher order streets is sufficient to allow for local streets and alleys to be arranged in a street grid that is in accordance with City block length standards, as well as avoiding unnecessary crossings of Garrett Creek. The proposal provides the proposed street connections outlined in the Transportation System Plan (TSP), just with slightly different alignments in the cases of Cheltenham Way and McLoughlin Drive. This criterion is satisfied.

Criterion 5.3 Compliance with the open space allocation for an urban reserve area. Units that contain only Industrial GLUP designations are exempt from this requirement. The following classifications count as open space for purposes of fulfilling the RPE requirements:

5.3.1 Parks, both public and private shall be counted as open space. Schools may be counted as open space. Where land acquisition is not complete or where specific open space dedications were not offered and accepted as part of the UGB process, park and school sites may be identified as opportunity areas on maps and the acreage planned may be described in text form that explains how the planning unit can satisfy the open space requirement. Areas where specific open space dedications were offered and accepted as part of the UGB review process shall be depicted and the acreage counted toward open space percentages.

5.3.2 Agricultural buffers. Proposed agricultural buffers within the UGB shall be counted as open space. Interim agricultural buffers shall not be counted toward open space percentages unless an additional legal or planning mechanism is imposed to render such areas as open space even after a future UGB amendment in the applicable MD area.

5.3.3 Riparian corridors shall be counted.

5.3.4 Areas under an "open space" tax assessment shall be counted.

5.3.5 Locally significant wetlands and any associated regulatory buffer shall be counted.

5.3.6 Slopes greater than 25 percent

Findings

The Regional Plan allocated employment, residential and open space land use requirements within each of the planning units. For the planning units within MD-3, 16 percent of the land is to be designated open space. Based on 88.3 acres in MD-3a, a 16 percent allocation would provide 14.1 acres of open space within the planning unit. The area proposed as permanent open space is 16 acres, or 18.1 percent of the MD-3a area.

The proposed open space includes portions of agricultural buffers and areas identified as probable wetlands, as well as some areas where recreational amenities (private or public) could potentially be developed (e.g. playgrounds, multi-use trail, BBQ gazebos, etc. There are no riparian corridors, areas under an "open space" tax

assessment, or slopes greater than 25 percent within the planning unit that would count towards open space.

Conclusions

Satisfied. The property owner is subject to a 16 percent open space requirement that equates to 14.1 acres. The proposed plan designates 16 acres as open space within the planning unit, thereby exceeding the requirement by 1.9 acres. This criterion is satisfied.

Criterion 5.4 Compliance with the requirements of Regional Plan Element, Section 4.1.6, for mixed-use/pedestrian-friendly development and any specific land use performance obligation. Planning units containing only an Industrial GLUP Map designation are exempt from the mixed-use pedestrian friendly development evaluation.

Findings

Section 4.1.6 of the Regional Plan Element points to the 2020 benchmark targets identified in the most recent Regional Transportation Plan (RTP-2017) for number of dwelling units and new employment in mixed-use and pedestrian friendly developments or activity centers. Activity centers are defined in the RTP as:

- Areas of development that contribute to achieving mixed-use, pedestrian friendly development;
- Neighborhood commercial and employment centers, parks, and schools;
- Downtown areas;
- Transit Oriented Developments; and
- Development that is vertically or horizontally mixed-use

The 2020 target for new dwelling units in the RTP is identified as 49 percent, and for new employment in activity centers it is 44 percent. Data from 2001 indicated that Medford was already exceeding these targets at 61 percent and 48 percent, respectfully. The City is required to continue meeting or exceeding these targets as required by the Regional Plan.

The intent of the mix of land uses distributed throughout each of the planning units within the Urban Growth Boundary Expansion areas is to continue this trend of providing housing, employment, and open space in close proximity to one another.

In MD-3a, the mix of residential and commercial provides an opportunity to create housing and employment/service opportunities in a new neighborhood setting that is close to Abraham Lincoln Elementary School, as well as recreational amenities both on and off site, including a multi-use path that will traverse the length of the open space area.

The subject planning unit includes residential and commercial land use types to achieve a mix of uses that are accessible and will serve those living or working in the planning unit or the surrounding neighborhoods. The distribution of residential and commercial GLUP designations aligns with that adopted through the Urban Growth Boundary process, with commercial proposed along the higher order streets of future Owen Drive (minor arterial) and future McLoughlin Drive (major collector). Both of these street types have cross sections that will provide for convenient and safe traveling by pedestrians and provide connections to the planning unit and other destinations. Multi-family residential is located in the south and east portions of the planning unit, and is abutting or in close proximity to the commercial areas located at the southeast corner.

The applicant is required to meet minimum density requirements (443 dwelling units per the applicant's proposal) for the residential portions of the plan, and the commercial portion provides versatility through the types of permitted uses, including multi-family residential, retail, and offices that can be developed in order to compliment the proposed mix of residential units. Finally, the proposed street network and multi-use path will provide multi-modal access to internal and external developments.

Conclusions

Satisfied. MD-3a has the appropriate combination of residential and commercial land uses, street connectivity, and allowed versatility within the commercial components to meet the Regional Plan requirements related to housing and employment in activity centers. This criterion is satisfied.

Criterion 5.5 Preliminary coordination and discussions with public utility providers, including water, sewer, transportation, and irrigation districts.

5.5.1 Coordination may include identifying any existing infrastructure on or adjacent to the site and determining whether it can be maintained or needs to be moved.

Findings

The applicants/property owners have begun preliminary discussions with utility providers through their development of this urbanization plan. Comments were provided during the pre-application process and through this formal application. The guidance from utility providers at this stage is informational only and serves to guide the applicants with their future development plans. No utilities are being extended to serve the property during the urbanization planning process.

Prior to and during the Land Development Committee meeting held on May 27, 2020, comments were received from Medford Public Works (**Exhibit F**), Jackson County Roads (**Exhibit G**), Rogue Valley Sewer Services (**Exhibit H**), Medford Parks & Recreation (**Exhibit I**), and the Medford Water Commission (**Exhibit J**). Medford Building (**Exhibit K**) and Medford Fire-Rescue (**Exhibit L**) provided standard comments but no specific conditions that must be addressed at this time. The installation of off-site and on-site utilities will be coordinated with future development phases of the property.

Public Works commented that, upon annexation the City will assume maintenance jurisdiction of that portion of Coker Butte Road along the north boundary of the planning unit, and will request that a jurisdictional transfer be completed. The other public streets proposed to be constructed will be maintained by the City. Sewer system capacity constraints exist in this area that will need to be addressed prior to any future zone change approvals. Future development within the planning unit will require stormwater detention and stormwater quality facilities.

Public Works supports the proposed alterations to the alignments of Cheltenham Way and McLoughlin Drive, and recommends that the TSP be updated to reflect those changes. Public Works also supports the applicants' offer to analyze a roundabout at the intersection of Own Drive and McLoughlin Drive, with the condition that the analysis be done at the time of the first zone change that has the potential to generate more than 250 net average daily trips in the Urbanization Plan area. Finally, Public Works commented that a pedestrian bridge to cross Garrett Creek somewhere between Cheltenham Way and McLoughlin Drive shall be considered with future phases of development in order to mitigate the lack of street connectivity between the UR area north of Garrett Creek and the multi-use and commercial area. Similarly, a pedestrian accessway connecting the same UR area to the urban reserve area to the north shall also be considered.

The subject of the pedestrian bridge was discussed between staff and the applicant, and it was agreed that the feasibility of crossing Garrett Creek is an undertaking that will need to be looked at in the future when development is proposed to occur in Sub-

Area 4. Matters that were discussed and that will need to be weighed at the time of development include the number of units being proposed within Sub-Area 4, environmental constraints (including outside agency permitting requirements), the financial costs of constructing a pedestrian bridge relative to the amount of use the bridge is expected to generate, and whether the City would be willing and able to financially participate in its construction (e.g. if the Parks Department were to have future interest in acquiring or partnering with the eventual developer on the multi-use path and open space area). Additionally, Cheltenham Way will provide access to the multi-use path from Sub-Area 4, although this route will be slightly longer in distance and require out of direction travel for residents that desire to go east on the multi-use path.

Jackson County Roads provided comments related to the annexation and jurisdictional transfer of the portion of Coker Butte Road along the northern edge of the planning unit. If County storm drain facilities are utilized, the runoff will be limited to the area currently draining to the County storm drainage system, and construction of the storm drainage system will need to be constructed per plans approved by Jackson County Roads.

Rogue Valley Sewer Services (RVSS) currently serves tax lots within the planning unit, and will likely serve the remainder in the future. There are existing RVSS sewer mains located along Springbrook Road and extended through properties in the planning unit. The downstream RVSS sewer system has adequate capacity; however, the service boundary between RVSS and the City of Medford is largely undefined in the area, and the topography may require sewer service to be split between the jurisdictions.

Medford Parks & Recreation commented that the proposed plan depicts roughly 16 acres of open space to the Garrett Creek Greenway and surrounding wetlands, and includes a multi-use path in that area in accordance with the Leisure Services Plan. Parks encourages the applicant to work with Parks Department staff on any acquisition, development, and/or maintenance agreements pertaining to the open space areas, and the applicant has stipulated they will do so. Parks also noted that while they have no specific plans to acquire and develop parkland in the planning unit area, the Parks Department remains open to identifying strategic opportunities, and that the design of the open space may be more amenable to a "Special Use Area" parkland designation. Parks also stated they can advise on irrigation design and tree species selection for higher-order right-of-way planter strips.

Medford Water Commission (MWC) provided comments that the planning unit is located in the Commission's "Gravity" Pressure Zone, and metered service exists to some of the properties along Coker Butte Road. Access to MWC water lines is

available, and there is an existing 6-inch water line located in Coker Butte Road. All parcels/lots will be required to have metered water service prior to recordation of final map, and the installation of "on-site" water lines is required. Water lines are required to be installed in paved travel lanes, and all water lines are required to be looped. The applicant's civil engineer is required to coordinate with Medford Fire-Rescue for approved fire hydrant locations, and depending on Fire-Rescue requirements for available fire flow, off-site water line improvements may be required in Coker Butte Road.

Conclusions

Satisfied. Utility providers have reviewed the urbanization plan and have provided preliminary comments that the applicant can use and apply to the next stage of development for the property. This criterion is satisfied.

Criterion 5.6 Location or extensions of riparian corridors, wetlands, historic buildings or resources, and habitat protections and the proposed status of these elements.

Findings

The planning unit does not contain any riparian corridors, historic buildings or resources, or habitat protections. The City's adopted 2017 Local Wetland Inventory identifies four wetlands and two ponds within the southern half of MD-3a (**Exhibit M**), and recommends to allow for development of conflicting uses but reduce impacts to the extent possible. At the applicant's request, preliminary on-site wetlands investigations were conducted by Schott & Associates in January 2019 (**Exhibit N**). That investigation identified six wetlands, one pond, two ditches, and portions of the Hopkins Irrigation Canal and Midway Creek within the planning unit. The conditions identified by Schott & Associates are preliminary assessments, and a complete delineation of any and all wetlands will need to be prepared and submitted to the Oregon Department of State Lands and the U.S. Army Corps of Engineers for concurrence prior to any development occurring within the areas identified as potential wetlands.

Conclusions

Satisfied. The plan includes a linear open space area that encompasses the locations and extent of the probable wetlands, the existing pond, Midway Creek, and the Hopkins Irrigation Canal. In order to minimize wetland impacts, the plan proposes only one crossing of Garrett Creek for the extension of Cheltenham Way. This criterion is satisfied.

Criterion 5.7 Compliance with applicable provisions of the Urban Growth Management Agreement.

Findings

The property is currently within the Urban Growth Boundary and is subject to the provisions in the Urban Growth Management Agreement (UGMA) as included in the Urbanization Element.

Applicable policies in the UGMA include the protection of agricultural land zoned Exclusive Farm Use (EFU) outside of the Urban Growth Boundary. There is land zoned EFU located along the east edges of the planning unit. The plan includes interim agricultural buffers along the full lengths of the abutting properties that are zoned EFU, and the applicants/property owners have stipulated that prior to any future zone change approvals, they will prepare interim agricultural buffer relocation agreements to be reviewed and approved by the City attorney, and record the approved agreements prior to any physical urban development occurring on the affected property.

Conclusions

Satisfied. Segments of the property are and will be subject to agricultural buffering standards which are included in the plan. This criterion is satisfied.

Criterion 5.8 Compliance with the terms of special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary, as detailed in the Urban Growth Management Agreement.

Findings

The annexation policies and Urban Growth Management Agreement as outlined in the Comprehensive Plan did not include special agreements or provisions for this planning unit. There were no stipulations included in the agreement for the inclusion of MD-3a into the Urban Growth Boundary.

Conclusions

Not Applicable. The applicant is not subject to additional requirements as outlined in the annexation and Urban Growth Management Agreement policies for the inclusion land into the Urban Growth Boundary. This criterion is not applicable to this planning unit.

***Criterion 5.9** Coordination with the Parks and Recreation Department for adherence to the Leisure Service Plan related to open space acquisition and proposed trail and path locations.*

Findings

The Leisure Services Plan indicates a shared-use pathway through the Garrett Creek greenway, and the plan accordingly includes a multi-use path through that area. Conversations between the applicants and the Parks and Recreation Department have occurred through the pre-application conference that took place in 2019, and most recently as a result of this formal application.

Conclusions

Satisfied. The plan includes a multi-use path along the Garrett Creek Greenway in accordance with the Leisure Service Plan, and the applicants have stipulated that they will coordinate with the Parks and Recreation Department on the future use, ownership, and maintenance of the multi-use path and open space. This criterion is satisfied.

***Criterion 5.10** Vicinity map including adjacent planning units and their General Land Use Plan designations.*

Findings

The applicants provided a map that identifies the General Land Use Plan designations for the adjacent portion of the MD-3c planning unit to the southeast. (**Exhibit O**). The abutting lands within MD-3c are designated CM, which will match the proposed GLUP designation at the southeastern most corner of MD-3a.

Conclusions

Satisfied. The applicants have provided a map showing the subject property in relationship to the adjacent and adjoining properties, including their General Land Use Plan designations. This criterion is satisfied.

***Criterion 5.11** Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.*

Findings

The applicants Neighborhood Circulation Plan Map (**Exhibit E**) that depicts the property lines of the lands within and adjacent to the planning unit. The applicants'

circulation plan allows for the extension of future streets to serve land to the north and east.

Conclusions

Satisfied. The required information has been provided by the applicant. This criterion is satisfied.

Criterion 5.12 Existing easements of record, irrigation canals, and structures.

Findings

Tentative plats (**Exhibit P**) for the properties proposed for concurrent annexation into the city were submitted with the application. The tentative plats are being processed through Jackson County, and will be approved prior to the annexation hearing on August 20, 2020. The plat for the approximately 30.2 acre parcel at the southeast corner of the planning unit indicates there is a power easement running the length of the east property boundary, the majority of which is designated as an interim agricultural buffer. The Rogue River Irrigation District's Hopkins Irrigation Canal runs in a loop through the southwest corner of the planning unit, and is fully within the area designated as open space in the plan. None of the proposed streets will impact the canal, and should any future development be proposed that would require alterations to the canal, coordination with the Irrigation District would be required. No comments have been received from the Irrigation District regarding this application. The Neighborhood Circulation Plan Map (**Exhibit E**) identifies seven parcels along the north boundary of the planning unit that have existing structures (primarily single-family residences). While these properties are included in the urbanization plan, they are not proposed for annexation, and any easements or other obstacles to development that may exist on those properties would necessarily be dealt with at the time they are proposed for annexation.

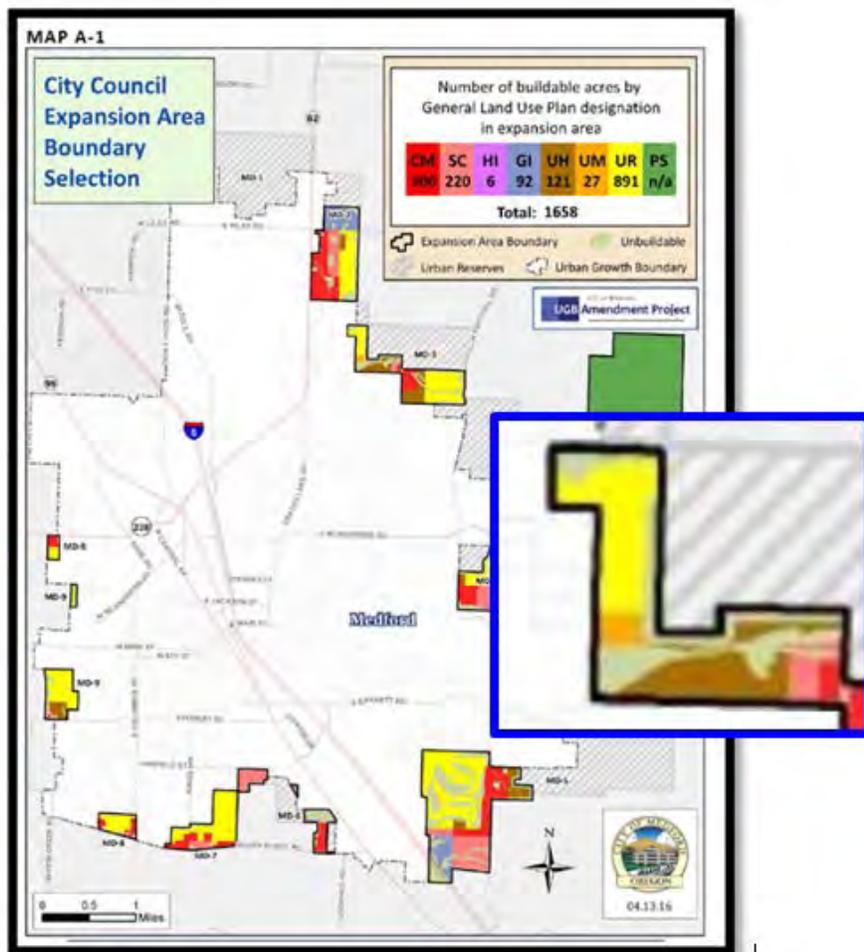
Conclusions

Satisfied. The applicant has provided documentation of existing easements and shown the location of existing irrigation canals and structures within the planning unit. This criterion is satisfied.

Criterion 5.13 Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.

Findings

The figure below is Map A-1 which is part of the Urban Growth Boundary Amendment project report adopted by City Council on August 18, 2016. The subject planning unit is enlarged and outlined in blue. The map outlines the unbuildable areas (green/grey color) within the planning unit, and include the area proposed in the plan as designated open space, agricultural buffers, and the existing structures at the north end of the area along Coker Butte Road.



Conclusions

Satisfied. The areas identified as unbuildable are primarily located within or abutting the plan's designated open space, are existing structures, or are within proposed interim agricultural buffers. This criterion is satisfied.

Criterion 5.14 Contour lines and topography.

Findings

The applicants have submitted a topographical and slope map (**Exhibit Q**) that was prepared by a licensed surveyor using two foot contour data. The only areas with slopes greater than 15 percent are located in or adjacent to the open space area, and none of those areas exceed 35 percent slope.

Conclusions

Satisfied. The applicants have provided a contour map showing the grade changes for the property, and there are no developable areas in the planning unit that would be subject to the City's Hillside Ordinance regulations. This criterion is satisfied.

Criterion 5.15 In the interest of maintaining clarity and flexibility for both the City of Medford and for landowners, no urbanization plan may be submitted with or contain the following items, which are only appropriate at the time of development:

5.15.1 Deviations from Municipal Code provisions, including exceptions to Chapter 10. This prohibition does not function to limit specific neighborhood circulation plan requirements hereinabove.

5.15.2 Limitations on development due to facility capacity shortfalls.

5.15.3 Architectural details.

5.15.4 Specifics about building types and building placement.

5.15.5 Access and internal circulation on prospective lots or development sites.

Findings

The applicant does not propose any deviations from the code, limitations on development due to capacity shortfalls, architectural details, building types or placement, or access points.

Conclusions

Satisfied. The proposed urbanization plan does not contain any of the above listed deviations or details that are inappropriate at this level of the planning stage. This criterion is satisfied.

Section 6 - GLUP AMENDMENTS

Criteria

6.1.1 Minor Spatial Adjustments: *If GLUP map amendments are proposed within the planning unit but the total acreage for each GLUP Map designation is not significantly changed, the urbanization plan can be the basis for GLUP amendments without the need for complex land supply analysis.*

6.1.2 Moderate Spatial Adjustments: *If land supply GLUP map amendments are proposed that change the spatial arrangement of GLUP designations beyond the boundary of a particular planning unit but maintain the total acreage for each GLUP Map designation within the applicable MD area that is now inside the UGB, then the urbanization plan shall be accompanied by a mapping analysis that explains how the total land use allocations are maintained by GLUP. Spatial exchanges of land use designations such as this shall be coordinated with other planning units in the MD and an analysis urban land use value equity shall be provided.*

6.1.3 Complex Spatial Adjustments: *More complex GLUP Map amendments that have the potential to alter the land supplies in more fundamental ways will typically require extensive city-wide and/or regional plan land supply analyses. This analysis shall demonstrate that both the urban land needs described in the City's Housing Element and Economy Element will be served and that the resulting amendment will continue to comply with all applicable provisions of the Regional Plan for the area specifically and the City as a whole.*

Findings

The applicants propose to change approximately 8.2 acres of land from the UH to the UR GLUP designation, with the required future zoning being SFR-10. This land area is located north of Garrett Creek in the southern portion of the planning unit, and is identified as "Sub-Area 4" on the Neighborhood Plan Map (**Exhibit A**). The 2016 UG Amendment identified approximately 3.2 acres in this area as being buildable land, with wetlands to the south and an agricultural buffer to the north. However, the theoretically buildable area is actually too narrow to accommodate new streets and development. Additionally, the applicants discovered during the preparation of this urbanization plan that the area has a very shallow depth to bedrock that will make development of sizable multi-family buildings infeasible.

Changing the GLUP in this area to UR with a required zoning of SFR-10 will allow for the development of a mix of townhomes and/or cottages, which are product types that can be more readily built given the site constraints. The applicants own the

property immediately to the north which is outside of the UGB and have proposed to relocate the interim agricultural buffer in this area to their property outside of the UGB in order to create more buildable area; however, the resulting buildable area is still too constrained to accommodate multi-family development once streets, buildings, parking areas, etc. are accounted for given the minimum 15 units per acre that would have to be built under MFR-20 zoning. At 15 units per acre, the original 3.2 acres of buildable land would equate to 48 dwelling units, while the expanded buildable area made possible by the relocation of the interim agricultural buffer would equate to 40 units (6 units/acre minimum under SFR-10 zoning). This difference of 8 fewer units is balanced out in the end by the proposed plan's commitment to a minimum of 443 dwelling units, or 9 more than anticipated under the UGB amendment process and as detailed under Criterion 5.1.

The applicants also propose to change the arrangement of the areas with GLUP designations of Service Commercial (SC) and Commercial (CM). The plan calls for the amount of SC designated land to be reduced by approximately 2.21 acres, and for the CM designated land to be increased by approximately 2.21 acres. This results in two equally sized areas with the CM land being at the southeast corner of the planning unit with lengthy frontages along Owen Drive and the future McLoughlin Drive. These areas are identified as "Sub-Areas 6 and 7" on the Neighborhood Plan Map.

The SC land is proposed on the north side of the CM land and backs up to the Garrett Creek Greenway. There is a good amount of overlap in the types of development that can occur on properties with CM and SC GLUP designations, and it is therefore possible that in the end all of the CM and SC land could be developed with the same use types.

Detailed maps of the existing GLUP designations and the proposed GLUP amendments have been provided by the applicants (**Exhibit R**). While the proposed GLUP amendments result in UH and SC acreage reductions, they can be considered Minor Spatial Adjustments because the acreage of each GLUP designation is not significantly changing. Additionally, the net outcome will effectively be the same in terms of the total number of dwelling units and the types of commercial development that can be built within the planning unit area. Upon approval by City Council, the City's General Land Use Plan map will be updated to reflect the modifications to the Urban High Density Residential, Urban Residential, Service Commercial, and Commercial boundaries.

Conclusions

Satisfied. The applicant proposes to modify the location of the GLUP designations within the planning unit as proposed in the application and the above map. The

approval of the Urbanization Plan provides for this GLUP adjustment without the need for a separate GLUP Amendment process. The changes represent a Minor Spatial Adjustment that the City Council can approve with this application. This criterion is satisfied.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are satisfied, forward a favorable recommendation to the City Council per the staff report dated June 18, 2020, including Exhibits A through R for approval of UP-20-095, and adopting Exhibit B into the Neighborhood Element of the Comprehensive Plan.

EXHIBITS

- A Applicants' Neighborhood Plan Map
- B Neighborhood Element Amendment
- C Applicants' Findings of Fact & Conclusions of Law
- D Summary Residential Density Calculator Spreadsheet
- E Applicant's Neighborhood Circulation Plan Map
- F Public Works Department Comments dated June 12, 2020
- G Jackson County Roads Comments dated May 5, 2020
- H Rogue Valley Sewer Services Comments dated May 5, 2020
- I Parks & Recreation Department Comments dated June 10, 2020
- J Medford Water Commission Comments dated May 27, 2020
- K Medford Building Safety Department Comments dated May 27, 2020
- L Medford Fire-Rescue Comments dated May 27, 2020
- M Local Wetland Inventory Maps
- N Applicants' Wetland Determination Report
- O Applicants' Map of Existing GLUP Designations
- P Applicants' Tentative Plats for Properties to be Annexed
- Q Applicants' Topography/Slopes Map
- R Applicants' Detailed Comparison Map of GLUP Changes
Vicinity Map

PLANNING COMMISSION AGENDA:

JUNE 25, 2020

2. CHILSONRISE NEIGHBORHOOD URBANIZATION PLAN MAP



Medford Comprehensive Plan
Chapter 10

Neighborhood Element

Introduction

The divisions of this chapter are special area plans that have been adopted by the Council. Two plans are incorporated by reference; three others are incorporated into this document.

Contents

Introduction	1
10.1 Southeast Plan	2
10.2 Southeast Circulation Plan	17
10.3 Bear Creek Master Plan	40
10.4 Urbanization Planning.....	41
10.5 Liberty Park Neighborhood Plan.....	52
10.6 Adopted Urbanization Plans	
1. Planning Unit MD-7c (NW corner of South Stage Road and Kings Highway)	
2. <u>Planning Unit MD-5f (South of Juanipero Way and West of North Phoenix Road)</u>	
3. <u>Planning Unit MD-3a (South of Coker Butte Road, North or Owen Drive, and East of Springbrook Road)</u>	



URBANIZATION PLAN FOR PLANNING UNIT MD-3a
Adopted by Medford City Council on _____, 2020; Ordinance no. 2020-XX

"CHILSONRISE NEIGHBORHOOD URBANIZATION PLAN"

Chilsonrise Neighborhood Plan Table of Contents

1. Chilsonrise Neighborhood Vision and Opportunities	2
1.1. Creating Opportunities Out of Physical Constraints.....	2
1.2. High Density Corridor on Owen Drive.....	3
1.3. Multi-Use Path	3
1.4. Commercial/Service Commercial Market Opportunities.....	3
1.5. Neighborhood Urban Design Considerations.....	3
1.6. Relationship to Existing and Planned Development in Northeast Medford	3
2. Chilsonrise Neighborhood Urbanization Plan Map	5
3. Land Use Designations and Market Position Analysis.....	6
3.1. GLUP Arrangement Narrative.....	6
3.2. Density Obligations Narrative.....	6
3.3. Urban Residential GLUP and Zoning for Single-Family Residential	6
3.4. Urban Medium Density Residential GLUP	7
3.5. Urban High Density Residential GLUP and Zoning for High Density Residential	8
3.6. Service Commercial GLUP Map Designation.....	8
3.7. Commercial GLUP Map Designation.....	8
3.8. Garrett Creek Open Space.....	8
3.9. Hillside Overlay	9
4. Chilsonrise Neighborhood Transportation Planning.....	9
4.1. Cheltenham Way.....	9
4.2. Owen Drive.....	9
4.3. McLoughlin Drive	9
4.4. Hondeleau Lane.....	10
4.5. Local Street Discussion	10
4.6. McLoughlin Drive and Owen Drive Roundabout Discussion	10
4.7. TSP Projected Transportation Facility Capacity Discussion.....	11
4.8. Transit, Bicycle and Pedestrian Facilities	11
5. Chilsonrise Neighborhood Goals and Policies	12
6. Background and Reference documents:.....	13
6.1. Owner Consent Documentation and Application Forms	Reference Document 6.1
6.2. Technical Findings and Conclusions of Law	Reference Document 6.2
6.3. Neighborhood Meeting Documentation.....	Reference Document 6.3
6.4. Atlas of Maps	Reference Document 6.4
6.5. Public Facilities and Services Technical Memo	Reference Document 6.5
6.6. Density Obligations Calculations Technical Memo.....	Reference Document 6.6
6.7. Agricultural Buffer Relocation Legal Documentation.....	Reference Document 6.7

1. CHILSONRISE NEIGHBORHOOD VISION AND OPPORTUNITIES

The Chilsonrise Neighborhood Plan has been developed through cooperative planning efforts by the two largest landowners in the planning area, Veritas Properties LLC and Steven Skinner; a list of all the acreages and ownerships at the time the plan was developed is provided in the Ownerships Background document, see Section 6. The Veritas and Skinner ownerships comprise ~89.5 percent of the total planning area. The planning area is identified in the City’s Urbanization Planning Areas Map as MD-3a. MD-3a is a subarea of the much larger Urban Reserve area that was analyzed, and ultimately planned as an Urban Reserve, through the Regional Problem Solving (RPS) planning process. In 2017, the City of Medford included the “MD-3a” area along with the “MD-3c” area into its Urban Growth Boundary. Approximately half the MD-3 Urban Reserve area remains outside the Urban Growth Boundary (UGB). The inclusion of this area into Medford’s UGB was acknowledged by the State of Oregon in 2018.

Following the 2017 UGB amendment, the City of Medford established criteria and identified sub-areas for Urbanization Planning. The City adopted an updated Transportation System Plan (TSP) at the end of 2018. The new TSP planned transportation facilities for the areas added to the UGB in 2017 and considered the planned land uses for the areas added to the UGB.

The Chilsonrise Neighborhood Plan is the Urbanization Plan for the MD-3a sub-area. It has been developed to comply with the Urbanization Plan criteria and to implement the TSP. The Plan provides a vision that balances planned land uses and transportation improvements with the physical conditions of the site, existing and planned land uses for the area, and market potential.

1.1. CREATING OPPORTUNITIES OUT OF PHYSICAL CONSTRAINTS

The Chilsonrise Neighborhood is constrained by the following physical and environmental conditions:

- Rogue River Irrigation District’s Hopkins Canal meanders through the southwest corner of the area.
- A creek cuts across the plan area running from east to west, separating the southern ~34 ½ acres of the neighborhood from the northern ~54 acres. The creek is mapped with different naming conventions, primarily being called Midway Creek or Garrett Creek. This plan refers to the creek as Garrett Creek as it empties into the Garrett Creek drainage on the west side.
- There are potential wetlands in the low-lying areas of the site near the creek and adjacent to irrigation features.
- There is a rock outcrop and shallow depth to bedrock in the northwest corner of Tax Lot 1000.

All the above constraints affect the potential urban form of the Chilsonrise Neighborhood. These features cross through the middle of the neighborhood planning area. The plan seeks to design around these features and retain them as natural area open space in the plan. The Garrett Creek Greenway also presents opportunities for targeted wetland mitigation in MD-3a and perhaps as a site for additional mitigation from development elsewhere in the City. Portions of the area may also be well-suited for storm drainage detention to be integrated with other hydric open space uses for a more natural open space experience. The Garrett Creek Greenway will become a natural area amenity to the neighborhood. The proposed higher-order street arrangement advances this concept by minimizing crossings of the Garrett Creek Greenway.

1.2. HIGH DENSITY CORRIDOR ON OWEN DRIVE

The area between Owen Drive and Garrett Creek Greenway is planned for High Density Residential in the GLUP Map that was adopted through the City's UGB amendment process. The adjacent Garrett Creek Greenway will provide open space proximity for people living in multi-family housing in this area. The Garrett Creek Greenway also provides a natural separation from the medium density and single-family densities in the northern part of the neighborhood. The center of the high-density area is about a third of a mile from RVTID's Route 26. Owen Drive is a minor arterial in this location and separates high density residential from the single-family densities to the south. It will provide excellent bike and pedestrian access to commercial areas to the west. For kids in the neighborhood, a single crossing of Owen Drive is all that would be required to walk or bike to Lincoln Elementary School at a distance of about half a mile. The rest of the route can be biked or walked by kids through the Delta Estates Subdivision on well-connected local streets with relatively low traffic volumes and speeds.

1.3. MULTI-USE PATH

The City's Leisure Services Plan depicts a multi-use path along the Garrett Creek Greenway. The Chilsonrise Neighborhood Plan depicts this multi-use path. This path will create an active recreation and bike/ped transportation facility to derive further benefits from the Greenway. The path west of Cheltenham is contemplated to be co-located with the Rogue River Irrigation District's maintenance road; this area is narrow between the location where future streets will need to go and the irrigation canal maintenance road. It is anticipated that the City, the District and a future developer will need a coordinated management plan this portion of the path.

1.4. COMMERCIAL/SERVICE COMMERCIAL MARKET OPPORTUNITIES

An array of market opportunities may arise for the commercial and service commercial land uses in the southeast corner of Tax Lot 1000 as the plan is implemented. Medford's commercial and service commercial zoning regulations are flexible and allow for multi-family, commercial office, retail and many institutional uses as either permitted or conditional uses. This site could be desirable for many of these uses as the neighborhood plan is implemented. The flexibility of Medford's commercial use regulations will allow this area to respond to market conditions as opportunity arises and the land use plan for the neighborhood will assure that the most intensive land uses will be located nearest to the planned higher-order intersection within the neighborhood.

1.5. NEIGHBORHOOD URBAN DESIGN CONSIDERATIONS

The Chilsonrise Neighborhood Plan does not propose design themes or architectural standards. Medford's Urbanization Plan criteria 5.15 arguably prohibits these. Nevertheless, implementation of the Chilsonrise Neighborhood Plan may ultimately benefit from neighborhood-specific development or architectural design standards. Refinement plans may be appropriate as urban design implementation unfolds.

1.6. RELATIONSHIP TO EXISTING AND PLANNED DEVELOPMENT IN NORTHEAST MEDFORD

Lands to the north across Coker Butte Road were not added to the UGB in the 2017. Lands south of Coker Butte and east of the planning area were also not part of the UGB amendment. These areas remain Urban Reserve. It is expected that these areas will retain the rural land use character as the Chilsonrise Neighborhood Plan is building out, but future urbanization must be considered as they are Urban Reserve.

City of Medford Comprehensive Plan
Chapter 10 Neighborhoods
Division X Chilsonrise Neighborhood Urbanization Plan

It is not expected that the Chilsonrise Neighborhood Plan will adversely affect future urbanization of any of those lands. The plan proposes specific changes to the future alignment of McLoughlin Drive north of its intersection with Owen Drive, see Section 4 below for more detailed discussion of that issue.

Lands to the southeast of the MD-3a planning area were also added in the 2017 UGB Amendment as Planning Area MD-3c. This area is being planned as the “Autumn Hills” Neighborhood. These two Urbanization Plans have been coordinated and are intended to complement one another. Importantly, the Autumn Hills plan implementation will extend Owen Drive all the way to Foothill Road.

Lands to the south across Owen Drive are comprised of the phases of a single-family neighborhood, the Delta Estates Subdivision. By virtue of the GLUP Map designations applied during the UGB process, Owen Drive and two storm detention ponds serve to separate the multi-family in the Chilsonrise Neighborhood from the single-family to the south.

Lands to the west are a mix of single-family vacant land designated medium density. The single-family off of Sharman Way is separated from the multi-family by the detention ponds for Delta Estates. The medium density is near the medium density on Tax Lot 500 to the west. The remaining portion of the Chilsonrise Neighborhood is single-family and adjacent to other single-family to the west.

2. CHILSONRISE NEIGHBORHOOD URBANIZATION PLAN MAP



3. LAND USE DESIGNATIONS AND MARKET POSITION ANALYSIS

The overall land use arrangement proposed in the Chilsonrise Neighborhood Urbanization Plan reflects minor adjustments to the arrangement adopted through the Urban Growth Amendment process. This section analyzes the proposed Urbanization Plan by GLUP. Summary analysis is provided for areas where GLUP changes are proposed as well as for key Urbanization Plan criteria; see the Technical Findings and Conclusions of Law document for specific detailed findings and analysis concerning applicable criteria.

3.1. GLUP ARRANGEMENT NARRATIVE

The General Land Use Plan (GLUP) Map arrangement retains, for the most part, the land use arrangement originally applied to the planning area in the UGB amendment process. The Commercial and Service Commercial areas have been slightly reconfigured and acreages adjusted to focus the Commercial on the higher traffic areas of Owen Drive with the Service Commercial further to the north between the Commercial and Open Space area. The other change is from UH to UR north of Garrett Creek. High density multi-family development would be confronted with significant challenges from a constructability standpoint in this area.

The resulting plan has a nice mix of single-family on the gently sloped lands and the tighter areas along the northern boundary of the UGB area with medium and high density housing on the north and south sides of the open space area. The commercial areas are located near to the only highest volume intersection in the planning area. Each of the land uses are analyzed and described in subsequent sections.

3.2. DENSITY OBLIGATIONS NARRATIVE

Expressed in dwelling units, the UGB amendment process assumed that the MD-3a area would provide ~434 dwelling units. When developed at the minimum densities under the zoning designations required by the Chilsonrise Neighborhood Urbanization Plan, the plan will deliver ~443 dwelling units. Applying the minimum density for each zone specified for the planning areas in the plan and after properly accounting for the additional land as a result of the Ag Buffer relocation, the plan will yield at least 9 more dwelling units than projected for the planning area during the UGB process. Detailed analysis of the City's criteria for Urbanization Plan density obligations are provided in the Density Obligation Calculations, Reference Document 6.6.

3.3. URBAN RESIDENTIAL GLUP AND ZONING FOR SINGLE-FAMILY RESIDENTIAL

The plan includes areas for standard single-family in Sub-Area 1 of the plan and "small-lot" single-family/duplex/townhomes in Areas 2 and 4 of the plan. The Urban Residential acreage is approximately 41.5 acres.

Sub-Area 1 of the plan is required to be zoned SFR-6. This standard single-family zone is located in the northern portion of the planning area. There is more topographic relief in Sub-Area 1 so it is a logical place for standard single-family development which can overcome topographic challenges more easily than many other types of development. This also locates new single-family development adjacent to existing single-family zoning and development to the west. Standard lots in this portion of the City have been demanded by the market in recent years as evidenced by the build-out of the Delta Estates Subdivision. Many of the homes in this area should have views to the south towards Mount Ashland and Wagner Peak.

SFR-4 would be allowed in this area in the future if it is accompanied with a density analysis that shows that actual constructed densities elsewhere in the Chilsonrise Neighborhood Plan Area have exceeded minimum densities to a degree that some SFR-4 can be zoned and still remain in compliance with the density obligations for the planning area.

Sub-Area 2 is planned as a SFR-10 zoning area that allows small-lot single-family as well as duplex, cottage, and townhome style housing development. This area functions as a transition block between the standard single-family in Sub-Area 1 to the medium density multi-family in Sub-Area 3. SFR-6 would also be allowed in this area in the future if it is accompanied with a density analysis that shows that actual constructed densities elsewhere in the Chilsonrise Neighborhood Plan Area have exceeded minimum densities to such a degree that SFR-6 can be applied to some areas and still remain in compliance with the density obligations for the planning area. From a market standpoint, it is expected that there is demand for smaller units that would be attractive to first-time home buyers, rental investors and people looking to downsize.

Sub-Area 4 is also planned to be zoned SFR-10. SFR-10 zoning allows small-lot single-family as well as duplex, cottage, and townhome style housing development. SFR-10 is one of the City's most flexible zoning districts and this flexibility is critical for urban design in this area. Even after a portion of the Agricultural Buffer is relocated outside the UGB to the north, this area is still challenging to develop. The eastern end of Sub-Area 4 is only 160 feet deep. By the time a half street is constructed (really a $\frac{3}{4}$ street) that leaves an area that would work well for small lots with small dwellings that could still have reasonably sized backyards. The one area that is wider in the northeast corner of Sub-Area 4 is impacted by shallow depth to bedrock. The flexibility of the SFR-10, potentially applying the PUD ordinance as well, would allow for the arrangement of "skinny streets" and houses with small footprints. This would allow for more complex design work based upon detailed geotechnical work that would occur prior to development design so that cuts and fills can be designed around bedrock and minimize the need for large-scale filling and/or extensive bedrock cutting. If the relationship to the Garrett Creek Greenway is fostered during the urban design process, there is an opportunity to create a development area with a small-scale built environment that is complemented by open space amenities to create a desirable market position.

3.4. URBAN MEDIUM DENSITY RESIDENTIAL GLUP

Sub-Area 3 is planned as Urban Medium-Density Residential (UM) during the UGB process and no changes the GLUP Map in this area are proposed. The Urban Medium Density residential Plan area is approximately 6.3 acres. The area would be zoned MFR-15 as that is the only zone that corresponds to the UM GLUP Map designation. Relocation of the Agricultural Buffer outside the UGB increases the "planning calculation" buildable acreage by ~.8 acres, from ~4.3 acres to ~5.1 acres. However, streets are allowed in the Agricultural Buffer and most of the relocated Agricultural Buffer area will necessarily be used up by local streets to attain required block lengths and connectivity. Four to five acres is an appropriate size for a cohesive medium density development in a transition area from single-family to the north and west to the higher densities to the south. Medium density developments can be challenging from an economic feasibility standpoint and the market viability tends to vary over time. The size of the area is relatively small so it is expected that favorable market conditions will arise during the planning period to support plan implementation. The proximity to the Garrett Creek Greenway open space should also enhance market acceptance when opportunities for this housing type arise.

3.5. URBAN HIGH DENSITY RESIDENTIAL GLUP AND ZONING FOR HIGH DENSITY RESIDENTIAL

Sub-Area 5 was planned as urban High-Density Residential (UH) during the UGB process and no changes to the UH high density GLUP Map are proposed in this area. The Urbanization Plan allows either of the two multi-family residential districts for this area, either the MFR-30 zoning or the MFR-20 zoning. The Urban High Density acreage is approximately 32.6 acres (including adjacent right-of-way on Owen Drive); most of the Open Space area is located in the UH designation and this is consistent with assumptions made in the UGB amendment. This area slopes gently to the north toward Garrett Creek. This gentle slope tends to be ideal for efficient building designs and parking lot layouts associated with higher density multi-family uses. A major consideration for higher density uses is proximity to transit. RVTD's Route 26 is just over a third of a mile away. This area is also a reasonable walking distance to Lincoln Elementary School. This high-density area will back up to the Garrett Creek Greenway which will provide a natural amenity. This area is also located nearest to the commercial designated areas which may create opportunities for interaction between commercial uses and higher density residential uses. All these factors combine to create an opportunity for higher-density residential development that should exhibit some market demand.

3.6. SERVICE COMMERCIAL GLUP MAP DESIGNATION

Sub-Area 6 of the plan is Service Commercial and has a single zoning designation associated with it, C-S/P. The Service Commercial area is approximately 4.6 acres. This zoning district supports office commercial uses and some retail uses. It allows multi-family residential as well. The zoning district is relatively flexible and allows for a variety of urban land uses. Market demands for residential or office uses would be expected to occur earlier in the development cycle and market demand for more retail-oriented uses will increase as build-out of Delta Estates Subdivision, Autumn Hills, and Chilsonrise occurs over time.

3.7. COMMERCIAL GLUP MAP DESIGNATION

Sub-Area 7 of the plan is Commercial and is planned to be zoned Community Commercial C-C. The Commercial area of the plan is approximately 4.9 acres. This zoning district supports retail uses and allows for office and commercial uses. It also allows multi-family residential. The zoning district is relatively flexible and allows for a variety of urban land uses. Market demands for residential or office uses would be expected to occur earlier in the development cycle and market demand for more retail-oriented uses will increase as build-out of Delta Estates Subdivision, Autumn Hills, and Chilsonrise occurs over time. This may also be an opportunity for some live-work development patterns that would allow smaller retail and commercial office lots with accessory housing.

3.8. GARRETT CREEK OPEN SPACE

The plan includes an area planned as a greenway centered on Garrett Creek. This area is planned for land uses properly considered as "Open Space" under the Regional Plan. Residential and commercial structural development in the greenway area is not planned as allowed uses. Structural development associated with public, quasi-public, development common buildings, or institutional uses are planned to be allowed. Natural and man-made open space uses are planned to be allowed in this area; use examples would include detention ponds, natural wetlands, wetland mitigation sites, and multi-use trails.

3.9. HILLSIDE OVERLAY

The Atlas of Maps includes a slopes map that identifies the Hillside Overlay area where future development would be subject to the City's Hillside Development Ordinance.

4. CHILSONRISE NEIGHBORHOOD TRANSPORTATION PLANNING

This section discusses the transportation planning issues for the planning area.

4.1. CHELTENHAM WAY

The City's Transportation System Plan (TSP) depicts the extension of Cheltenham Way to the north across Garrett Creek. The TSP classifies the section of Cheltenham Way between Owen Drive and Coker Butte Road as a Minor Collector. The Urbanization Plan adjusts the alignment to the east somewhat, from the unrefined connectivity location depicted in the TSP, to the most logical and least environmentally impactful location for the stream crossing. The plan expects to apply the City's standard minor collector cross-section for Cheltenham Way except at the stream crossing location where the cross-section would be reduced to eliminate planter strips; other crossing specific changes would be evaluated at the time of development permits for the crossing design. Adjusting the alignment to the east also has the advantage of improving sight distance by moving any future intersection of Cheltenham Way with Coker Butte Road away from the crest of the hill on Coker Butte Road, for whenever that future connection is ultimately created. The precise crossing location and alignment will be refined through the development design process as there is a complicated design balance between centerline radii, design speed, super-elevations and the crossing location.

4.2. OWEN DRIVE

The City's Transportation System Plan (TSP) depicts Owen Drive as a Minor Arterial. Implementation of the Chilsonrise Neighborhood Plan will build-out the remaining portion of Owen Drive not being constructed as part of the Delta Estates Subdivision. Two projects by others outside of the Planning Area are required to complete the Owen Drive Corridor. West of the MD-3a planning area there is a ~380-foot gap in Owen Drive that is planned for construction as a short-term Tier 1 project. Owen Drive is planned to continue east to meet Foothill Road. Once both are completed Owen Drive will connect Highway 62 with Foothill Road.

4.3. MCLOUGHLIN DRIVE

The City's Transportation System Plan (TSP) depicts the extension of McLoughlin Drive to the north across Garrett Creek. The TSP classifies the section of McLoughlin Drive between Owen Drive and Coker Butte Road as a Major Collector. The Urbanization Plan adjusts the alignment to the east somewhat, from the location depicted in the TSP. The TSP simply plots McLoughlin Drive directly north of its intersection with Owen Drive. The alignment depicted in the TSP is problematic from an environmental perspective. The TSP alignment appears to run directly within the Garrett Creek drainage and wetland area. It is expected to be challenging, or even impossible, to get State and Federal removal-fill permits for the alignment shown on the TSP when an alternative alignment a short distance to the east would substantially reduce potential wetland impacts. For this reason, the Urbanization Plan aligns the McLoughlin Drive extension by curving east, north of its intersection with Owen Drive.

4.4. HONDELEAU LANE

The City's Transportation System Plan (TSP) depicts the extension of Hondeleau Lane from the west across the Chilsonrise Neighborhood to connect outside the UGB with the future extension of McLoughlin Drive and Cheltenham Way. The TSP classifies the section of Hondeleau Lane between Springbrook Road and McLoughlin Drive as a Minor Collector. The plan expects to apply the City's standard minor collector cross-section for Hondeleau Lane.

4.5. LOCAL STREET DISCUSSION

The Chilsonrise Neighborhood Urbanization Plan does not plan local streets. However, there are a number of factors about this urbanization planning area that will dictate future local street locations to a significant degree, including the following:

- There are four existing street stubs on the west property boundary. Future local streets will need to extend these street stubs eastward.
- The "L" shape of the area combined with the Garrett Creek Greenway area limits connectivity locations north of Garrett Creek to connect with the proposed crossing location at the Cheltenham Way extension location.
- The irrigation canal, wetlands and Garrett Creek drainage significantly affect north-south local street connectivity.

The planned Cheltenham Way crossing is approximately equidistant from the planned Springbrook Road crossing and the planned McLoughlin Drive extension crossing, at a distance of about 1,500 feet. As such, when the full transportation network in this area is ultimately constructed, and under the current UGB boundary conditions, the maximum out-of-direction travel is around 750 feet. This is a relatively small out-of-direction travel configuration given the environmental constraints in the area. Two additional crossings would be required to reduce the distance by half both directions. A reduction potential on the order of 325 feet does not balance against the great expense and environmental impacts of additional local street crossings of the Garrett Creek Greenway. Therefore the location of the Neighborhood Plan's single crossing of Cheltenham Way is sufficient to supply adequate north-south street connectivity across the Garrett Creek Greenway.

4.6. MCLOUGHLIN DRIVE AND OWEN DRIVE ROUNDABOUT DISCUSSION

The coordinated urbanization planning of the Chilsonrise Neighborhood and the Autumn Hills Neighborhood has raised the question of future traffic control measures along Owen Drive. Preliminary investigations reveal that a roundabout location at the future intersection of McLoughlin Drive and Owen Drive may make sense. Roundabouts are efficient from a traffic operations standpoint. Roundabouts are cost-effective to maintain and they can be cost-effective to construct if they are planned well in advance, before structural development occurs within a future roundabout footprint which escalates right-of-way costs dramatically.

Phase 8b of the Delta Estates Subdivision has tentative plat approval and will construct the southwest corner of this intersection. The lot on the southwest corner of the intersection is occupied by a recently constructed cell tower. As such, some right-of-way constriction has already occurred. However, with three corners of the intersection still unoccupied and planter strips on the southwest corner that could be sacrificed to accommodate a new roundabout footprint, future roundabout cost control is still an option.

The urbanization plan recommends further coordination between the two urbanization plans in MD 3 and City traffic engineering on the roundabout question. This transportation planning evaluation should be prioritized so that a roundabout determination is made by the City well in advance of development approvals in the area.

4.7. TSP PROJECTED TRANSPORTATION FACILITY CAPACITY DISCUSSION

The recently adopted TSP projected future traffic volumes to 2038 assuming urban development of the areas added to the UGB in 2017 as well as the GLUP Map amendments completed through the “internal study area” process. TSP Figures 3A and 3B of Appendix H depict the intersection capacity analysis results in and around the Chilsonrise Neighborhood with the planned mitigations and improvements identified and planned by the TSP.

Figure 3B depicts intersections in the immediate vicinity. With planned improvements in the TSP, Figure 3B indicates transportation facilities will be adequate in the area immediately around the Chilsonrise Neighborhood.

Figure 3A shows four intersections south of Delta Waters not meeting applicable mobility standards:

- Poplar Drive/Bullock Road with Highway 62
- Biddle with Hilton/Crater Lake Ramp connector
- N Pacific Highway with West Table Rock Road
- Highway 99/Riverside/Court St with Highway 62/Highway 238

Figure 3A also shows Vilas and Highway 62 (old highway) not meeting applicable mobility standards.

The projected facility operational capacities immediately around the neighborhood is a significant positive. The intersections projected to exceed applicable standards are about two miles from the centroid of the neighborhood. At these intersection locations, the direct traffic impacts from the neighborhood’s development is starting to diffuse and impacts at those intersections would occur as more of a regional growth function contributor than a direct impact.

4.8. TRANSIT, BICYCLE AND PEDESTRIAN FACILITIES

The Chilsonrise Neighborhood is planned for alternative transportation modes and facilities. Development throughout the neighborhood will have sidewalks and the City’s block standards will assure appropriate local street connectivity. A multi-use path or trail is planned along the Garrett Creek Greenway. Owen Drive is planned to have dedicated bike lanes. RVTD Route 26 is approximately a third of a mile from the center of the neighborhood at the planned crossing of Garrett Creek at Cheltenham Way.

5. CHILSONRISE NEIGHBORHOOD GOALS AND POLICIES

Goal CN1: The city will work with property owners and affected agencies to advance implementation the Neighborhood's Land Use Plan and provide flexibility where appropriate.

Policy CN1-1: Apply the zone designations set out by Area in the plan, allow the lower of the two described densities in the plan only where analysis shows that actual delivered densities have exceeded minimums and the committed number of dwelling units in the planning area will not be reduced below the amount required in to satisfy Urbanization Plan Criterion 5.1.

Policy CN1-2: Consider Initiating Development Code Amendments for sub-area specific design or development standards for one or more of the Chilsonrise Neighborhood subareas if the owner of a sub-area requests one or more amendments. Initiation of the amendment request shall not require the City to ultimately the adopt the code amendments.

Policy CN1-3: At the time of a future UGB amendment adding land from MD-3, give appropriate consideration to the MD-3a owners who provided open space in MD-3a in excess of their proportionate regulatory share.

Goal CN2: The City will work with property owners and affected agencies to advance implementation of the Neighborhood's Transportation Planning and provide flexibility where appropriate.

Policy CN2-1: Coordinate with Rogue River Irrigation District to co-locate the proposed multi-use path with the Hopkins Canal Maintenance Road if possible.

Policy CN2-2: Consider updates to the TSP to adjust the higher order street extension alignments of Cheltenham Way and Mcloughlin Drive identified in the Chilsonrise Neighborhood Plan.

Policy CN2-3: Consider updates to the TSP to evaluate intersection treatment options at the intersection of Mcloughlin Drive and Owen Drive to determine if a roundabout is the best option.

6. BACKGROUND AND REFERENCE DOCUMENTS:

The documents described below provide the foundational information for development of Sections 1 through 5 of the Chilsonrise Neighborhood Urbanization Plan. These documents were included with the Urbanization Plan submittal in Planning File No. UP-20-00095. These documents are Comprehensive Plan Reference Documents and are not intended to be included in the main body of the Comprehensive Plan, but may be used to explain or interpret the language in Sections 1 through 5 of the Chilsonrise Neighborhood Urbanization Plan. See also the City Council's adopting ordinance for Planning File No. UP-20-00095.

6.1. OWNER CONSENT DOCUMENTATION AND APPLICATION FORMS

A Type 4 Application Form and Agent Authorization provided by property owners who own a majority of the land area in MD-3a. Also, included is documentation of the process undertaken by CSA Planning Ltd. to coordinate with other property owners in the planning area. These materials are provided as Reference Document 6.1

6.2. TECHNICAL FINDINGS AND CONCLUSIONS OF LAW

Findings of fact and conclusions of law are provided as Reference Document 6.2.

6.3. NEIGHBORHOOD MEETING DOCUMENTATION

The neighborhood meeting requirement was completed. Documentation on the Neighborhood Meeting is provided as Reference Document 6.3

6.4. ATLAS OF MAPS

Maps to illustrate plans and provide information in support of the Neighborhood Plan.

6.5. PUBLIC FACILITIES AND SERVICES TECHNICAL MEMO

Tech Memo on Public Facilities and Services prepared by CSA Planning Ltd. and provided as Reference Document 6.5.

6.6. DENSITY OBLIGATIONS CALCULATIONS TECHNICAL MEMO

Tech Memo prepared by CSA Planning Ltd. explaining methodology and analysis of compliance with applicable density obligation criteria and provided as Reference Document 6.6.

6.7. AGRICULTURAL BUFFER RELOCATION LEGAL DOCUMENTATION

Tech Memo on Public Facilities and Services prepared by CSA Planning Ltd. and provided as Reference Document 6.7.

**BEFORE THE CITY COUNCIL
FOR THE CITY OF MEDFORD
JACKSON COUNTY, OREGON**

**IN THE MATTER OF AN)
URBANIZATION PLAN AND)
GENERAL LAND USE PLAN)
DESIGNATION APPROVAL FOR THE)
MD-3a URBANIZATION AREA)
LOCATED IN TOWNSHIP 37 SOUTH,)
RANGE 01 WEST, SECTIONS 08 AND)
08BA WITHIN THE MEDFORD'S)
URBAN GROWTH BOUNDARY AND)
LOCATED IN UNINCORPORATED)
JACKSON COUNTY, OREGON)**

**PROPOSED TECHNICAL
FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

**Chilsonrise Neighborhood Plan
Reference Documents 6.2**

Owner/Applicants: Steven Skinner)
Veritas Properties LLC)
Agent: CSA Planning, Ltd.)

I

SCOPE AND NATURE OF APPLICATION

The majority area property owners of urbanization planning area MD-3a (henceforth Applicants) request the City initiate a legislative amendment to its comprehensive plan and approve the proposed Chilsonrise Neighborhood Urbanization Plan for the MD-3a Urbanization Area in Township 37 South, Range 1 West, Sections 08 and 08BA. The proposed Urbanization Plan is submitted with the findings of fact and conclusions of law offered herein. These findings of fact and conclusions of law explain how the proposed Urbanization Plan and associated General Land Use Plan (henceforth GLUP) Map amendments can be found to comply with the applicable criteria.

The draft plan has been formatted and structured in a manner that will allow it to be placed in the City's Neighborhoods Element of the Comprehensive Plan. This approach is consistent with the guidance provided in the City's adopted criteria.



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
Majority Owners: Steven Skinner and Veritas Properties LLC

II

PLAN AND REFERENCE DOCUMENTS

The City Council concludes the Plan’s content and reference documents are evidence upon which findings of fact and conclusions of law may be reached herein. The Chilsonrise Neighborhood Plan is incorporated herein and the Table of Contents is reproduced below for reference:

- 1. **Chilsonrise Neighborhood Vision and Opportunities** 2
 - 1.1. Creating Opportunities Out of Physical Constraints..... 2
 - 1.2. High Density Corridor on Owen Drive..... 3
 - 1.3. Multi-Use Path..... 3
 - 1.4. Commercial/Service Commercial Market Opportunities..... 3
 - 1.5. Neighborhood Urban Design Considerations..... 3
 - 1.6. Relationship to Existing and Planned Development in Northeast Medford 3
- 2. **Chilsonrise Neighborhood Urbanization Plan Map**..... 5
- 3. **Land Use Designations and Market Position Analysis**..... 6
 - 3.1. GLUP Arrangement Narrative..... 6
 - 3.2. Density Obligations Narrative..... 6
 - 3.3. Urban Residential GLUP and Zoning for Single-Family Residential 6
 - 3.4. Urban Medium Density Residential GLUP 7
 - 3.5. Urban High Density Residential GLUP and Zoning for High Density Residential 8
 - 3.6. Service Commercial GLUP Map Designation..... 8
 - 3.7. Commercial GLUP Map Designation..... 8
 - 3.8. Garrett Creek Open Space..... 8
 - 3.9. Hillside Overlay 9
- 4. **Chilsonrise Neighborhood Transportation Planning**..... 9
 - 4.1. Cheltenham Way..... 9
 - 4.2. Owen Drive..... 9
 - 4.3. McLoughlin Drive..... 9
 - 4.4. Hondeleau Lane..... 10
 - 4.5. Local Street Discussion 10
 - 4.6. McLoughlin Drive and Owen Drive Roundabout Discussion 10
 - 4.7. TSP Projected Transportation Facility Capacity Discussion..... 11
 - 4.8. Transit, Bicycle and Pedestrian Facilities 11
- 5. **Chilsonrise Neighborhood Goals and Policies**..... 12
- 6. **Background and Reference documents:**..... 13
 - 6.1. Owner Consent Documentation and Application FormsReference Document 6.1
 - 6.2. Technical Findings and Conclusions of LawReference Document 6.2
 - 6.3. Neighborhood Meeting DocumentationReference Document 6.3
 - 6.4. Atlas of MapsReference Document 6.4
 - 6.5. Public Facilities and Services Technical MemoReference Document 6.5
 - 6.6. Density Obligations Calculations Technical Memo.....Reference Document 6.6
 - 6.7. Agricultural Buffer Relocation Legal Documentation.....Reference Document 6.7



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
Majority Owners: Steven Skinner and Veritas Properties LLC

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The following are the relevant code sections and substantive criteria prerequisite to approving an Urbanization Plan application. The criteria are recited verbatim below and addressed specifically in Section V of this document:

MEDFORD LAND DEVELOPMENT CODE

10.220 Major Type IV Amendments

- (A) Major Type IV Amendments are those land use changes that have widespread and significant impact beyond the immediate area, such as changes capable of producing large volumes of traffic, changes to the character of the land use itself, or changes that affect large areas or involve many different ownerships. Major Type IV Amendments include:

- (8) Urbanization Plan

- (B) Major Type IV Amendment Approval Criteria.

Refer to the Review and Amendment section of the Comprehensive Plan, except in the case of the following four actions:

- (4) Urbanization Plan. Refer to Sections 5 and 6 in the Urbanization Planning Chapter in the Neighborhood Element.

- (C) Urbanization Plan Application Form.

An application for an Urbanization Plan shall contain the following items:

- (1) Written consent of the owner(s) within the planning unit per the Urbanization Planning requirements in the Comprehensive Plan.
- (2) Urbanization Plan map(s) drawn to scale that includes the Plan Contents found in Section 5 in the Urbanization Planning Chapter in the Neighborhood Element (20 copies).
- (3) One reduced copy of each size plan (8.5" x 11" and 11" x 17").
- (4) Electronic files in dwg format or shapefiles.
- (5) Vicinity map including other adjacent planning units and their General Land Use Plan designations.
- (6) Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.
- (7) Existing easements of record, irrigation canals, and structures.
- (8) Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.
- (9) Written or graphical representation of compliance with the Plan Contents found in Section 5 of the Urbanization Planning Chapter in the Neighborhood Element.
- (10) Written findings showing compliance with the Regional Plan requirements
- (11) Contour lines and topography
- (12) Property owners' names, addresses, and map and tax lot numbers within 200 feet of the project boundaries, typed on mailing labels.
- (13) Documentation that a neighborhood meeting was conducted in accordance with Section 10. 194.



MEDFORD COMPREHENSIVE PLAN

Neighborhood Element

10.4 Urbanization Planning

4. PROCEDURE

- 4.2 Urbanization Plan Administration: Submittal of an urbanization plan is a Major Comprehensive Plan amendment application.
- 4.2.1 An urbanization plan is a special area plan that refines the existing GLUP map, therefore it is not subject to the General Land Use Plan map amendment criteria in the Review & Amendments chapter. The applicable criteria are established within sections 5 and 6, below.
- 4.2.2 A property owner initiated urbanization plan application must contain the written consent of at least 50 percent of the property owners representing at least 50 percent of the total property area for each planning unit. Urbanization plans that demonstrate coordination and consensus with all the property owners within a planning unit may be prioritized for review.
- 4.2.3 The urbanization plans will be adopted as appendixes to the Neighborhood Element of the Comprehensive Plan.
- 4.2.4 The submittal requirements are outlined in Chapter 10 Section 10.220(C) of the Municipal Code.

5. PLAN CONTENTS

In order to adopt an urbanization plan, the City Council shall be satisfied that the plan substantially conforms to the performance measures outlined in the Regional Plan Element and the submitted plan adequately demonstrates each of the following:

- 5.1 RPS Density Requirements: Compliance with the Regional Element minimum gross density performance measures. The urbanization plan shall include specific zoning designations or text that assures development under the minimum densities will meet or exceed the density expected to be achieved for the planning unit(s) in the UGB Amendment residential land supply analysis. Plan techniques that can be employed to achieve this standard include but are not limited to the following:

- 5.1.1 Specify residential zoning districts for certain areas.

- 5.2 Transportation Planning: A neighborhood circulation plan map showing:

- 5.2.1 Locations of higher-order streets. Locations and alignments of higher order streets should be planned in appropriate locations.

The plan will depict how local streets, alleys and paths could be arranged to comply with the City's applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes.

The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) that is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity.

Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths.

Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City's adopted Transportation System Plan.

- 5.3 Compliance with the open space allocation for an urban reserve area (see land use distribution table in RPE or Table 9-1 below). Units that contain only Industrial GLUP designations are exempt from this requirement. The following classifications count as open space for purposes of fulfilling the RPE requirements:



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan

Majority Owners: Steven Skinner and Veritas Properties LLC

- 5.3.1 Parks, both public and private shall be counted as open space. Schools may be counted as open space. Where land acquisition is not complete or where specific open space dedications were not offered and accepted as part of the UGB process, park and school sites may be identified as opportunity areas on maps and the acreage planned may be described in text form that explains how the planning unit can satisfy the open space requirement. Areas where specific open space dedications were offered and accepted as part of the UGB review process shall be depicted and the acreage counted toward open space percentages.
- 5.3.2 Agricultural buffers. Proposed agricultural buffers within the UGB shall be counted as open space. Interim agricultural buffers shall not be counted toward open space percentages unless an additional legal or planning mechanism is imposed to render such areas as open space even after a future UGB amendment in the applicable MD area.
- 5.3.3 Riparian corridors shall be counted.
- 5.3.4 Areas under an "open space" tax assessment shall be counted.
- 5.3.5 Locally significant wetlands and any associated regulatory buffer shall be counted.
- 5.3.6 Slopes greater than 25 percent
- 5.4 Compliance with the requirements of Regional Plan Element, section 4.1.6, for mixed-use/pedestrian-friendly development and any specific land use performance obligation. Planning units containing only an Industrial GLUP Map designation are exempt from the mixed-use pedestrian friendly development evaluation.
- 5.5 Preliminary coordination and discussions with public utility providers, including water, sewer, transportation, and irrigation districts.
 - 5.5.1 Coordination may include identifying any existing infrastructure on or adjacent to the site and determining whether it can be maintained or needs to be moved.
- 5.6 Location or extensions of riparian corridors, wetlands, historic buildings or resources, and habitat protections and the proposed status of these elements.
- 5.7 Compliance with applicable provisions of the Urban Growth Management Agreement.
- 5.8 Compliance with the terms of special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary, as detailed in the Urban Growth Management Agreement.
- 5.9 Coordination with the Parks and Recreation Department for adherence to the Leisure Service Plan related to open space acquisition and proposed trail and path locations.
- 5.10 Vicinity map including adjacent planning units and their General Land Use Plan designations.
- 5.11 Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.
- 5.12 Existing easements of record, irrigation canals, and structures.
- 5.13 Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.
- 5.14 Contour lines and topography.
- 5.15 In the interest of maintaining clarity and flexibility for both the City of Medford and for landowners, no urbanization plan may be submitted with or contain the following items, which are only appropriate at the time of development:
 - 5.15.1 Deviations from Municipal Code provisions, including exceptions to Chapter 10. This prohibition does not function to limit specific neighborhood circulation plan requirements hereinabove.
 - 5.15.2 Limitations on development due to facility capacity shortfalls.
 - 5.15.3 Architectural details.
 - 5.15.4 Specifics about building types and building placement.
 - 5.15.5 Access and internal circulation on prospective lots or development sites.



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
Majority Owners: Steven Skinner and Veritas Properties LLC

6. GLUP AMENDMENTS

6.1.1 Minor Spatial Adjustments: If GLUP map amendments are proposed within the planning unit but the total acreage for each GLUP Map designation is not significantly changed, the urbanization plan can be the basis for GLUP amendments without the need for complex land supply analysis.

9. OPEN SPACE REQUIREMENTS BY PLANNING UNIT

The open space requirements for each of the designated MD areas is identified in the Regional Plan. The percentages have also been identified for each of the planning units below. It is understood that development constraints will prevent strict adherence to the exact number of acres required based on the percentages in Table 9-1. Therefore, the Open Space proposed by an Urbanization Plan may not vary more than 1 percent from the required percentage.

Table 9-1

Planning Unit Number	Regional Plan Open Space Percentage
MD-3a, MD-3b, MD-3c, MD-3d	16%

* * * * *

**MEDFORD/JACKSON COUNTY URBAN GROWTH
BOUNDARY MANAGEMENT AGREEMENT¹**

URBANIZATION POLICIES

The Medford Urbanizable Area includes lands currently within the City and encompasses selected lands surrounding the City that are committed to and/or planned for future City growth, and are likely to require the extension of urban services. A map showing the location of the Urban Growth Boundary has been included within this component and is officially delineated on Jackson County’s and Medford’s Comprehensive Plan and Zoning Maps.

The policies, revision procedures, and other discussion noted in this section of the Plan were developed as part of a coordinated process involving the City and County governing bodies, planning commission, affected agencies, local citizen advisory groups from both the City and County, and citizens at large.

POLICIES: The following policies will guide the administration of the Urban Growth Boundary for Medford:

- 1) An Urban Growth Boundary adopted herein or hereinafter amended for the Medford area will establish the limits of urban growth to the year 2010.
 - A) City annexation shall occur only within the officially adopted Urban Growth Boundary.
 - B) Specific annexation decisions shall be governed by the official annexation policies for the City of Medford. The City will provide an opportunity for the County to respond to pending requests for annexation.
- 2) The land use plan and zoning designations for unincorporated urbanizable lands shown on the City Comprehensive Plan and all other City development and building safety standards shall apply only after annexation to the City, or by a contract of annexation between the City, County and other involved parties, or after proclamation of an annexation having a delayed effective date pursuant to ORS 222.180(2).

* * * * *

¹ Adopted by Board of Commissioners Ordinance 93-31, dated 10/27/93



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
 Majority Owners: Steven Skinner and Veritas Properties LLC

IV

FINDINGS OF FACT

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

- 1. Property Description and Ownership:** The MD-3a urbanization area includes 11 parcels totaling approximately 88.75 acres and has a total of 9 owners. The Applicants Steven Skinner and Veritas Properties LLC own 89.5 percent of the total land area in the MD-3a urbanization area.

MD-3a PARCEL OWNERSHIP						
Tax Lot No.	Address	Ownership	Current Use	Proposed GLUP	Current Zone	Acres in UGB
Map 37 1W 08						
300*	Coker Butte Rd	Veritas Properties LLC	Vacant. Removed from agricultural use.	UR	EFU	7.87
400	2082 Coker Butte Rd	Butler Family Trust	Residential	UR	RR-5	0.54
500	2038 Coker Butte Rd	Anneliese & Bruce Nicholson	Residential	UR	RR-5	0.96
600	3529 Coker Butte Rd	Carolyn & Ruth Brown	Residential	UR	RR-5	0.45
700	Hondeleau Ln	Veritas Properties LLC	Vacant. Removed from agricultural use.	UR	EFU	10.16
800**	2010 Hondeleau Ln	Veritas Properties LLC	Vacant. Removed from agricultural use.	UR/UM/UH	EFU	31.19
1000***	2498 Coker Butte Rd	Steven Skinner	Vacant. Removed from agricultural use.	UH/SC/CM	RR-5	30.19
Map 37 1W 08BA						
100	1982 Coker Butte Rd	Patrick & Rebecca Pine	Residential	UR	RR-5	1.00
200	1946 Coker Butte Rd	Linda Harris	Residential	UR	RR-5	0.89
300	1936 Coker Butte Rd	James & Eva Kell	Residential	UR	RR-5	3.07
400	1922 Coker Butte Rd	Stanley & Marlene Brittsan	Residential	UR	RR-5	2.43
TOTAL UGB ACRES						88.75
Veritas/ Skinner Percent ownership					89.5%	79.41

Tax Lot 300 acreage includes residual .02 acres from Tax Lot 900.

*** Tax Lot 800 property line adjustment approved. Acreage shown is post adjustment.*

**** Tax Lot 1000 has been submitted for a partition. Acreage shown is the area of the parcel that is inside of the UGB.*

- 2. Neighborhood Planning Process and Name Provenance:**

The Chilsonrise Neighborhood Plan has been developed through cooperative planning efforts by the two largest landowners in the planning area, Veritas Properties LLC and Steven Skinner. MD-3a is a Sub-Area of the much larger Urban Reserve MD-3 area that was analyzed, and ultimately planned as an Urban Reserve, through the Regional Problem Solving (RPS) planning process. Approximately half the MD-3 Urban



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan

Majority Owners: Steven Skinner and Veritas Properties LLC

Reserve area remains outside the Urban Growth Boundary (UGB). In 2017, the City of Medford included the “MD-3a” area along with the “MD-3c” area into its Urban Growth Boundary. The inclusion of this area into Medford’s UGB was acknowledged by the State of Oregon in 2018.

Following the 2017 UGB amendment, the City of Medford established criteria for Urbanization Planning. The City adopted an updated Transportation System Plan (TSP) at the end of 2018. The new TSP planned transportation facilities for the areas added to the UGB in 2017 and considered the planned land uses for the areas added to the UGB.

The Chilsonrise Neighborhood Plan is the Urbanization Plan for the MD-3a sub-area. It has been developed to comply with the Urbanization Plan criteria and to implement the TSP. The Plan provides a vision that balances planned land uses and transportation improvements with the physical conditions of the site, existing and planned land uses for the area, and market potential. The neighborhood’s name is based on one of the original owners of property in the area, the Chilsons.

3. Land Uses on Abutting Properties and Surrounding Area:

Overview of area: The properties along Coker Butte Road are rural residential properties. Much of the area to the south of the residential properties was previously orchard land. Most of these orchards have been removed or abandoned and the land is now fallow and only mowed for fire safety.

East: Lands to the east of the urbanization area are rural agricultural lands in the County. The area between MD-3a and Foothill Road make up the remainder of the MD-3 Urban Reserve that has not yet been brought into the UGB. Veritas Properties LLC owns the property immediately east of the northern portion of MD-3a.

North: Lands to the north of the urbanization area, across Coker Butte Road include a variety of rural agricultural lands and rural residential properties in the County. Lands to the northwest were added to the UGB at the same time as the MD-3a area. Lands immediately north of the western portion of MD-3a are a small area that is rural residential and is part of Urban Reserve MD-2, but are not in the UGB. Lands to the northeast across Coker Butte Road are agricultural lands and are not part of an Urban Reserve.

Lands south of Coker Butte Road and the north of the southeastern portion of MD-3a are all part of the MD-3 Urban Reserve and are owned by Veritas Properties LLC and Steve Skinner. See Atlas Reference Document 6.4.

West: West of the urbanization area are standard lot residential subdivisions within the City of Medford or are underdeveloped or vacant lots that are planned for future Urban Residential development.

South: The property to the south is within the city limits of the City of Medford. It is in the process of being developed as an SFR-6 subdivision. Lands to the Southeast are within Medford’s UGB and include the MD-3c “Autumn Hills” Neighborhood.



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan

Majority Owners: Steven Skinner and Veritas Properties LLC

4. **Airport Overlay:** The property is situated within areas covered by the Horizontal Surface Overlay. The elevation of the Horizontal Surface Overlay floor is 1,485 feet. According to Applicants' 2-foot contour data, the existing ground elevation on the property ranges from approximately 1365 feet at the south eastern corner to its highest point of approximately 1410 feet at the northeastern corner. The highest existing ground surface elevation on the property, at the northern extent does not penetrate the HSO of 1485 feet. *See*, Page 9, Atlas Reference Document 6.4. The maximum height allowed in existing EFU zone is 35 feet, therefore no structures will penetrate the HSO.
5. **Pre-Application Summary:** The Chilsonrise Neighborhood Urbanization Plan was reviewed at a Pre-application conference on December 11, 2019. Comments were received from Medford Planning, Public Works, Building Safety, Fire-Rescue, Parks & Recreation, Medford Water Commission, Jackson County Roads and Rogue Valley Sewer Services. Coordination with utility providers will continue as the process continues. Memos are contained in Reference Document 6.5.
6. **Topography and Hillside Overlay/Slopes Map Analysis:** A slopes map was prepared by CSA Planning Ltd. using ArcGIS Spatial Analyst from 2-foot contour data prepared by on Oregon Licensed Professional Land Surveyor, Jason Martin. The Map is depicted on Atlas Page 5, Reference Document 6.4. The analysis shows that the only places with slopes over 15 percent are in or adjacent to the Open Space area. No areas exceed 35% slopes. Accordingly, none of the residential or commercial development areas are subject to the City's Steep Slopes or Hillside Overlay development regulations and structural development in the Open Space areas on or near the areas over 15% slope may require compliance with the Hillside Overlay requirements.
7. **Urbanization Plan Compliance:**
 - a. **RPS Density Requirements:** A Tech Memo prepared by CSA Planning, Ltd. is provided that analyzes the applicable density requirements for the project, as Reference Document 6.6 and the same is herewith incorporated.
 - b. **Transportation:** The urbanization area is bordered by two higher order roads, Coker Butte Road, a major collector on the north, and Owen Drive, a minor arterial that is in the process of being extended along the southern border of the urbanization area and will eventually connect to Foothill Road, Atlas Page 4, Reference Document 6.4.

From the south, Cheltenham Way, a minor collector is planned to be extended north from Owen Drive, curving east to cross the Garrett Creek drainage at its narrowest point, then continuing north to eventually to connect to Coker Butte Road. McLoughlin Drive, a major collector, is to be extended north across Owen Drive, but will also curve eastward shortly after crossing Owen to avoid wetlands and pond areas in the remainder of the MD-3 Urban Reserve. Several existing residential streets on the west side of the planning area will be extended east across the urbanization area, with one of them, Hondeleau Lane becoming a minor collector.

The Cheltenham Way crossing is the only crossing of Garrett Creek proposed as part of the Urbanization Plan. No local streets are planned to cross Garrett Creek in



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
Majority Owners: Steven Skinner and Veritas Properties LLC

the future between Cheltenham and the future extension of McLoughlin Drive to avoid impacting the wetlands and to avoid the intrusion that crossings would make onto the open space area.

With the exception of the north-south connections over Garrett Creek, the major and minor street locations proposed meet the City’s connectivity requirements throughout the urbanization area and terminate at the borders of the urbanization area to provide new connections for the future growth of the city.

- c. Open Space Compliance:** The Garrett Creek drainage, with the Hopkins Canal looping through the southwestern corner, presents an opportunity to create an amenity of the open space through the development of a new greenway with a multi-use path or trail. In addition, there may be opportunities for storm detention and targeted wetland mitigation in this area. Portions of the area may be well-suited for storm drainage detention to be integrated with other hydric open space uses for a more natural open space experience.

The MD-3a sub-area is required to provide 16 percent of the total area as open space. 16 percent equals approximately 14.1 acres.

OPEN SPACE CALCULATIONS						
Planning Area	Total MD-3a Acres	Open Space % Required	Minimum Acres	Actual Acres	% of Total Area	Acres in Excess
MD-3a	88.3	16.0%	14.1	16.0	18.1%	1.9

The area proposed for permanent open space equals 16.0 acres, which equals approximately 18.1 percent of the total MD-3a area, exceeding the minimum requirement by 1.9 acres. The plan includes policy language that would provide opportunities for future UGB amendments associated with these ownerships to apply the credit for the additional open space to future UGB amendments.

There are an additional 1.2 acres of open space within the plan that is set aside as an Interim Agricultural buffer, however this land will become available for development when the adjacent acreage is no longer zoned for agricultural use. Therefore, these acres are not included in the permanent open space calculations above.

Some portions of the “Open Space Area” may be suitable for structural development, but such uses would be uses that qualify as “open space uses” such as common area community buildings, houses of worship, BBQ gazebos, etc.

- d. Mixed-use Pedestrian Friendly Development:** The Chilsonrise Neighborhood is planned for alternative transportation modes and facilities. Development throughout the neighborhood will have sidewalks and the City’s block standards will assure appropriate local street connectivity. A multi-use path or trail is planned along the Garrett Creek Greenway. Owen Drive is planned to have dedicated bike lanes. The Neighborhood plan includes land use designations that will allow for a mix of single-family residential uses, multi-family residential uses, and commercial



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
Majority Owners: Steven Skinner and Veritas Properties LLC

- uses within the neighborhood plan area. *See*, Atlas Page 4 in Reference Document 6.4.
- e. **Coordination with Public Utility Providers:** Consistent with the City of Medford UGB/ Urbanization policies, the urbanization area will be eligible for extension of services upon annexation. A Pre-Application meeting was held on December 11, 2019 to begin the coordination effort. Coordination has begun with Medford Water Commission, Medford Public Works and Rogue Valley Sewer Services.
 - f. **Goal 5:** The Chilsonrise Neighborhood Urbanization Plan Area Goal 5 issues are addressed in the below sections.
 - i. **Riparian Discussion:** Garrett Creek (aka Midway Creek) runs across the southern portion of the urbanization plan area. Atlas Page 6, Reference Document 6.4, shows that the downstream sections of Garrett Creek are not protected as riparian corridor Goal 5 resources. Thus, it would be illogical to require protection of this upstream section through the planning area. Therefore, while the Plan proposes an open space designation that will only allow open space uses in this area (which may or may not include structural development related to the open space uses), this open space is not a riparian corridor and does not require protection under Goal 5.
 - ii. **Wetlands Program to Achieve Goal 5:** In December 2018, the City of Medford adopted a Local Wetlands Inventory (LWI) for this planning area. The wetlands in this planning area were rated moderate for quality. It is identified as being in the “Whetstone Creek-Rogue River” watershed boundary; the area does not actually drain to Whetstone Creek but rather to “Upton Slough”. The “distinguishing site characteristics in the “Site Specific ESEE” for the LWI adoption are not factually correct; only the very far northeast portion of MD-3 (not included in the 2017 UGB amendment) drains to Swanson Creek. Thus, no part of the planning area in MD-3a are in the headwaters of Swanson Creek – only the headwaters of Garret Creek/Midway Creek/ Upton Slough.

The LWI completed the ESEE process for this area (W46, W47, W48, and W49). The ESEE consequences analysis resulted in a decision to allow conflicting uses (identified as residential and commercial development, public facilities and the vegetation removal and grading), but reduce impact to the extent possible. The Chilsonrise Neighborhood Urbanization Plan is consistent with this conclusion. Most of the areas where the wetlands were identified are planned as an open space area and only one crossing of Garret Creek is planned at a location where wetlands impacts should be minimal, both of which will reduce impacts from development.

While key measures to reduce impacts are included in the Plan, the planning process also included actual on-site wetlands investigations by wetlands experts Schott & Associates, Inc; the LWI methodology did not include detailed on-site assessments. This detailed wetlands investigation revealed that some of the areas identified as wetlands are not, in fact, wetlands. The Urbanization Plan is based upon the areas identified as wetlands in the on-site wetlands analysis.



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan

Majority Owners: Steven Skinner and Veritas Properties LLC

In the actual regulatory wetlands areas, only small development incursions are planned. As such, actual wetland impacts are expected to be reduced to the extent possible and all required agency permits will be obtained for any wetland impacts that require a removal/fill permit.

- g. Floodplain:** There is no FEMA mapped floodplain in the planning area.
- h. Irrigation Canal:** Rogue River Irrigation District's Hopkins Canal loops through the southwestern corner of the urbanization area, crossing the Garret Creek drainage. No changes are proposed to the canal, and the area is proposed as part of the larger passive open space area. Planned roads are laid out to avoid the canal. Potentially a church or school or other developed open space use could be sited in this area in the future that may require piping of the canal for part or all of the canal; such future piping would be coordinated with the Irrigation District.
- i. UGMA Compliance:** An annexation application has been submitted concurrently with the Urbanization Plan. The proposed amendments and annexation are consistent in all ways with the UGMA with Jackson County.
- j. Special Agreements Compliance:** No special agreements were required at the time of the UGB approval.
- k. Parks and Recreation:** The area proposed as open space in the plan includes the Garrett Creek drainage area. This area is planned as a natural greenway that includes a multi-use path or trail as a park amenity for the public. This is in keeping with the Leisure Services Plan that shows a trail in this area. There are some small portions of the open space area that are relatively flat and are not environmentally constrained; it is anticipated that these areas can be utilized for small-scale developed open space uses like tot-lot playgrounds, BBQ areas, and community recreation buildings. These types of uses are often constructed as community amenities as part of apartment building projects.

8. Proposed GLUP Amendment Narrative:

The land use arrangement proposed in the Chilsonrise Neighborhood Urbanization Plan is generally consistent with the GLUP Map designations that were applied during the UGB amendment process. Two areas have proposed GLUP Map changes. The first GLUP Map change is in the residential area that is north of Garrett Creek and east of the Medium Density Residential (UM). The second GLUP Map change is within the commercial and service commercial designations. A map comparing the changes in detail is provided in the Atlas of Maps, Reference Document 6.4.

Sub-Area 4:

The Chilsonrise Neighborhood Urbanization Plan proposes to remove ~8.2 gross acres from the UH designation and move it to the UR designation with a required zoning of SFR-10. This area is depicted as "Sub-Area 4" on the Neighborhood Plan Map. The UGB amendment process inventoried ~3.2 buildable acres in this area that was a narrow isthmus of buildable land with an Agricultural Buffer to the north and wetlands to the south. This isthmus is too narrow to accommodate any city streets, let alone private development along a street. Further site investigations have revealed that the



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan

Majority Owners: Steven Skinner and Veritas Properties LLC

one part of this isthmus that is actually wide enough that something could be built has a rock outcrop with no or very shallow depth to bedrock which would make construction of any large multi-family buildings prohibitively expensive.

Veritas and Skinner both own land to the north and so they plan to put the interim agricultural buffer on the farmland outside the UGB. While relocating the agricultural buffer expands the isthmus somewhat, but there is still not adequate room to construct a new City street east-west and have room for large apartment buildings and associated parking between the future street and the Garrett Creek open space area. Moreover, the “widest area” still has geotechnical constraints with shallow depth to bedrock making large buildings economically problematic. The Urbanization Plan development process examined conceptual designs for this area. The conceptual design process did not yield any designs that made reasonable sense from a market feasibility standpoint for this area that would also satisfy the 15 units per acre minimum in the MFR-20 zone. This portion of the site will have the highest development costs due to the stream crossing, depth to bedrock and the ability to develop on only one side of the future street. If planned land uses are not supported by the market, then planned connectivity in the area will not actually be constructed and there is no real benefit to relocating the agricultural buffer at all. In the “real world”, without changes to the plan, the “buildable land” in this area will be stranded until a future UGB amendment expands this area to make development economically viable.

SFR-10 density in Sub-Area 4 is more implementable. Market feasible conceptual layouts were developed with a mix of townhomes and cottages in the area being re-designated from UH to UR. In the final analysis, the proposed GLUP amendment in this area is necessary to make this land buildable and to deliver planned connectivity in the area. The actual number of planned housing units in this area (a planning calculation rather than actual measure of likely housing to be delivered) is essentially the same when compared to the assumptions in the UGB amendment process, because the 3.2 acres of “buildable land” at MFR-20 is about 48 units at 15 units per acre. Relocating the Agricultural Buffer results in 6.6 acres that are actually buildable, which equates to 40 dwelling units at the 6 units per acre minimum in the SFR-10, only 8 units less than under the MFR-20 zone.

The Chilsonrise Neighborhood Plan proposes changing the UH area north of Garrett Creek to UR and requiring the SFR-10 zoning, a density at which the development of this area becomes economically feasible. Fortuitously, the residential land supply obligations for the whole planning area are not negatively affected by this change. First, on-site wetlands investigations yielded results that some areas considered “unbuildable” for wetlands are not, actually wetlands and can support residential development. Secondly, MD-3a is located adjacent to minor arterial along almost its entire southern boundary. Density minimums under the City’s zoning code include this acreage to the centerline of the right-of-way which increases the regulatory minimum number of dwellings to be supplied. These two factors balance out such that the UH area combined with the redesignated SFR-10 area do not decrease the planning area’s residential density and dwelling unit supply obligations. The dwelling unit supply analysis is provided in Reference Document 6.6.



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan

Majority Owners: Steven Skinner and Veritas Properties LLC

Sub-Areas 6 and 7

The other proposed GLUP Map Amendment is in the Service Commercial (Sub-Area 6) and Commercial (Sub-Area 7) area. This is a minor land use designation adjustment. The total area devoted to commercial is unchanged. The Service Commercial is reduced in area by ~2.21 acres and it is proposed to be relocated to a consolidated block between the Commercial area and the Garrett Creek Greenway. The Commercial has been increased by ~. 2.21 acres and occupies the entire Owen Drive frontage designated for commercial. From a land use perspective, there is significant overlap between many of the uses in each designation. Thus, the actual development that occurs could turn out to be identical. The first reason for the change is that the shape and size of the Commercial area was so small and narrow that not much actual development could fit. The second reason for the change is that the Garrett Creek Greenway could provide an attractive amenity for a small office park development that does not require high visibility (which many office uses do not) and is often built in Service Commercial areas.

9. Public Facilities and Services:

An analysis of Public Facilities and Services is provided in a Technical Memorandum prepared by CSA Planning, Ltd. The Tech Memo is provided as Reference Document 6.5 to the Urbanization Plan and is herewith incorporated as a statement of facts pertaining to public facilities and services for the area.

Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
Majority Owners: Steven Skinner and Veritas Properties LLC

V

CONCLUSIONS OF LAW

The City Council (“Council”)reaches the following conclusions of law with respect to each of the relevant substantive criteria:

Urbanization Plan Criterion 1

10.4 Urbanization Planning

4. PROCEDURE

- 4.2 Urbanization Plan Administration: Submittal of an urbanization plan is a Major Comprehensive Plan amendment application.
 - 4.2.1 An urbanization plan is a special area plan that refines the existing GLUP map, therefore it is not subject to the General Land Use Plan map amendment criteria in the Review & Amendments chapter. The applicable criteria are established within sections 5 and 6, below.
 - 4.2.2 A property owner initiated urbanization plan application must contain the written consent of at least 50 percent of the property owners representing at least 50 percent of the total property area for each planning unit. Urbanization plans that demonstrate coordination and consensus with all the property owners within a planning unit may be prioritized for review.

Discussion; Conclusions of Law: The City Council herewith incorporates and adopts the conclusions of law below demonstrating compliance with Sections 5 and 6 and the same functions to demonstrate Plan compliance with Section 4.2.1.

In addition, the Council concludes that the two property owners submitting this Urbanization Plan own 89.5 percent of the total property area within the Urbanization Area and therefore exceed the 50 percent requirement under Section 4.2.2. Based upon the foregoing finding, it is hereby concluded that the Plan complies with Criterion 1.

* * * * *

Urbanization Plan Criterion 5.1

5. PLAN CONTENTS

In order to adopt an urbanization plan, the City Council shall be satisfied that the plan substantially conforms to the performance measures outlined in the Regional Plan Element and the submitted plan adequately demonstrates each of the following:

- 5.1 RPS Density Requirements: Compliance with the Regional Element minimum gross density performance measures. The urbanization plan shall include specific zoning designations or text that assures development under the minimum densities will meet or exceed the density expected to be achieved for the planning unit(s) in the UGB Amendment residential land supply analysis. Plan techniques that can be employed to achieve this standard include but are not limited to the following:
 - 5.1.1 Specify residential zoning districts for certain areas.

Discussion; Conclusions of Law: The City Council herewith incorporates and adopts the Reference Document 6.6 which is the Density Obligations Tech Memo prepared by CSA Planning, Ltd. and concludes accordingly that the proposed Chilsonrise Neighborhood Plan specifies residential zoning districts for certain areas and that these specified zoning districts have minimum densities. Based upon these minimum densities, the plan area will be required to supply at least 484 dwelling units within the planning area, 40 of which will be supplied within the 7.4 acres of relocated agricultural buffer. The UGB amendment acreage and densities projected the area would supply at least 434 dwelling units.



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
Majority Owners: Steven Skinner and Veritas Properties LLC

Deducting the 40 units from the relocated agricultural buffer area for an “apples to apples” geographic comparison, the Chilsonrise Neighborhood Urbanization Plan will supply 443 dwelling units which is 9 more units than the required supply of units. As such, the minimum residential density will exceed the required density from the UGB which will ensure the City as a whole will ultimately comply with the RPS density commitments. Accordingly, the Council concludes the proposed plan complies with criterion 5.1.

* * * * *

Urbanization Plan Criterion 5.2

5.2 Transportation Planning: A neighborhood circulation plan map showing:

5.2.1 Locations of higher-order streets. Locations and alignments of higher order streets should be planned in appropriate locations.

The plan will depict how local streets, alleys and paths could be arranged to comply with the City’s applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes.

The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) that is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity.

Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths.

Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City’s adopted Transportation System Plan.

Discussion; Conclusions of Law: The Neighborhood Circulation Plan Map is shown in Reference Document 6.4, Page 4. The plan shows the extension of all higher-order streets planned in the TSP for the area. The Plan shows McLoughlin Drive curving to the east as it moves north because the “straight line” depicted in the TSP runs essentially parallel and on-top of Garrett Creek and then directly at an irrigation pond. The refined alignment is should be much more cost-effective and an alignment directly on top of Garrett Creek may not even be permissible from a wetlands standpoint when other alternatives are available that would have less impacts.

The Neighborhood Circulation Plan Map does not include specific local street layouts but it is “to-scale” and the spacing of the remaining areas between higher-order streets are sufficient that local streets and alleys can be arranged to comply with the City’s Block Length Standards. The Plan does include text that explains that fewer intersections and larger blocks are planned “east-west” to avoid additional unnecessary crossings of Garrett Creek. There are no trip origin/destination pairs that would result in meaningfully shorter trip lengths for bicycle and pedestrian trips if additional crossing were constructed. Thus, the additional environmental impacts and construction/maintenance costs of additional crossings would not be prudent street planning for the area.

Based upon the above, the City Council concludes the Chilsonrise Neighborhood complies with Criterion 5.2 for the following reasons:



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
Majority Owners: Steven Skinner and Veritas Properties LLC

- The Council concludes the plan proposes locations of higher-order streets in appropriate locations.
- The Council concludes the spacing of higher-order streets and the arrangement of lands uses is such that the remaining development areas can generally comply with the City’s requirements for connectivity and block lengths, with the exception of north-south connectivity across Garrett Creek.
- The Council concludes the single crossing of Garrett Creek at Cheltenham Way is appropriate and the effects on block length and connectivity are justified to avoid the need for additional stream crossing costs and environmental impacts.

* * * * *

Urbanization Plan Criterion 5.3

5.3 Compliance with the open space allocation for an urban reserve area (see land use distribution table in RPE or Table 9-1 below). Units that contain only Industrial GLUP designations are exempt from this requirement. The following classifications count as open space for purposes of fulfilling the RPE requirements:

- 5.3.1 Parks, both public and private shall be counted as open space. Schools may be counted as open space. Where land acquisition is not complete or where specific open space dedications were not offered and accepted as part of the UGB process, park and school sites may be identified as opportunity areas on maps and the acreage planned may be described in text form that explains how the planning unit can satisfy the open space requirement. Areas where specific open space dedications were offered and accepted as part of the UGB review process shall be depicted and the acreage counted toward open space percentages.
- 5.3.2 Agricultural buffers. Proposed agricultural buffers within the UGB shall be counted as open space. Interim agricultural buffers shall not be counted toward open space percentages unless an additional legal or planning mechanism is imposed to render such areas as open space even after a future UGB amendment in the applicable MD area.
- 5.3.3 Riparian corridors shall be counted.
- 5.3.4 Areas under an “open space” tax assessment shall be counted.
- 5.3.5 Locally significant wetlands and any associated regulatory buffer shall be counted.
- 5.3.6 Slopes greater than 25 percent

Discussion; Conclusions of Law: Based upon the Chilsonrise Neighborhood Plan and the Findings of Fact in Section IV, the Council Concludes that the RPS Open Space percentage requirement for MD-3 is 16% and the proposed permanent open space area for the planning area is 18.1%. Included in the Open Space areas are areas where future developed recreation sites may be constructed (public or private), portions of agricultural buffers, and areas identified through the on-site wetlands assessment prepared by Schott & Associates, Inc. There are no regulatory riparian corridors or slopes greater than 25% in the planning area.

* * * * *

Urbanization Plan Criterion 5.4

5.4 Compliance with the requirements of Regional Plan Element, section 4.1.6, for mixed-use/pedestrian-friendly development and any specific land use performance obligation. Planning units containing only an Industrial GLUP Map designation are exempt from the mixed-use pedestrian friendly development evaluation.



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
Majority Owners: Steven Skinner and Veritas Properties LLC

Discussion; Conclusions of Law: Based upon the Findings of Fact in Section IV and the Chilsonrise Neighborhood Urbanization Plan, the Council concludes the proposed land uses allow a mix of commercial and residential uses that can support future mixed-use development. The Council further concludes that the scale of development in the area is pedestrian-friendly:

- At the furthest northern sections of the neighborhood, elementary school students would have about a 1 mile walk or bike to school with only a single higher-order street to cross. Students in the SE corner of the neighborhood would have about a .4 mile walk or bike to school, with only a single higher-order street to cross.
- Commercial uses in the SE corner of the neighborhood would be within a third of a mile walk or bike from most all of the multi-family in the neighborhood as well as the single-family in the Delta Estates subdivision and future development in the Autumn Hills Neighborhood.
- Multi-family development in the SW corner of the neighborhood is only two-thirds of a mile from the intersection of Owen Drive and old Highway 62, which is a major intersection access point to the large commercial area in the King Center.

* * * * *

Urbanization Plan Criterion 5.5

5.5 Preliminary coordination and discussions with public utility providers, including water, sewer, transportation, and irrigation districts.

5.5.1 Coordination may include identifying any existing infrastructure on or adjacent to the site and determining whether it can be maintained or needs to be moved.

Discussion; Conclusions of Law: Based upon the Findings of Fact in Section IV and the Chilsonrise Neighborhood Urbanization Plan, the Council concludes that the plan has been coordinated with the applicable public utility providers. Specifically, the Council concludes that Reference Document 6.5 is a Public Facilities and Services Tech Memo that explains the issues concerning public facilities and services issues for the plan area and how these issues have been coordinated and discussed with public utility providers including water, sewer, transportation and irrigation districts.

* * * * *

Urbanization Plan Criterion 5.6

5.6 Location or extensions of riparian corridors, wetlands, historic buildings or resources, and habitat protections and the proposed status of these elements.

Discussion; Conclusions of Law: Based upon the Findings of Fact in Section IV and the Chilsonrise Neighborhood Urbanization Plan, the Council concludes that there are no regulatory riparian corridors (based on the fact that there are no acknowledged plans to apply riparian protections downstream), no historic buildings or resources, and no habitat protections applicable to the site.

Based upon the Findings in Section IV, the Council concludes the only Goal 5 resource on the property is wetlands and the City’s adopted ESEE consequences analysis is to allow conflicting uses but to reduce impacts to the extent possible. Accordingly, the plan



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
Majority Owners: Steven Skinner and Veritas Properties LLC

includes an open space designated area where most of the wetlands are shown on the city’s LWI map, with minor refinements based upon on-site wetlands investigations and to “square off” boundaries between residential and commercial development and open space areas. The plan further proposes to minimize crossings of the area where wetlands are present and seeks to place the one crossing of Garrett Creek in a location that is expected to minimize wetlands impacts. The Council concludes the Chilsonrise Neighborhood Urbanization Plan balances conflicting uses with wetlands protections in a manner that is consistent with the ESEE analysis adopted through Ordinance 2018-140 for this area.

* * * * *

Urbanization Plan Criterion 5.7

5.7 Compliance with applicable provisions of the Urban Growth Management Agreement.

Discussion; Conclusions of Law: Based upon the Findings of Fact in Section IV and the Chilsonrise Neighborhood Urbanization Plan, the Council concludes that the proposed Urbanization Plan is consistent in all ways with the Urban Growth Management Agreement (UGMA) and that the concurrent application for annexation is also consistent with the UGMA.

* * * * *

Urbanization Plan Criterion 5.8

5.8 Compliance with the terms of special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary, as detailed in the Urban Growth Management Agreement.

Discussion; Conclusions of Law: Based upon the Findings of Fact in Section IV and the Chilsonrise Neighborhood Urbanization Plan, the Council concludes that no special agreements were required as part of the UGB process for the MD-3a area. Therefore, the Council concludes Criterion 5.8 is met through inapplicability.

* * * * *

Urbanization Plan Criterion 5.9

5.9 Coordination with the Parks and Recreation Department for adherence to the Leisure Service Plan related to open space acquisition and proposed trail and path locations.

Discussion; Conclusions of Law: Based upon the Findings of Fact in Section IV and the Chilsonrise Neighborhood Urbanization Plan, the Council concludes the Plan has been coordinated with the Medford Parks and Recreation Department and the Department’s letter from the Pre-Application Conference dated December 11, 2019 details this coordination as does the more recent letter for the Urbanization Plan review itself, dated June 10, 2020. The Parks and Recreation Department letter indicates the proposed open space/greenway area is consistent with the Leisure Services Plan for the area. Therefore, the Council concludes that Criterion 5.9 is met.

* * * * *



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
Majority Owners: Steven Skinner and Veritas Properties LLC

Urbanization Plan Criterion 5.10-5.14

- 5.10 Vicinity map including adjacent planning units and their General Land Use Plan designations.
- 5.11 Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.
- 5.12 Existing easements of record, irrigation canals, and structures.
- 5.13 Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.
- 5.14 Contour lines and topography.

Conclusions of Law: Based upon the Findings of Fact in Section IV and the Chilsonrise Neighborhood Urbanization Plan, the Council concludes that the required maps and above required information are in the record for the proceedings and are sufficient in all ways for review and adoption of the Chilsonrise Neighborhood Urbanization Plan.

* * * * *

Urbanization Plan Criterion 5.15

5.15 In the interest of maintaining clarity and flexibility for both the City of Medford and for landowners, no urbanization plan may be submitted with or contain the following items, which are only appropriate at the time of development:

- 5.15.1 Deviations from Municipal Code provisions, including exceptions to Chapter 10. This prohibition does not function to limit specific neighborhood circulation plan requirements hereinabove.
- 5.15.2 Limitations on development due to facility capacity shortfalls.
- 5.15.3 Architectural details.
- 5.15.4 Specifics about building types and building placement.
- 5.15.5 Access and internal circulation on prospective lots or development sites.

Conclusions of Law: Based upon the Findings of Fact in Section IV and the Chilsonrise Neighborhood Urbanization Plan, the Council concludes as follows:

1. No deviations to the municipal code are requested as part of the plan. However, the Council herewith incorporates and adopts the conclusions of law above under Criterion 5.2 wherein the Council explains why the Urbanization Plan is authorized to limit connectivity requirements “north/south” that would result in additional crossings of Garret Creek.
2. No specific facility capacity analysis has been performed or is required and no development limitations are proposed as part of the urbanization plan.
3. No architectural details are provided or required.
4. No specifics about building types or building placements.
5. No individual lot accesses or internal circulation is depicted for prospective lots or development sites.

* * * * *



Urbanization Plan Criterion 6.1.1

6. GLUP AMENDMENTS

6.1.1 Minor Spatial Adjustments: If GLUP map amendments are proposed within the planning unit but the total acreage for each GLUP Map designation is not significantly changed, the urbanization plan can be the basis for GLUP amendments without the need for complex land supply analysis.

Discussion; Conclusions of Law: Based upon the Findings of Fact in Section IV and the Chilsonrise Neighborhood Urbanization Plan, the Council concludes the proposed GLUP amendments have been thoroughly analyzed and both are minor amendments that will have an overall benefit on the implementation of the Comprehensive Plan for urbanization of the area. Specifically, the Council concludes as follows with respect to the two areas where GLUP Map amendments are proposed:

Sub-Area 4: The Council concludes the proposed amendment from UH to UR is minor in nature because the “total acreage” for each GLUP being changed, from a UGB amendment implementation standpoint, is concerned with buildable acres and land supplied. The proposed amendments will have small effects on buildable lands in this area (just over 3 acres) making this a minor amendment. The theoretical planned supply of housing is decreased by approximately 8 units. The actual number of delivered housing is expected to be much higher, because the UH designation in this area was problematic from a constructability standpoint. The Council concludes the proposed UH to UR designation will support housing development in the planning area and the reduced multi-family land area is compensated such that the minimum densities applicable in the planning area as a whole will still supply the number or dwelling units assumed in the UGB amendment process.

Sub-Areas 6 and 7 The proposed Commercial and Service Commercial adjustments are minor and have limited affect on land supplies city-wide. Many of the permitted uses overlap and the acreage adjustments are small overall. The proposed arrangement puts more of the retail oriented commercial along Owen Drive which is logical because it will have greater visibility in the near-term, with service commercial to the north along that may provide an office-commercial site opportunity in the future.

The Council concludes that the proposed GLUP amendments are appropriate in all ways and the Chilsonrise Neighborhood Urbanization Plan represents an appropriate refinement of the GLUP map designations applied during the UGB amendment process.

* * * * *



Technical Findings of Fact and Conclusions of Law

Chilsonrise Neighborhood Urbanization Plan
Majority Owners: Steven Skinner and Veritas Properties LLC

VI

MAJORITY OWNER STIPULATIONS

The Majority Owners in the Chilsonrise Neighborhood Area herewith offer the following stipulations that they agree can appropriately be made conditions of approval.

- Stipulation 1.:** Prior to any future zone change approvals, prepare an Interim Ag Buffer Relocation Agreement that has been reviewed and approved by the City Attorney and record the approved agreements prior to any physical urban development on the property.
- Stipulation 2.:** Obtain any required wetland permit permits from State and Federal agencies for any actions requiring such State and Federal permits.
- Stipulation 3.:** Coordinate with the Parks and Recreation Department on future use, ownership and maintenance of the multi-use path and open space.
- Stipulation 4.:** As part of traffic analysis for a zone change, analyze the potential for transportation system operational benefits from a roundabout at the intersection of Owen Drive and McLoughlin Drive.

* * * * *

VII

ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, it is ultimately concluded that the case for MD-3a, Chilsonrise Neighborhood Urbanization Plan under each of the applicable substantive criteria, has been substantiated on the basis of facts and evidence contained in the whole record. Therefore, and on this basis, it is concluded that the Urbanization Plan is in full compliance with the City of Medford’s Comprehensive Plan and all relevant laws and regulations of the City and the State of Oregon.

Respectfully submitted on behalf of Majority Owners, Steven Skinner and Veritas Properties LLCs:

CSA Planning, Ltd.

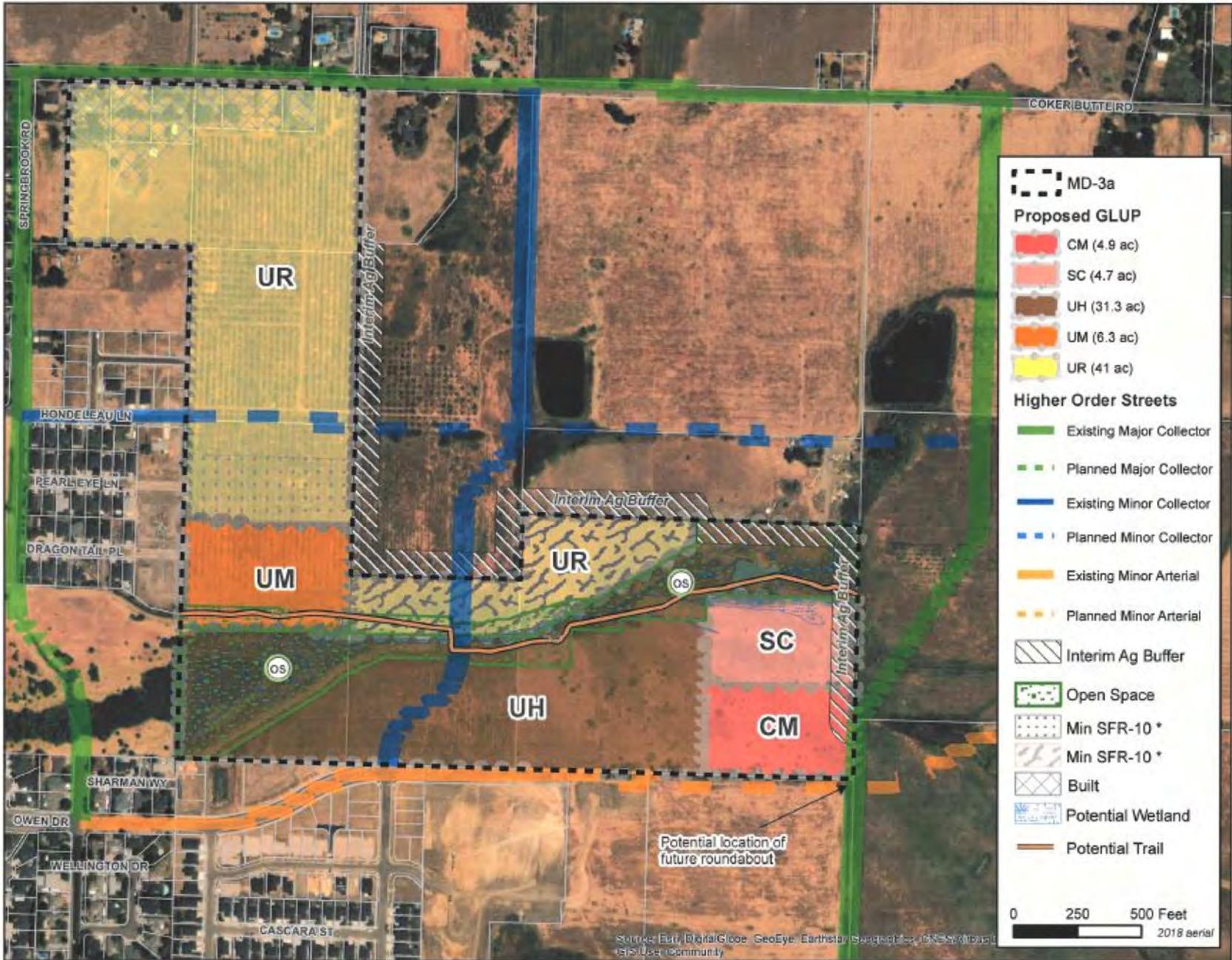


Jay Harland
President

Dated: March 25, 2020
Revised: June 11, 2020



SCENARIO RESULTS	Dwelling Units
Supply of Dwelling Units for the Planning Area from the UGB Process from UGB_DUscalcs sheet	434
Minimum Number of Dwelling Units Regulatorily Required by the Urbanization Plan from UrbanizationPlanDUcalcs sheet	443
Density Compliance expressed as Dwelling Unit Difference (Subtract Row 3 from Row 4)	9
Urbanization Plan Density Compliance - Criterion 5.1?	Yes



- MD-3a
- Proposed GLUP**
- CM (4.9 ac)
- SC (4.7 ac)
- UH (31.3 ac)
- UM (6.3 ac)
- UR (41 ac)
- Higher Order Streets**
- Existing Major Collector
- Planned Major Collector
- Existing Minor Collector
- Planned Minor Collector
- Existing Minor Arterial
- Planned Minor Arterial
- Interim Ag Buffer
- Open Space
- Min SFR-10 *
- Min SFR-10 *
- Built
- Potential Wetland
- Potential Trail

0 250 500 Feet
2018 aerial

Source: Esri, DigitalGlobe, GeoEye, Earthstar, Imagery, IGN, Microsoft, GIS User Community

Chilsonrise Urbanization Plan

Neighborhood Circulation Plan



March 2020

Atlas Page 4 (Ref. Document 6.4.4)



LD DATE: 5/27/2020

Revised Date 6/12/2020

File Number: UP-20-095/ANNX-20-094

PUBLIC WORKS DEPARTMENT STAFF REPORT

Urbanization Plan for MD-3a

Coker Butte Road/Owen Drive (Multiple Tax Lots)

Project: Consideration of a request for annexation to the City of Medford of approximately 79.6 acres of property located approximately 640 feet to the east of Springbrook Road, between Owen Drive and Coker Butte Road, and approximately 186 feet of the abutting right-of-way along Coker Butte Road. The County zoning designation of Exclusive Farm Use (EFU) will be changed to the City Single Family Residential -1 Unit/Acre (SFR-00) holding zone designation. The property will be removed from Medford Rural Fire Protection District #2.

Applicant: Applicant: Steven Skinner and Veritas Properties, LLC, Agent: Jay Harland, CSA Planning, Ltd.

Planner: Seth Adams, Planner III – Long Range Division

A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan for approximately 88.73 acres of property located between Owen Drive and Coker Butte Road, and to the east of Springbrook Road (Planning Unit MD-3a)(371W08 TL 300 - 1000 and 371W08BA TL 100 - 400). This application is filed in conjunction with an annexation request (ANNX-20-094).

A. STREETS

Owen Drive is classified as a Minor Arterial street and is maintained by the City of Medford. Owen Drive improvements are partially complete with curb and gutter and without planter strip or sidewalk on the north side (P1880D). Improvements (curb and gutter only) along this proposed developments frontage will be completed with Delta Estates Phase 6 (P19-00010), and Phase 8A & 8B (TBD).

Coker Butte Road is classified as a Major Collector street and is currently maintained by Jackson County. Coker Butte Road is paved without curb and gutter, street lights or sidewalk at this time. In accordance with the City's Urban Reserve Management Agreement,



the City will assume maintenance jurisdiction of Coker Butte Road at the time of annexation and will request that a jurisdictional transfer be completed.

Future McLoughlin Drive is classified as a Major Collector street and will be maintained by the City of Medford.

Future Cheltenham Way (from Owen Drive to Coke Butte Road) is classified as Minor Collector street and will be maintained by the City of Medford.

Future Hondelau Lane (extending east to future McLoughlin Drive) is classified as Minor Collector street and will be maintained by the City of Medford.

All other potential future Commercial and/or Minor/Standard Residential internal connection streets shall be public and will be maintained by the City of Medford.

B. SANITARY SEWERS

There are capacity constraints in the sanitary sewer system that will need to be addressed prior to acceptance of a zone change on any of the properties.

C. STORM DRAINAGE

Future development on this parcel will require stormwater detention and stormwater quality facilities, which shall comply with Medford Land Development Code (MLDC) Sections 10.486 and 10.729 and the Rogue Valley Stormwater Quality Design Manual.

D. TRANSPORTATION SYSTEM

Public Works supports the changes to the alignments of Cheltenham Way and McLoughlin Drive that the applicant proposed in this Urbanization Plan and recommends the Transportation System Plan be updated to reflect these proposed changes.

Public Works supports the applicant's offer to a stipulation to analyze a roundabout at the intersection of Owen Drive and McLoughlin Drive and is including the following condition:

The first zone change that has the potential of generating more than 250 net average daily trips in the Urbanization Plan area shall include an analysis of the safety and operational benefits of a roundabout at said intersection in the Transportation Impact Analysis.

The east-west street that is south of Garret Creek and east of Cheltenham Way shall be extended to McLoughlin Drive.

A pedestrian bridge to cross Garret Creek somewhere between Cheltenham Way and McLoughlin Drive shall be considered with future phases of development to mitigate the

lack of street connectivity between the planned UR area north of Garret Creek and the planned path and commercial areas.

A pedestrian accessway connecting the planned UR to the urban reserve area to the north of it shall be considered with future phases of development.

E. SYSTEM DEVELOPMENT CHARGES

Future development/buildings within this parcel will be subject to System Development Charges (SDC). These SDC fees shall be assessed at the time individual building permits are reviewed.

This development is also subject to Storm Drain System Development Charges. A portion of the storm drain system development charge shall be collected at the time of the approval of a final plat, as applicable.

F. UTILITY FEES

Upon annexation, this parcel will be subject to City of Medford monthly utility fees as applicable.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs



JACKSON COUNTY

Roads

Roads Engineering

Chuck DeJanvier
Construction Engineer

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

May 5, 2020

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

RE: Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element in conjunction with annexation to the City of Medford between Coker Butte Road – a County maintained road and Owen Drive – a City maintained road and to the east of Springbrook Road – a City maintained road and local access road
Planning File: UP-20-095 & ANNEX-20-094

Dear Seth:

Thank you for the opportunity to comment on the request for a Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for approximately 88.73 acres of property located between Owen Drive and Coker Butter Road and east of Springbrook Road 37-1W-08 Tax Lots 300, 700, 800, 900 & 1000 and 38-1W-08-BA Tax Lots 100, 200, 300 & 400

The Urbanization Plan is filed in conjunction with an annexation request of approximately 79.6-acres of property and adjacent right-of-way. The County zoning designation of Exclusive Farm Use (EFU) will be changes to the City Single Family Residential-1 unit/acre (SFR-00) zoning district. The properties will be removed from the Medford Rural Fire Protection District #2. Jackson County Roads have the following comments:

1. As provided in the Urban Reserve Management Agreement (URMA) between City and County, please expand the annexation to include Coker Butte Road right-of-way. Then, following annexation, City is required to request jurisdiction of this portion of Coker Butte Road. As provided in the URMA, the request for jurisdiction shall conform to ORS 373.270, except that conditions and compensation allowed by ORS 373.270(6) are not allowed.
2. As requested in Comment #1, without a jurisdictional transfer of Coker Butte Road to the City of Medford, Jackson County will require the following:

- a. Upon development, all existing road approaches from the property to Coker Butte Road will be closed. New approaches to Coker Butte Road will not be permitted.
 - b. Prepare a traffic impact study to be reviewed and approved by the County. This study shall address the safety impacts at the intersection of Coker Butte Road and Springbrook Road and impacts to Coker Butte Road including stopping sight distance, traffic queuing, storage lengths, need for dedicated turn lanes or a median turn lane, and impacts to the Coker Butte Road and Springbrook Road intersection. The study shall also address impacts to Arrowhead Drive and Crater Lake Avenue or other lesser order public roads if access is provided to these facilities. Mitigation measures for each identified issue should be provided and will be reviewed and approved by Jackson County.
 - c. As provided in the URMA, storm drain management within the annexed areas (including road right-of-way) become the responsibility of the City upon annexation.
3. Any new or improved roads inside the Urban Growth Boundary or expanded Urban Growth Boundary shall be permitted, inspected and become the sole jurisdiction of the City of Medford.
 4. If county storm drain facilities are to be utilized, the applicant's registered Engineer shall provide a hydraulic report and plans for review and approval by Jackson County Roads. Storm drainage runoff is limited to that area currently draining to the County storm drainage system. Upon completion of the project the developer's Engineer shall certify that the construction of the drainage system was constructed per the approved plan. A copy of the certification shall be sent to Chuck DeJanvier at Jackson County Roads.
 5. Jackson County Roads would like to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads.
 6. Coker Butte Road is a County Urban Minor Arterial road and is maintained by the County. The Average Daily Traffic count was 1,736 on July 24, 2018, 300' west of Foothill Road.
 7. ADA curb ramps must be located wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, including any intersection where it is legal for a pedestrian to cross the street, whether or not there is any designated crosswalk.

May 5, 2020

Page 3 of 3

8. The applicant shall submit construction plans to Jackson County Roads, so we may determine if county permits will be required.
9. Please note that while Springbrook Road is not currently within these limits, the northernmost 390 feet of Springbrook Road is a Local Access road, and is privately maintained.
10. We would like to be notified of future development proposals, as county permits may be required.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Chuck DeJanvier', written over a faint circular stamp.

Chuck DeJanvier
Construction Engineer



ROGUE VALLEY SEWER SERVICES

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

May 5, 2020

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

**Re: ANNEX-20-094 & UP-20-095, Urbanization Plan, 371W08A - 300, 400, 500 & 600,
371W08B - 100, 200, 300, 400 & 600**

ATTN: Seth,

The following tax lots associated with the urbanization plan are currently served by RVSS sewer or will likely be served by RVSS sewer in the future due to existing topography: 371W08A - 300, 400, 500 & 600, 371W08B - 100, 200, 300, 400 & 600. There are RVSS sewer mains located along Springbrook Road and extended through the properties. The downstream sewer system has adequate capacity to serve all tax lots mentioned above. GIS maps are available on our website for reference.

It should be noted that the sewer service boundary between RVSS and the City of Medford is largely undefined in this area. Existing topography may require sewer service to be split between the two jurisdictions upon development of the following tax lots: 371W08A - 300, 371W08B - 300 & 600. Development of all tax lots noted will require sewer main extensions along proposed rights of way and/or private streets as applicable.

Rogue Valley Sewer Services requests that the future development be subject to the following conditions:

1. All sewer design and construction must be performed per RVSS standards.
2. Sewer construction drawings must be submitted to RVSS for review and approval.

Please feel free contact me with any questions.

Sincerely,

Nicholas R. Bakke, P.E.
District Engineer

MEDFORD PARKS & RECREATION FACILITIES MANAGEMENT

HEALTHY LIVES | HAPPY PEOPLE | STRONG COMMUNITY

TO: Seth Adams - Planning Department
FROM: Haley Cox – Parks Planner
SUBJECT: MD-3a Urbanization Plan
DATE: June 10, 2020

The Parks Department has reviewed the application for urbanization of the MD-3a parcels and has the following comments:

1. According to the Regional Plan Element and as noted in the application, this urbanization area is required to allocate 16% of the total area to open space uses. The applicant has shown roughly 16 acres of open space allocated to the Garrett Creek Greenway and surrounding wetlands. The Leisure Services Plan does indicate a shared-use pathway through this area, which the applicant has proposed within the Garrett Creek Greenway. The City standard for shared-use pathways is 10' wide asphalt. The applicant is encouraged to work with the Parks Department staff on any acquisition, development and/or maintenance agreements pertaining to the open space areas of this site.
2. The Parks Department does not have specific plans to acquire and develop parkland here, however, this area is within a park watershed gap, and as such the Department remains open to identifying strategic opportunities.

The Parks Department prefers to acquire park parcels greater than 3 acres, as there are limited recreational opportunities and relatively high levels of maintenance needed to keep smaller open spaces safe and clean. Neighborhood parks that serve residents within ½ mile are ideally 3-15 acres, and community parks serving residents within a 2 mile radius are ideally greater than 15 acres. This site may be more amenable to a “Special Use Area” parkland designation, due to the unique natural features described in the proposal.

3. The Parks Department can advise the applicant on irrigation design and tree species selection for higher-order ROW planter strips. More information can be found on the City’s website: Information for Architects, Approved Street Tree List, and City Tree Planting Detail.



EXHIBIT

I



CONTINUOUS IMPROVEMENT | CUSTOMER SERVICE

701 N. COLUMBUS AVE. | MEDFORD, OR 97501 | 541.774.2400
WWW.PLAYMEDFORD.COM | PARKS@CITYOFMEDFORD.ORG



COMMUNITY ENRICHMENT | EXCELLENCE | EXCEPTIONAL CUSTOMER SERVICE | INNOVATION



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: UP-20-095 & ANNEX-20-094
PARCEL ID: 371W08 TL 300-1000 & 3871W08BA TL 100-400

PROJECT: A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan for approximately 88.73 acres of property located between Owen Drive and Coker Butte Road, and to the east of Springbrook Road (Planning Unit MD-3a)(371W08 TL 300 - 1000 and 371W08BA TL 100 - 400). This application is filed in conjunction with an annexation request (ANNX-20-094).

Consideration of a request for annexation to the City of Medford of approximately 79.6 acres of property located approximately 640 feet to the east of Springbrook Road, between Owen Drive and Coker Butte Road, and approximately 186 feet of the abutting right-of-way along Coker Butte Road. The County zoning designation of Exclusive Farm Use (EFU) will be changed to the City Single Family Residential -1 Unit/Acre (SFR-00) holding zone designation. The property will be removed from Medford Rural Fire Protection District #2. Applicant: Steven Skinner and Veritas Properties, LLC, Agent: Jay Harland, CSA Planning, Ltd., Planner: Seth Adams.

DATE: May 27, 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. The applicant's Civil Engineer shall coordinate with MWC engineering Staff for approved Water Facility Master Plan.
3. 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.
4. Installation of "on-site" 4" or 6" water lines (Cul-de-sac), 8-inch water lines (Minor Street), and 12-inch water lines (Major Streets) are required. Applicants' civil engineer shall coordinate with MWC engineering department for on-site water facility layout. Water lines are required to be installed in paved travel lanes. These water lines shall not be installed through landscape islands, parking islands, nor through proposed parking stalls.

Continued to Next Page



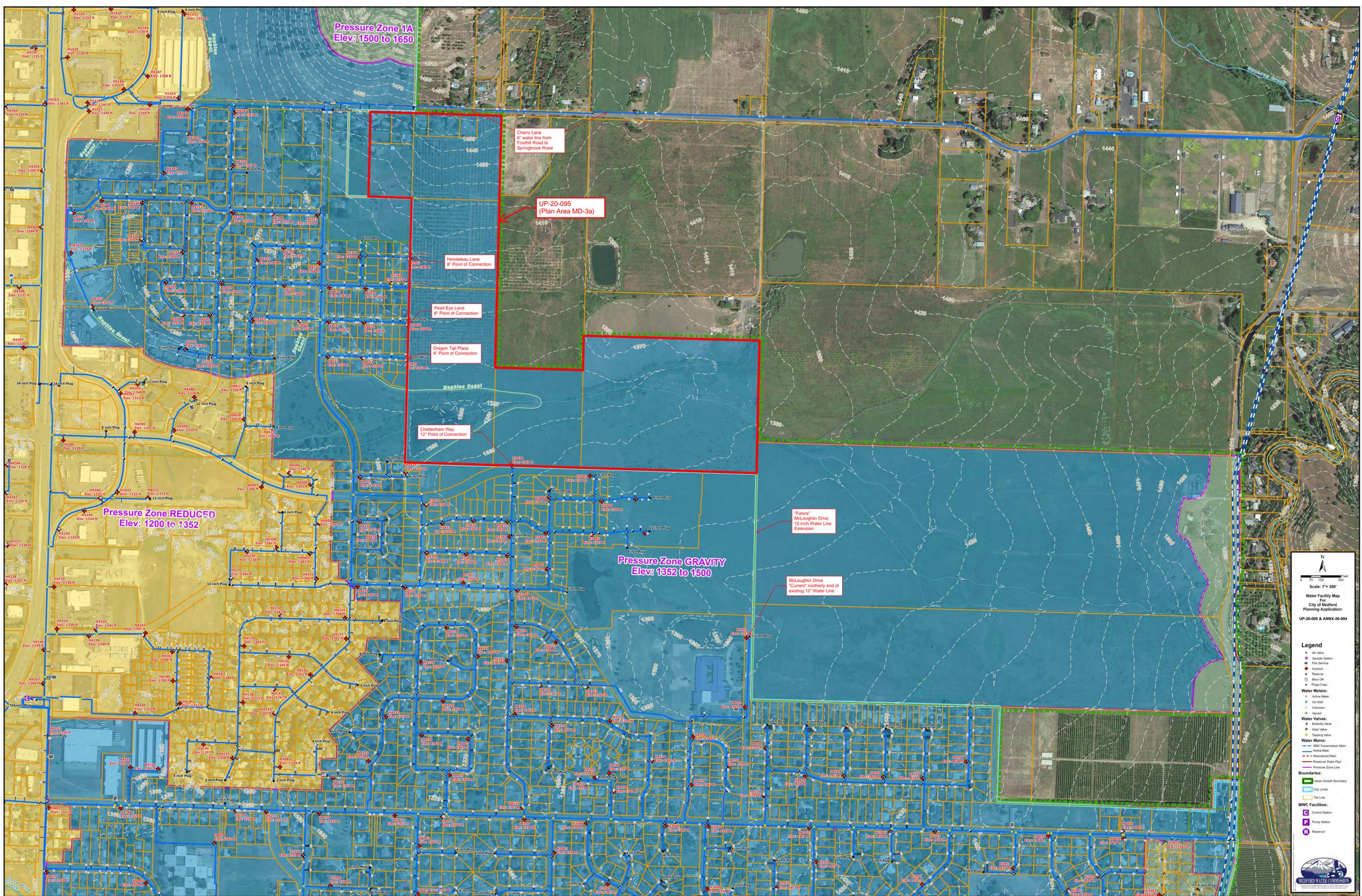


Continued from Previous Page

5. "Dead-End" waterlines are not allowed to maintain water quality. All proposed water lines are required to be looped. If a water line cannot be looped, then the installation of a "Fire Hydrant" or "Auto Flusher" will be required on "dead end" water lines
6. The applicants Civil Engineer shall coordinate with Medford Fire Department for "approved" fire hydrant locations.
7. Off-site water line improvements may be required in Coker Butte Road. Depending on Fire Department requirements for available fire flow.
8. Applicants Civil Engineer shall coordinate with Medford Water Commission, along with our Hydraulic Modeling Consultant (Jacobs Engineering Group) to have this proposed development "Modeled" within our existing hydraulic model, This modeling effort will confirm adequate pressure, water quality, and that adequate looping of water lines is also provided.

COMMENTS

1. This proposed development is located in Medford Water Commissions "Gravity" Pressure Zone.
2. On-site water facility construction will be "Conditioned" at time of "future" site development review.
3. MWC-metered water service does exist to a portion the to these properties located along Coker Butte Road.
4. Access to MWC water lines is available. There is an existing 6-inch water line in Coker Butte Road,



N
 0 75 150 300 Feet
 Scale: 1" = 300'
Water Facility Map
 City of Medford
 Planning Application:
 UP-20-095 & ANNX-20-094

Legend
 Air Valve
 Sample Station
 Fire Service
 Hydrant
 Reducer
 Blow Off
 Plug-Caps
Water Meters:
 Active Meter
 On Wall
 Unknown
 Vacant
Water Valves:
 Butterfly Valve
 Gate Valve
 Rising Valve
Water Mains:
 S&B Transmission Main
 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



MEMORANDUM

To: Seth Adams, Planning Department
From: Mary Montague, Building Department
CC: Veritas Properties, LLC, Steven Skinner, Applicants; CSA Planning, Jay Harland, Agent
Date: May 27, 2020
Subject: UP-20-095/ANNX-20-94_ Urbanization Plan (MD-3a) Coker Butte Rd. and Springbrook Rd.

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.

General Comments:

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

Comments:

5. Provide a letter to the building official per Section R401.4 indicating if expansive soils are present or not. If expansive soils are present then a site specific soils geotech report is required by a Geotech Engineer prior to foundation inspections. The report must contain information per Section 403.1.10 and on how you will prepare the lot for building and a report confirming the lot was prepared per their recommendations.



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 5/20/2020
Meeting Date: 5/27/2020

LD File #: UP20095 **Associated File #1:** ANNX2094

Planner: Seth Adams

Applicant: Steven Skinner and Veritas Properties

Site Name: N/A

Project Location: 640 feet to the east of Springbrook Road, between Owen Drive and Coker Butte Road, and approximately 186 feet of the abutting right-of-way along Coker Butte Road.

Project Description: A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan for approximately 88.73 acres of property located between Owen Drive and Coker Butte Road, and to the east of Springbrook Road (Planning Unit MD-3a)(371W08 TL 300 - 1000 and 371W08BA TL 100 - 400). This application is filed in conjunction with an annexation request (ANNX-20-094).

Consideration of a request for annexation to the City of Medford of approximately 79.6 acres of property located approximately 640 feet to the east of Springbrook Road, between Owen Drive and Coker Butte Road, and approximately 186 feet of the abutting right-of-way along Coker Butte Road. The County zoning designation of Exclusive Farm Use (EFU) will be changed to the City Single Family Residential -1 Unit/Acre (SFR-00) holding zone designation. The property will be removed from Medford Rural Fire Protection District #2.

Specific Development Requirements for Access & Water Supply

Conditions

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

Construction General Information/Requirements

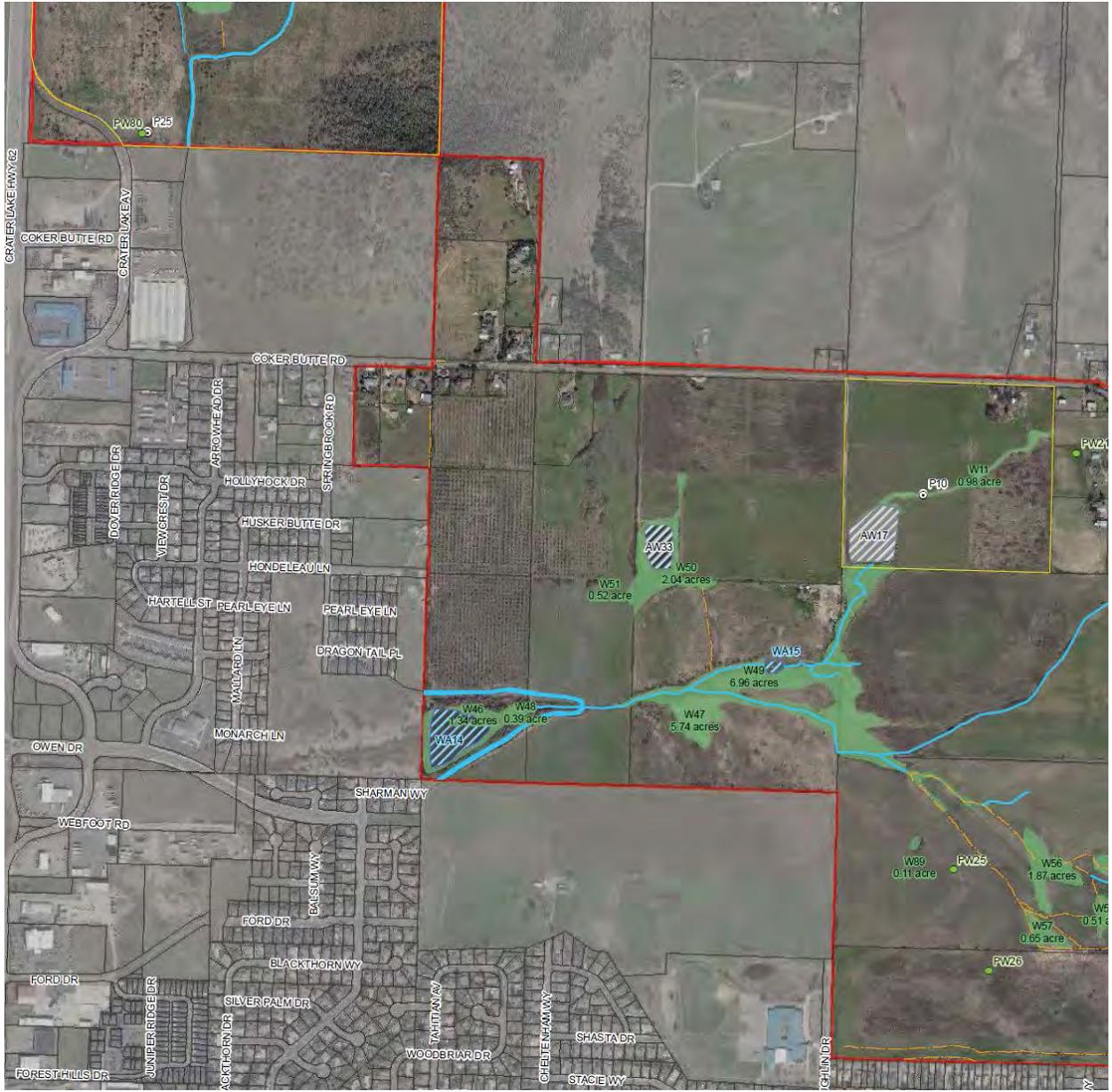
Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants)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

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

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

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

www.medfordfirerescue.org





CSA Planning, Ltd

4497 Brownridge, Suite 101
Medford, OR 97504

Telephone 541.779.0569
Fax 541.779.0114

Jay@CSAplanning.net

Transmittal Memo

To: City of Medford Planning Commission

Attn: Seth Adams, Planner III

Date: June 11, 2020

Subject: Chilsonrise Urbanization Plan Wetlands

Please find the enclosed Cover Letter and Preliminary Wetland Determination Letter Report from Schott & Associates. The City of Medford adopted a map identifying significant wetlands. This map was based upon aerial photo surveys and was not an on-site wetlands investigation.

The property owners engaged Schott and Associates to perform an on-site wetlands determination, so that the urbanization plan could be designed around the wetlands that would be considered jurisdictional by State and Federal agencies. Because there is the need for a street to cross the wetlands (future extension of Cheltenham), the ultimate development will require some wetlands permitting process. The Urbanization Plan has been designed to mostly avoid the wetlands, but it is expected that a few small areas of wetland "straightening" will occur. Wetlands tend to be irregularly shaped, while economic urban development necessitates mostly right-angles. It is expected that relatively small areas of wetland incursion will be mitigated on-site in areas designed for Open Space. This will all need to be approved through the State and Federal wetland permitting processes.

There were also some property management measures recommended by Schott and Associates that will affect the amount of wetlands on the site, but the effect of these will take an additional wet season before they can be assessed and a formal wetland delineation submitted for review with DSL and the Corps.

CSA Planning, Ltd.

Jay Harland
President



SCHOTT & ASSOCIATES

Ecologists & Wetlands Specialists

21018 NE Hwy 99E • P.O. Box 589 • Aurora, OR 97002 • (503) 678-6007 • FAX: (503) 678-6011

June 10, 2020

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

Re: Carpenter/Skinner Properties Wetland Determination Completed in January 2019

City of Medford Planning Commission:

Schott & Associates was contracted to conduct a wetland determination on two connected parcels of property owned by Dunbar Carpenter and Steve Skinner located to the south of Coker Butte Road, east of Hondeleau Lane, and north of Owen Drive in Medford, Jackson County, Oregon (T37S, R1W, Section 8 tax lots 300, 700, 800, 900 (portion of) and 1000 to document existing wetlands and other waters that may be regulated under the Removal-Fill law by the Oregon Department of State Lands (DSL) and under the Clean Water Act (CWA) by the U.S. Army Corps of Engineers (Corps). Impacts proposed to jurisdictional wetlands or waters require permits from the appropriate regulatory agencies and compensatory mitigation may also be required. The property owner's agent, CSA Planning Ltd., requested S&A provide this cover letter to provide context for the preliminary report and inform the Commission on the process and expected future regulatory requirements for wetlands on the site going forward.

A wetland determination was completed in January 2019 and a preliminary report was prepared. This report was intended for informational and planning purposes only and did not contain the detail or documentation necessary for regulatory authorities to issue an official determination. The owners were not ready to submit a formal wetland delineation report for concurrence of jurisdictional waters. The determination was provided to the client only and was intended to provide site conditions for planning and management purposes.

Based on the information gathered six wetlands totaling 5.58 acres, one channelized creek (Midway Creek), two ditches, and a portion of the Hopkins Canal were identified within the study site. One of the wetlands, Wetland 6, was an excavated pond meeting wetland criteria. Prior to the 2019 fieldwork, a dam along the western extent of the pond/wetland was breached. The feature had been failing and was considered a safety hazard; a general authorization permit (GA) from DSL was issued for the dam to be breached. During the 2019 fieldwork, the pond was observed to be predominantly drained. Because of the dam breach water was no longer ponding; it was anticipated that site conditions will continue to change, and another site visit/delineation would be needed to verify and determine wetland/water boundaries.

Beaver activity was observed within the site, causing areas of ponded water to form within and along the creek. Creek channels had been cleared out prior to the site visit but the above activity was still occurring.

Management actions were recommended at that time for monitoring beaver activity and maintaining the channel of the creek. Beaver dams and blocked creek channels can cause hydrology to spread across the landscape, creating unnecessary flooding as was already occurring onsite. Recommended actions were to maintain the

removal of beaver dams and blocked channels, reducing the flooding on site. These are maintenance activities which do not include removal or fill within regulated waters. No permits are required for these actions.

Prior to any development of the site it is recommended a complete delineation be prepared and submitted to DSL and the Corps for concurrence. Assessed site conditions are the best professional judgment and conclusions of the investigators (S&A) and should be considered preliminary until approved by DSL and the Corps. S&A would recommend revisiting and collecting additional information during the late winter early spring of 2020-2021 to assess hydrology during the growing season and document any changes. After this site visit a formal delineation report would be submitted to the regulatory agencies. Below is a summary of estimated timelines for regulatory activities associated with wetlands and waters.

1. Delineation Report

A complete delineation must be submitted to the Oregon Department of State Lands (DSL) for concurrence documenting the onsite findings. **S&A estimates 1-2 weeks to complete the report and submit to DSL.**

DSL has a 120-day policy to review the report for completeness and request additional information. They usually utilize the entire 120 review period; at which time they may ask for additional information or a site visit. This can take from 1 week to several weeks to satisfy. After submitting additional information, the timeline again is quite variable, and concurrence can be issued within 2 weeks or may take more than a month. Concurrence is valid for 5 years.

2. DSL Permit application

Impacts of greater than 50cy of cumulative cut and/or fill within a jurisdictional water requires a permit from DSL. The intent of the Wetland Removal-Fill Law is to minimize impacts to waters of the state. Therefore, the agencies require avoidance of wetlands if possible. If avoidance is not feasible, then impacts must be minimized as much as practicable, and unavoidable impacts mitigated. Mitigation can be satisfied via purchase of mitigation bank credits, if available, or development of a compensatory wetland mitigation site, subject to a set of performance criteria and 5 or more years of annual monitoring. Impacts to waters/wetlands must be justified via demonstration of a viable purpose and need for the project as well as alternatives analysis. The alternative analysis considers alternative sites and designs against a set of defined criteria and demonstrates how they do not meet project objectives or result in more impacts than the proposed plan. The analysis must show that the proposed development is the most practicable and least environmentally damaging alternative. Depending on the extent of proposed impacts, the level of justification increases.

A permit application requires approximately 2 weeks for our office to complete once all required design, mapping and justification information from engineers, land use consultants and the applicant have been provided. A mitigation proposal must be included in this application.

DSL has 30 days to review the application for completeness. If the application is deemed incomplete for some reason, a new complete application will be required, and a new 30-day review period commences. Incompleteness is often based on minor items but is common, especially for projects proposing significant impacts. Once the application is complete it is put out for a **30 public comment period**. After the comment period, we have the opportunity to respond to any comments and **DSL has another 60-day technical review period to complete their review. The entire process is theoretically 120 days.** Either party may request an extension for that decision date. A timeline of 6

months is realistic for DSL; however, it is often in the applicant's interest to extend the permit decision to be more in line with the Corps decision (see below).

3. Corps Permit Application

The Army Corps of Engineers (Corps) regulates all discharge of material into waters of the US (Section 404 of the Clean Water Act) and any work in navigable waters (Section 10 of the Rivers and Harbors Act). The same application submitted to DSL is submitted to the Corps (referred to as a Joint Application or JPA) and completion and submittal to the agencies would be concurrent. Jurisdictional determination (like DSL concurrence) is generally completed concurrently with the permit review and not as a separate process.

The Corps theoretically has a similar timeline to DSL; however, the review process is not codified to the same degree and there are numerous things that tend to cause delays. **There is a review period after which the Corps can request additional information, but there is no specific deadline for this initial review. A 30-day public notice period is also required by the Corps once they determine the application to be complete.** The Corps will determine if the project qualifies for a Nationwide permit. This is a streamlined authorization of projects that produce minimal impact to the aquatic environment (usually less than 0.5-acre).

Consultation regarding other federal laws including the Endangered Species Act (ESA), Section 401 Quality Certification, and cultural resource laws is also required. Consulting agencies include US Fish and Wildlife Service (USFWS), National Marine Fisheries (NMFS), Department of Environmental Quality (DEQ), and appropriate Native American Tribal authorities as well as the State Historic Preservation Office (SHPO; see details below). All consulting agencies must complete review and approval before the Corps can issue a permit. It is very difficult to provide an accurate timeline for the Corps process. **Approval can take 6 months to 2 years.**

Section 401 Water Quality Certification (DEQ)

Oregon DEQ reviews any project requiring a federal permit which results in the discharge of material into waters of the state to certify the project complies with state as well as federal water quality standards. A copy of the JPA is generally submitted to DEQ concurrently with the Corps to expedite the process. However, review by DEQ begins once the application is found to be complete and the project is put on public notice. DEQ's public notice period corresponds with the Corps notice period, however the timelines may not overlap perfectly. Additionally, DEQ may require a public notice period even if the Corps does not. DEQ has up to one year to make a decision. DEQ staff provide comments and may request additional information and/or require design modifications. DEQ also requires a Land Use Compatibility Statement (LUCS) signed by the appropriate City or County planning office and a 1200-C Stormwater Discharge permit for projects resulting in 1 acre or more of ground disturbance. A public review period of 14 days may be required for projects disturbing 5 or more acres. **The DEQ approval timeline can vary from 45 days to 1 year. If the project qualifies for a Corps Nationwide permit, the Water Quality Certification is generally issued within 30 days of the Corps determination.**

Biological Assessment – NMFS, USFWS

If any of the onsite waters are connected downstream to an environmental resource that supports threatened and endangered fish species and/or is Designated Critical Habitat, impacts proposed to the onsite wetlands and streams may trigger Section 7 ESA Consultation with NMFS. The extent and outcome of Section 7 consultation is based largely on whether adverse impacts to listed species or

habitats is likely to occur as a result of the proposed project. A Biological Assessment may be required to provide the agencies the information needed to determine the likelihood and extent of adverse impacts. Other threatened and endangered species and/or habitat may be identified as possibly present onsite but in most cases are unlikely to be present based on available habitat and concern should be easily dismissed.

If no adverse impacts to listed species or habitat are likely, the Corps proceeds with permit review following informal consultation with NMFS. In order to address Standard Local Operating Procedures for Endangered Species (SLOPES) a Stormwater Management Plan must be prepared by a qualified engineer. If impacts are minimal and activities comply with a programmatic Biological Opinion (BiOp), the verdict is typically favorable, and the review should follow the standard Corps process.

If no BiOp exists and impacts are considerable, an individual consultation is required and project approval hinges on NMFS evaluation of the impacts. **This can be a lengthy process and has been known to take up to 2 years.** It is recommended that a pre-application conference be scheduled to address this likelihood, as well as any other questions. **As we have found the Portland NMFS office to take less time than other NMFS offices, we anticipate about a 6-8-month process.**

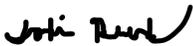
Cultural Resource Assessment – Corps, Tribes, SHPO

If it appears the site may contain archeological or cultural resources the federal or tribal preservation office may request a cultural resource survey and report prepared by a professional archeologist to meet requirements of the cultural resource laws including the National Historic Preservation Act. This timeline is conditional upon the availability and timeline of the archeologist.

Wetland delineations expire after 5 years. After this time agencies may require a verification or new delineation to be completed. Permits expire from two years (DSL) to five years (Corps) after approval. Extensions are feasible but may require additional verification or fees.

Please contact me if you have any questions.

Respectfully,



Jodi Reed



SCHOTT & ASSOCIATES

Ecologists & Wetlands Specialists

21018 NE Hwy 99E • P.O. Box 589 • Aurora, OR 97002 • (503) 678-6007 • FAX: (503) 678-6011

CARPENTER/SKINNER PROPERTIES WETLAND DETERMINATION JANUARY 2019

INTRODUCTION

Schott & Associates was contracted to conduct a wetland determination on two connected parcels of property owned by Dunbar Carpenter and Steve Skinner located to the south of Coker Butte Road, east of Hondeleau Lane, and north of Owen Drive in Medford, Jackson County, Oregon (T37S, R1W, Section 8 tax lots 300, 700, 800, 900 (portion of) and 1000 to document existing wetlands and other waters that may be regulated under the Clean Water Act (CWA) by the U.S. Army Corps of Engineers (Corps) and under the Removal-Fill Law by the Oregon Department of State Lands (DSL). This letter report is a determination for informational purposes and not to be used as a formal wetland delineation report. This letter report will not fulfill federal and state regulatory requirements for project permitting.

The study site encompassed approximately 81.75 acres and was roughly shaped in an 'L' shape. The vertical part of the 'L' located to the west was comprised of tax lots 300, 700, 800 and the southern portion extending east included a portion of tax lot 900. These lots are owned by Carpenter. The topography was predominantly sloped downhill to the south along the western border and was comprised of an abandoned pear orchard. Tax Lot 800 contained a large former pond and wetland feature extending east into tax lot 900. The pond dam was close to failure, and to prevent catastrophic flooding downstream, it was breached in the summer of 2018. The former pond and associated wetland formed a large swale and depression surrounded by an access road/levee associated with the Hopkins Irrigation Canal.

Tax lot 1000 (Skinner Property) composed the eastern portion of the study site. The topography consisted, generally, of a broad swale with slopes converging near the middle of the lot. Two drainage channels extended onsite along the eastern site boundary. The channels merged and continued west, southwest through the bottom of the swale. The drainage channels flowed to the west (onto the Carpenter property). An irrigation pond was located within the eastern portion of the site associated with the drainage.

The site was addressed in two portions, each associated with the property owner.

METHODS

Prior to the site visit, the following existing data and information were reviewed:

- ORMAP online tax maps (<http://www.ormap.net/>)
- City of Medford Local Wetland Inventory (LWI) produced by Wetlands Consulting in 2002

- City of Medford Urban Reserve Local Wetland Inventory Report produced by SWCA Environmental Consultants in December 2016
- U.S. Department of Agriculture (USDA) NRCS gridded Soil Survey Geographic (gSSURGO) database for Jackson County
- Recent and historical aerial photographs provided by Google Earth

Aerial photographs from Google Earth were reviewed to assess site history and examine if there were any wetland spectral signatures. The site appeared relatively unaltered outside of the removal of pear orchards to the north and south of the eastern extent of the Hopkins Canal on the Carpenter property. The dam associated with the pond on the Carpenter property was breached in the summer of 2018 as part of a general authorization permit (App 61441).

To the east, on the Skinner property, the site was also relatively unaltered. The existing pond was evident in historical aerial photographs, associated with a drainage extending southwest toward the Hopkins Canal. An additional tree line or drainage was located to the south. It appears the vegetation was removed between 2014 and 2016. The property appeared to have been regularly used by livestock.

The soil survey for Jackson County was used to determine if there were hydric soils mapped on the property. Hydric soils are soils which developed in a wet moisture regime. Soils that develop in a wet moisture regime will develop certain characteristics indicative of wetland presence. Four soil series were identified onsite; Carney clay (1 to 5 percent slopes), Carney clay (5 to 20 percent slopes), Coker clay (0 to 3 percent slopes), and Padigan clay (0 to 3 percent slopes). The Carney clay and Coker clay series are not considered hydric soils; however, both may have hydric soil inclusions. Padigan clay is considered a hydric soil.

Finally, the Medford Local Wetland Inventory was examined. The study site was not incorporated in the 2002 LWI for the City of Medford completed by Wetland Consultants. In 2016, SWCA Environmental Consultants completed a City of Medford Urban Reserve LWI Report. A series of wetlands and ponds were identified (wetlands W46-49 and ponds W14-15) within the study site. The wetlands were classified as palustrine emergent, scrub shrub, and aquatic bed wetlands with water regimes including saturated, seasonally flooded and permanently flooded. The features were not field verified. Wetlands were mapped based on vegetation identified in aerial photographs or offsite viewing, aerial signatures, presence of mapped soils, or presence of mapped wetlands based on the National Wetland Inventory.

Schott and Associates visited the site January 16th, 2019 to assess for the presence or absence of onsite wetlands and waters. Field work to collect GPS and sample plot data was completed January 29th and 30th, 2019. Data was collected according to methods described in the *1987 Manual* and the *Regional Supplement to the Corps of Engineers Delineation Manual: Arid West Region (Version 2.0)* to determine boundaries of wetlands subject to state and federal jurisdiction. Onsite streams, ditches and ponds were delineated via the ordinary high-water mark (OHWM) as indicated by top of bank, wrack or scour lines, or change in vegetation, where applicable. Areas with limited access due to thick brush were estimated with an offset GPS point.

A total of 29 sample plots were established within the study site documenting conditions. For each sample plot, data on vegetation, hydrology, and soils were collected, recorded in the field, and later transferred to data forms. Plant indicator status was determined using the 2016 National Wetland Plant List (Lichvar et al. 2016).

The mapped areas were based on soils, vegetation, and hydrology data gathered in the field by Schott & Associates. Sample plots, wetland boundaries, ponds, and drainage boundaries were recorded with a handheld Trimble GPS unit capable of sub-meter accuracy following differential correction with Pathfinder Office desktop software. Data was converted to ESRI shapefile and mapped using ArcMap desktop software by Schott & Associates. Where blackberry and shrubs limited access to wetland boundaries, plot offsets, aerial photography, and contour lines were used to best define the wetland boundary.

RESULTS

Based on vegetation, soils and hydrology, six wetlands totaling 5.58 acres, one channelized creek (0.32 acre), two ditches (0.08 acre) and a portion of Hopkins Irrigation Canal (0.48 acre) were identified within the study site. Wetland, creek, ditch, irrigation canal, and data plot locations are shown on Figures 4a, 4b, and 4c. Hydrology associated with the site flowed from the east to the west. Wetland and water features will be addressed east to west.

Skinner Property (Shown in Detail on Figure 4b)

Midway Creek: The drainage transecting the site from the east to the west is identified as Midway Creek per the 2016 LWI. The creek entered the site along the northeastern study site boundary and merged with a ditch (Ditch 1) just east of the onsite irrigation pond. The creek was mapped based on Ordinary High Water indicators. The majority of the creek had well defined embankments ranging from 2 to 4 feet high. The width of the creek ranged from 1 to 3 feet wide. The eastern reach of the creek (east of the pond) on the Skinner property had recently been cleaned out. Additionally, it appeared that the creek had recently been cleaned out along the western boundary to tax lot 1000.

Wetland 1: Wetland 1 (2.53 acres) was located along the eastern study site boundary and extended west through the middle of tax lot 1000. The wetland complex was associated with Midway Creek, transecting the site from the eastern site boundary and extending west-southwest.

Wetland 1 was located both to the north and south of the creek. To the north of the creek, the wetland was largely associated with the irrigation pond and topographic depression. The pond was distinctly bermed along the northern and southern boundary, however, it appeared the eastern extent of the pond and associated creek channel had historically been plugged causing hydrology to leak north, east, and southwest back into the stream channel. The northern portion of Wetland 1 was largely constrained by topography and the wetland formed as a result of perched seasonal conditions due to heavy clay soils.

South of the irrigation pond and stream channel, the property had recently been disked. Again, it appeared the creek channel had recently been cleaned out. The wetland was topographically

constrained to the south by the hill slope. The northern wetland boundary extended into the creek along the eastern portion to the north. The middle of the wetland was constrained by the pond berm and the western portion was topographically higher in elevation and contained upland habitat. The wetland south of the creek extended in a narrow strip west toward the creek, the feature was a topographic swale. The wetland was mapped as one wetland due to the association with the creek. Wetland boundaries were determined by topography, hydrology indicators and the presence or lack of hydric soil indicators. Vegetation had been disturbed, but appeared to have been dominated by cattail (*Typha talifoli*). It appears that the mapped wetland areas have been subjected to prolonged exposure to hydrology associated with the pond and plugged creek channels along with perched conditions due to heavy clay soils.

Ditch 1: Ditch 1 was located predominantly offsite to the east. The feature appeared to be an irrigation ditch; it was approximately 4 to 6 feet wide and 3-5 feet deep with well defined embankments. At the northern extent of the ditch, the feature forked and extended north, offsite, as well as extending west onto the study side. Ditch 1 merged with Midway Creek and continued west into the pond.

Irrigation Pond: The pond was 0.26 acres in size. The control dam to the pond was located along northwestern corner of the pond. The splash boards were open at the time of field work and the pond was largely drained. Hydrology flowed from the dam west through a culvert under an access road and continued west. The pond embankments were well defined berms along the northern, western, and southern extents of the pond.

Wetland 2: Wetland 2 was a small 0.02 acre wetland located in the bottom of a narrow swale that may have historically been a drainage channel. The wetland was located in the western portion of the swale and determined based on the presence of hydric soils and hydrology. The wetland was sustained by its depressional geomorphology and seasonal perched hydrology. The wetland did not extend west toward the creek or southeast. Historical aerials indicate the feature was forested or dominated by shrubs. The vegetation was cleared between 2014 and 2016. Historically, water flowed in the narrow swale down to the creek.

Wetland 3: Wetland 3 was a small 262 square foot wetland adjacent to the creek. The small shallow, depressional feature historically connected to Wetland 2. Presently, a berm separated Wetland 3 from Midway Creek and these features no longer connect. Hydrology in Wetland 3 was sustained by the depressional geomorphology and proximity to the creek.

Wetland 4: This 0.10 acre wetland was located along the western border of tax lot 1000. The wetland was associated with the creek historically silting in and flooding the area. The creek had recently been cleaned out prior to the site visit. The wetland vegetation was dominated by willow and meadow foxtail (*Alopecurus pratensis*). Soils within the wetland met hydric soil criteria and wetland hydrology indicators, including saturated soils, were documented. It appeared the area had recently been ponded due to the silted in creek or beaver activity.

Carpenter Property (Show in Detail on Figure 4c)

Wetland 5: Wetland 5 was a 0.02 acre wetland located along the eastern extent of tax lot 900. The wetland was directly associated with the creek channel. It appeared a beaver dam was present, causing a large portion of the creek to pond and spill north. Vegetation was predominantly tall fescue (*Schedonorus arundincaeus*), which is considered an upland grass in southern Oregon. The wetland boundary was determined by topography, hydric soils, and hydrology.

Ditch 2: Ditch 2 (0.01 acre) was located along the eastern boundary of tax lot 900. This feature was an abandoned irrigation ditch that no longer carried hydrology.

Wetland 6: Wetland 6 was a large 2.91 acre wetland associated with the breached pond. The wetland was located in a large depression, constrained by an access road/levee associated with the Hopkins Canal. In 2018, the dam along the western extent of the pond/wetland that contained the pond was breached. The dam was failing and was considered a safety hazard; a general authorization permit was issued for the dam to be breached. Since the dam was breached, the majority of the pond has drained. A series of channels and areas of ponded water were present during field work.

The pond was predominantly delineated based off hydrology indicators present during the field work. Within the eastern extent of the wetland, the vegetation was thick willow and Himalayan blackberry; this area was difficult to access due to high water levels and thick brush. Several beaver dams were located within the forested wetland, causing the large areas of ponded water.

The entire pond/wetland feature was contained by the embankment associated with the levee/access road to the Hopkins Canal. Midway Creek flowed west from tax lot 1000 onto tax lot 900. The creek merged with the Hopkins Canal. A beaver dam was present at the confluence. Midway Creek continued west in a well defined channel with near vertical embankments toward Wetland 5, where the creek channel disappeared.

CORRECTIVE MEASURES

Tax Lot 1000 (Skinner): The creek channels had recently been cleared out prior to the 2019 site visit. It is recommended that the area should be monitored for beaver activity. The recently disked areas should be seeded with a grass seed mixture.

Tax lots 800 and 900 (Carpenter): Along the eastern border of tax lot 900 was a beaver dam associated with the creek (near Wetland 5). It was hard to access this area due to thick blackberry bushes. If the beaver dam(s) were removed and the channel to the creek maintained, Wetland 5 would become significantly drier and lose wetland characteristics. An additional beaver dam was located at the confluence of Midway Creek and the Hopkins Canal. Within the forested portion of Wetland 6 (east of Sample Plots 26 and 27), one beaver dam was identified, but it is evident that more may be present within the forested canopy causing hydrology to spread out to the west. Clearing the dams and controlling the beaver activity will help reduce the amount of water backing up, which resulted in the ponding observed within Wetland 6.

Within tax lot 800, the pond had recently been breached. It will likely take some time for the wetland features of this large area to shrink. Channels are forming in the western portion of the area that was previously ponded, as anticipated.

SUMMARY

Six wetlands (5.58 acres), one pond (0.26 acres), two ditches (0.08 acres) and a portion of the Hopkins Irrigation Canal (0.48 acres) were identified within the study site. Approximately 0.32 acres of Midway Creek were delineated within the study site boundaries. The site was addressed in two portions based on property owner.

The Skinner property encompassed tax lot 1000. A total of four wetlands (2.66 acres), one pond (0.26 acres), and one ditch (0.08 acres) identified within the site boundaries.

The Carpenter property encompassed tax lots 300, 700, 800 and 900. Tax lots 300 and 700 were sloped pear orchards with no wetlands or waters present. The lower portion of tax lot 800 and tax lot 900 featured two wetlands (2.93 acres), a portion of Midway Creek, and the Hopkins Canal (0.48 acres) located within the site boundaries.

The wetlands are generally associated with topographic swales, and depressions. Midway Creek and a series of wetlands were identified within the study site per the 2016 LWI. The LWI features were mapped based on an off-site determination. Schott & Associates mapped all site conditions based on on-site conditions. This letter report was completed for information purposes only. Should formal wetland delineation be requested for submittal to DSL for a concurrence letter, Schott & Associates can finalize all data and compile a formal report.

Attachments:

Figure 1. Site Location Map

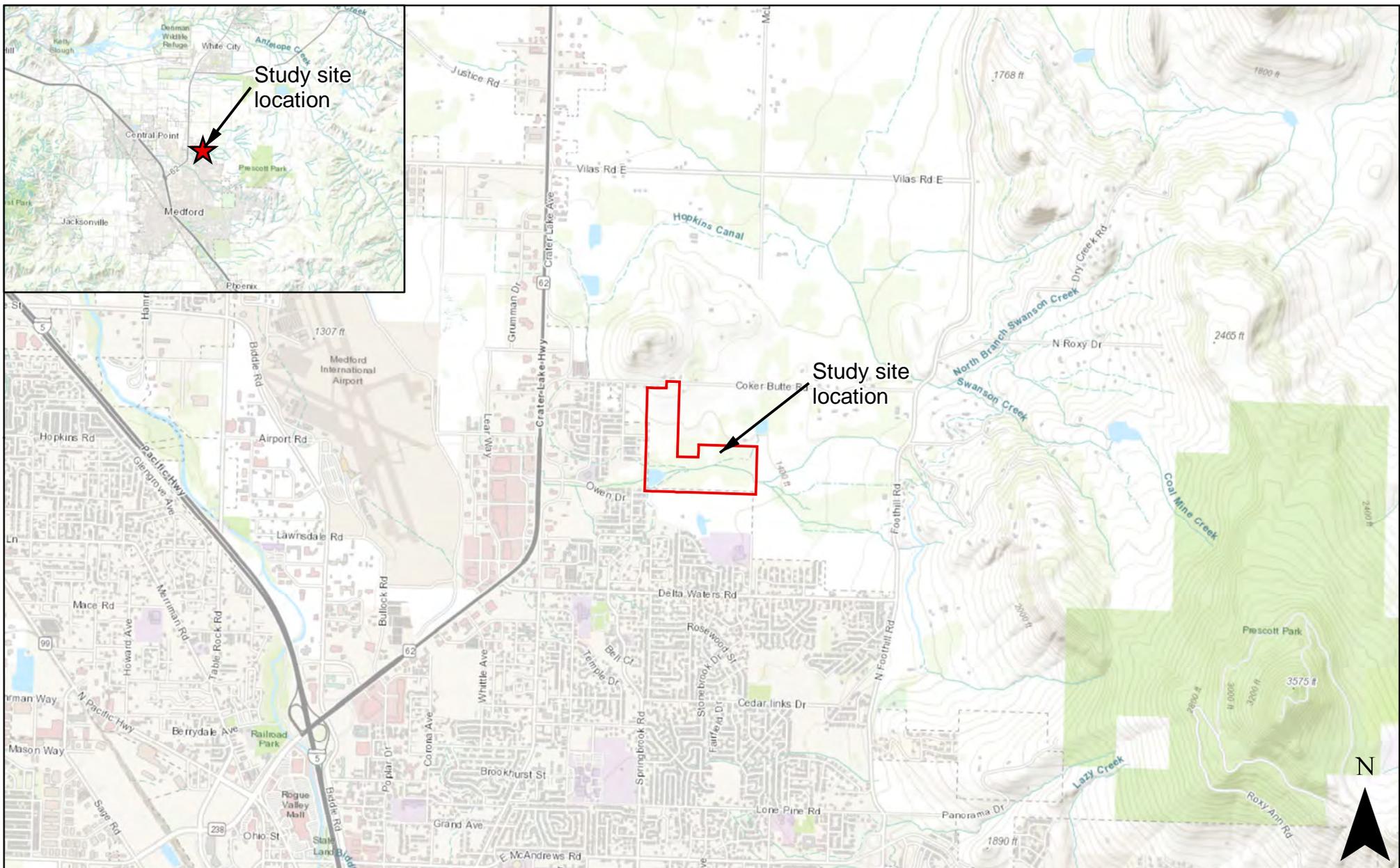
Figure 2. Tax Map

Figure 3. Local Wetland Inventory

Figure 4a. Wetland Determination Map-Carpenter-Skinner Overview

Figure 4b. Skinner Property

Figure 4c. Carpenter Property

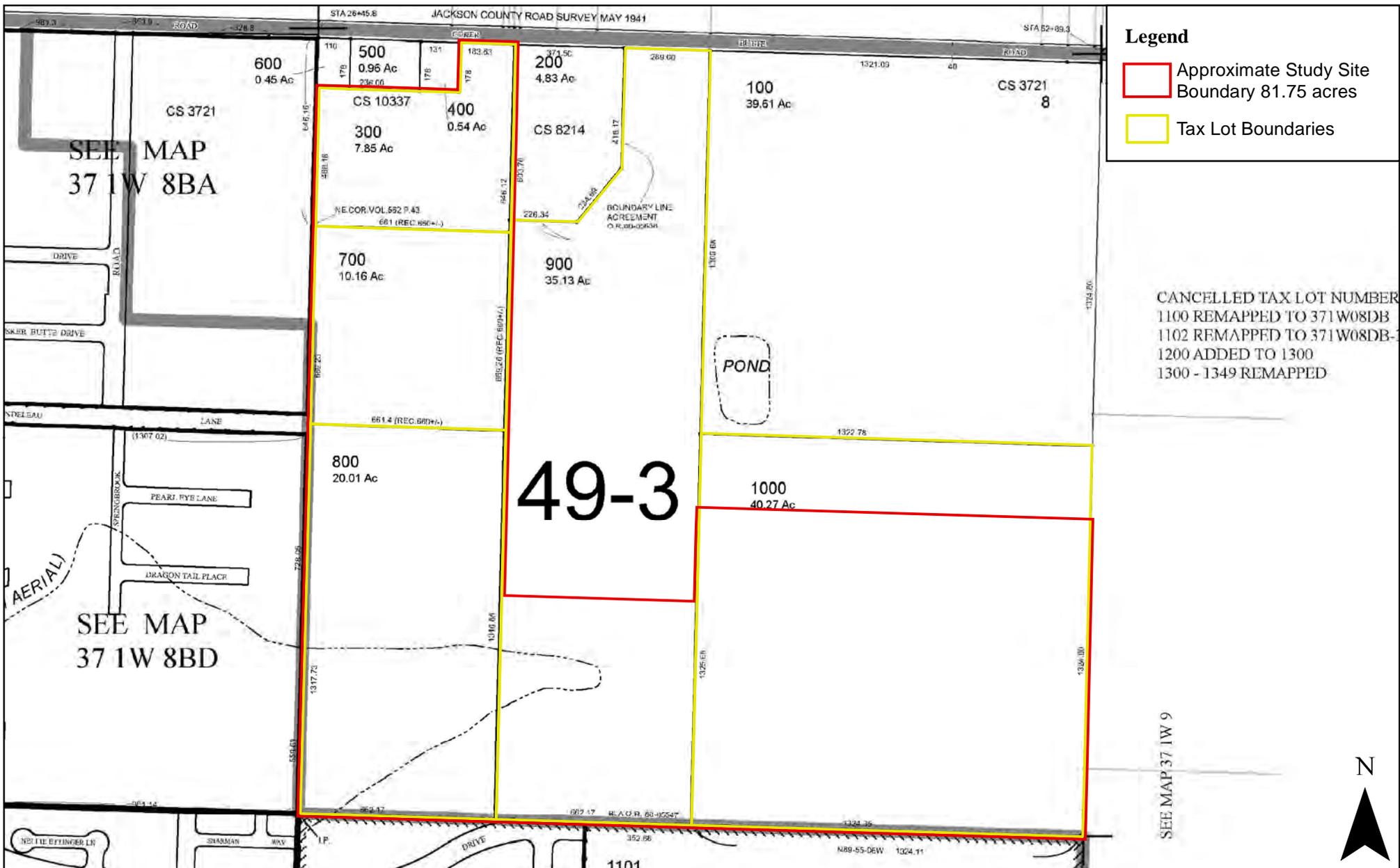


Date: 2/11/2019

Data Source: ESRI, 2019; Jackson County GIS Dept., 2018

Figure 1. Location Map

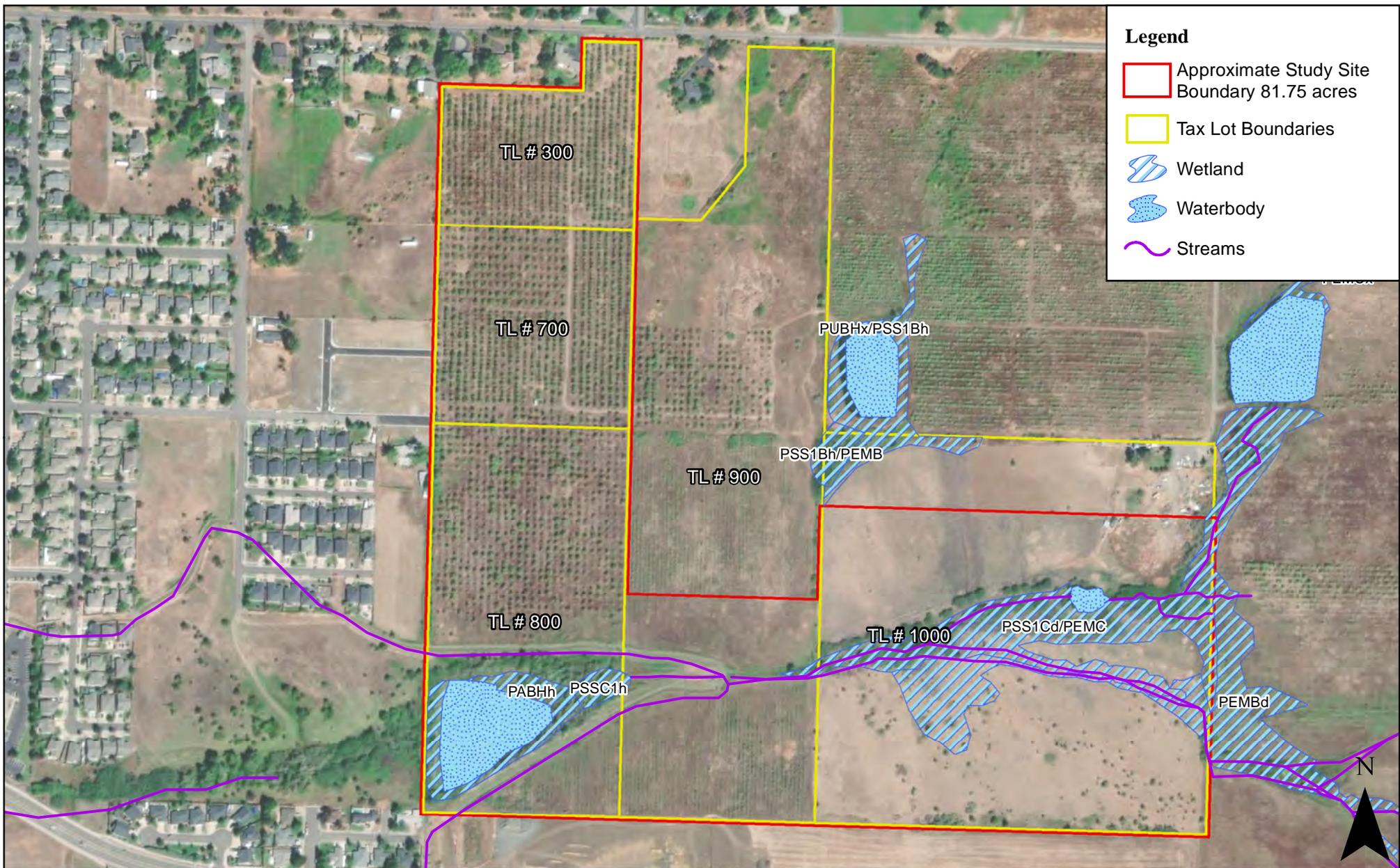
Carpenter-Skinner Project Site: S&A #2664



Date: 2/11/2019
 1 inch = 450 feet
 Data Source: Jackson County GIS Dept.,
 ORMAP (www.ormap.net), 2019

Figure 2. Jackson County Tax Map:
 371W08

Carpenter-Skinner Project Site: S&A #2664

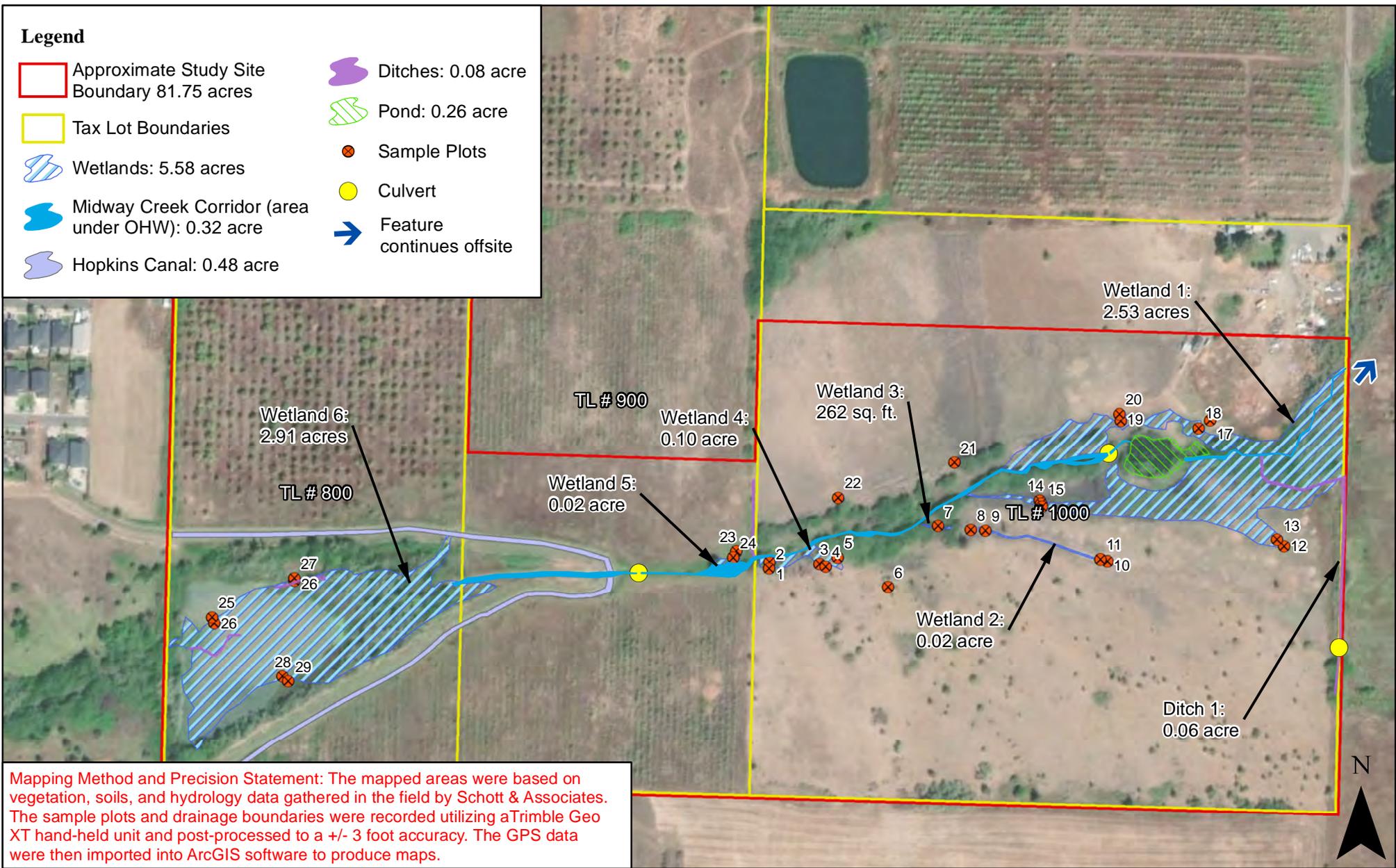


- Legend**
- Approximate Study Site Boundary 81.75 acres
 - Tax Lot Boundaries
 - Wetland
 - Waterbody
 - Streams

Date: 2/11/2019
 1 inch = 450 feet
 Data Source: ESRI, 2019; Jackson County GIS Dept., 2018; SWCA Environmental Consultants, 2017

Figure 3. Local Wetland Inventory

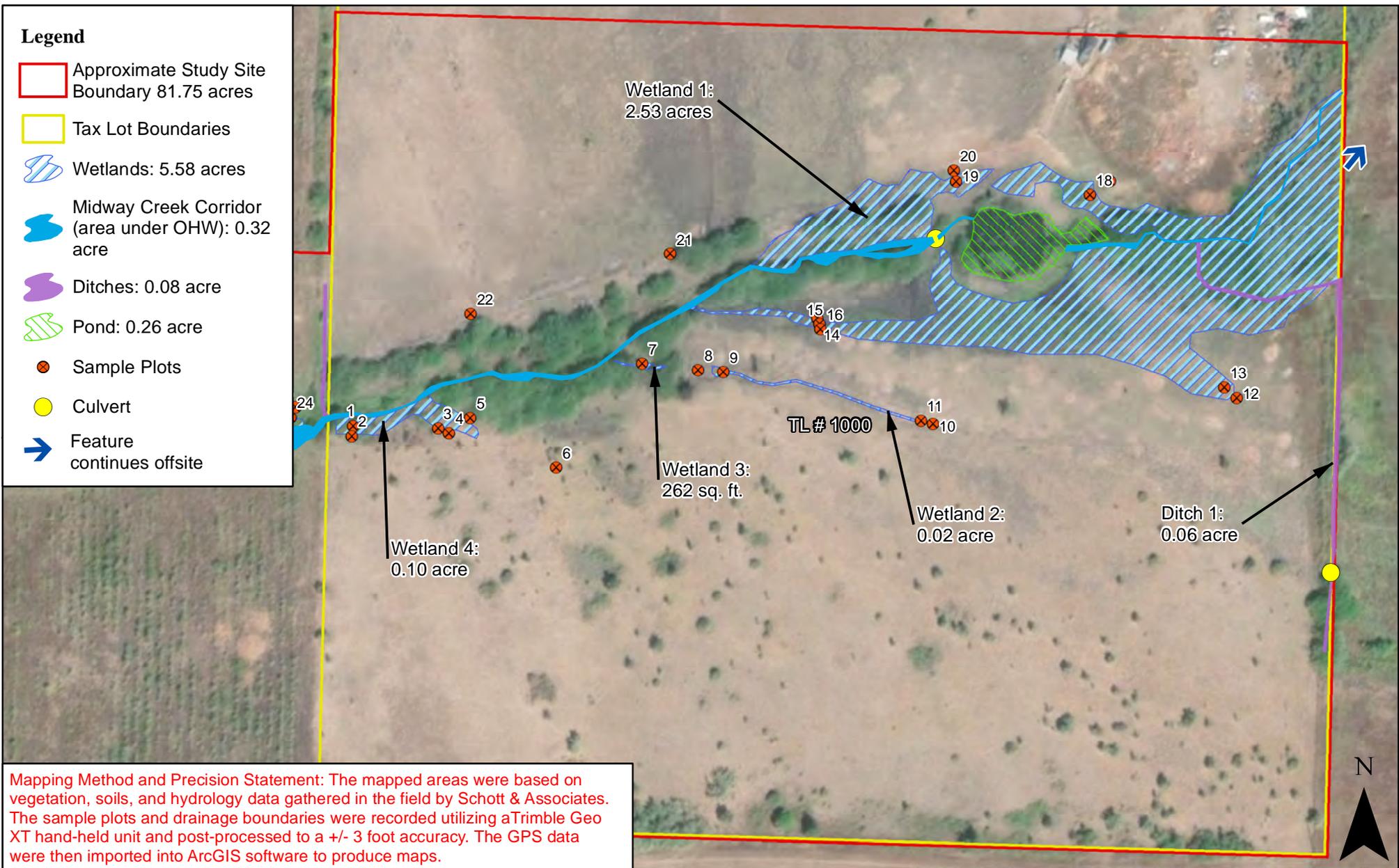
Carpenter-Skinner Project Site: S&A #2664



Date: 2/12/2019
 1 inch = 300 feet
 Data Source: ESRI, 2019;
 Jackson County GIS Dept., 2018

Figure 4a. Wetland Determination Map - Carpenter-Skinner Overview

Carpenter-Skinner Project Site: S&A #2664



Date: 2/12/2019
 1 inch = 175 feet
 Data Source: ESRI, 2019;
 Jackson County GIS Dept., 2018

Figure 4b. Wetland Determination Map -
 Skinner Property

Carpenter-Skinner Project Site: S&A #2664

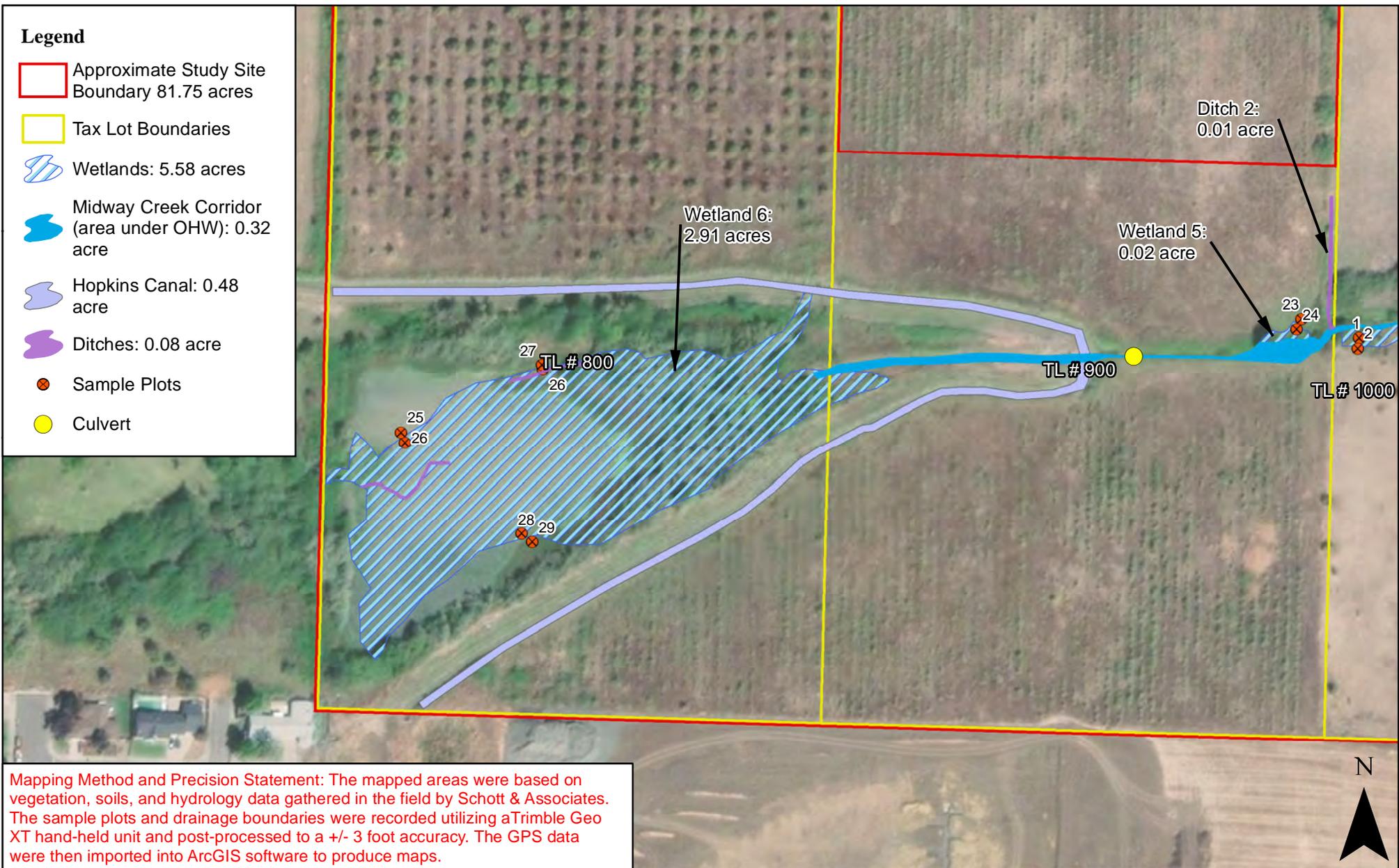
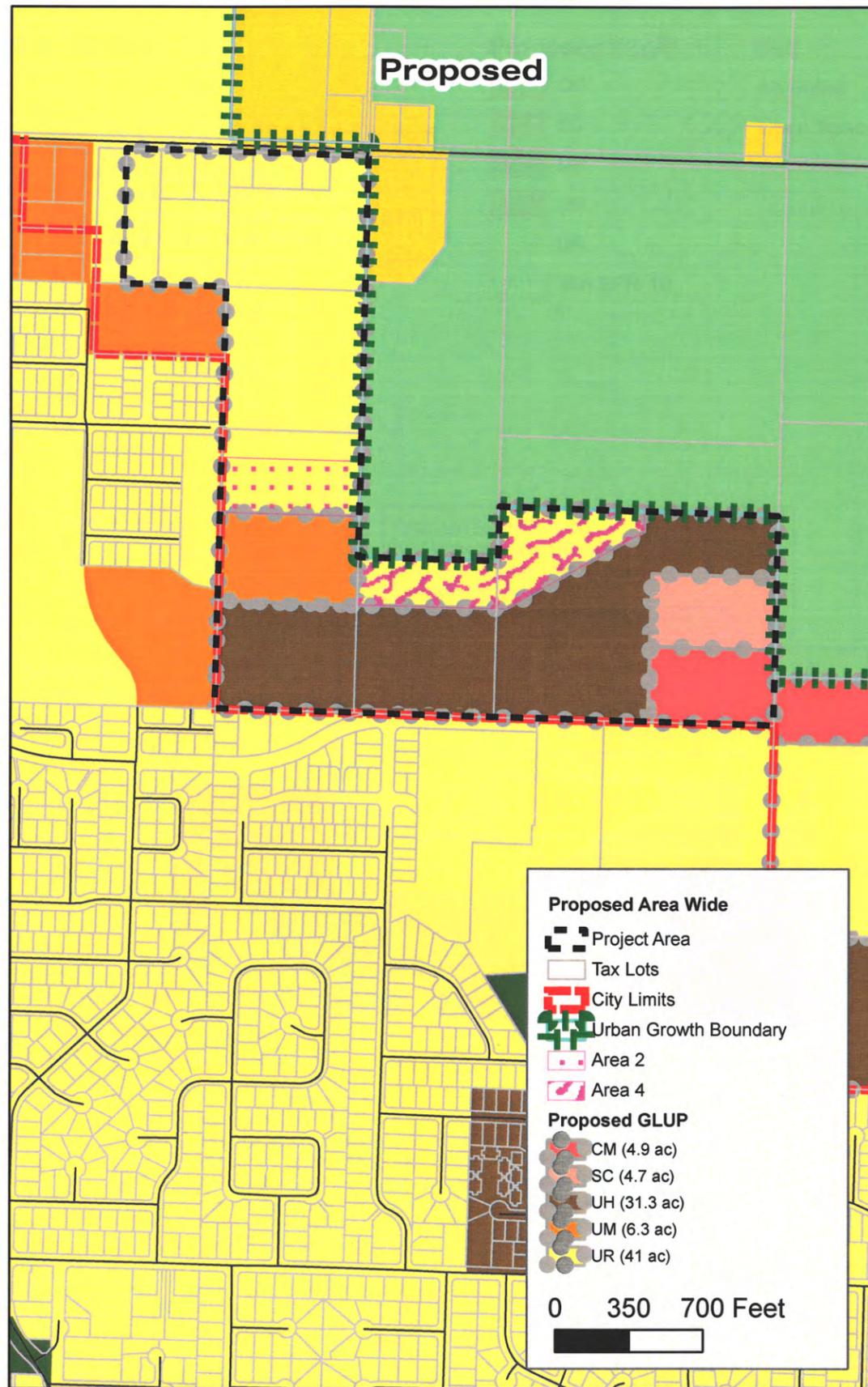
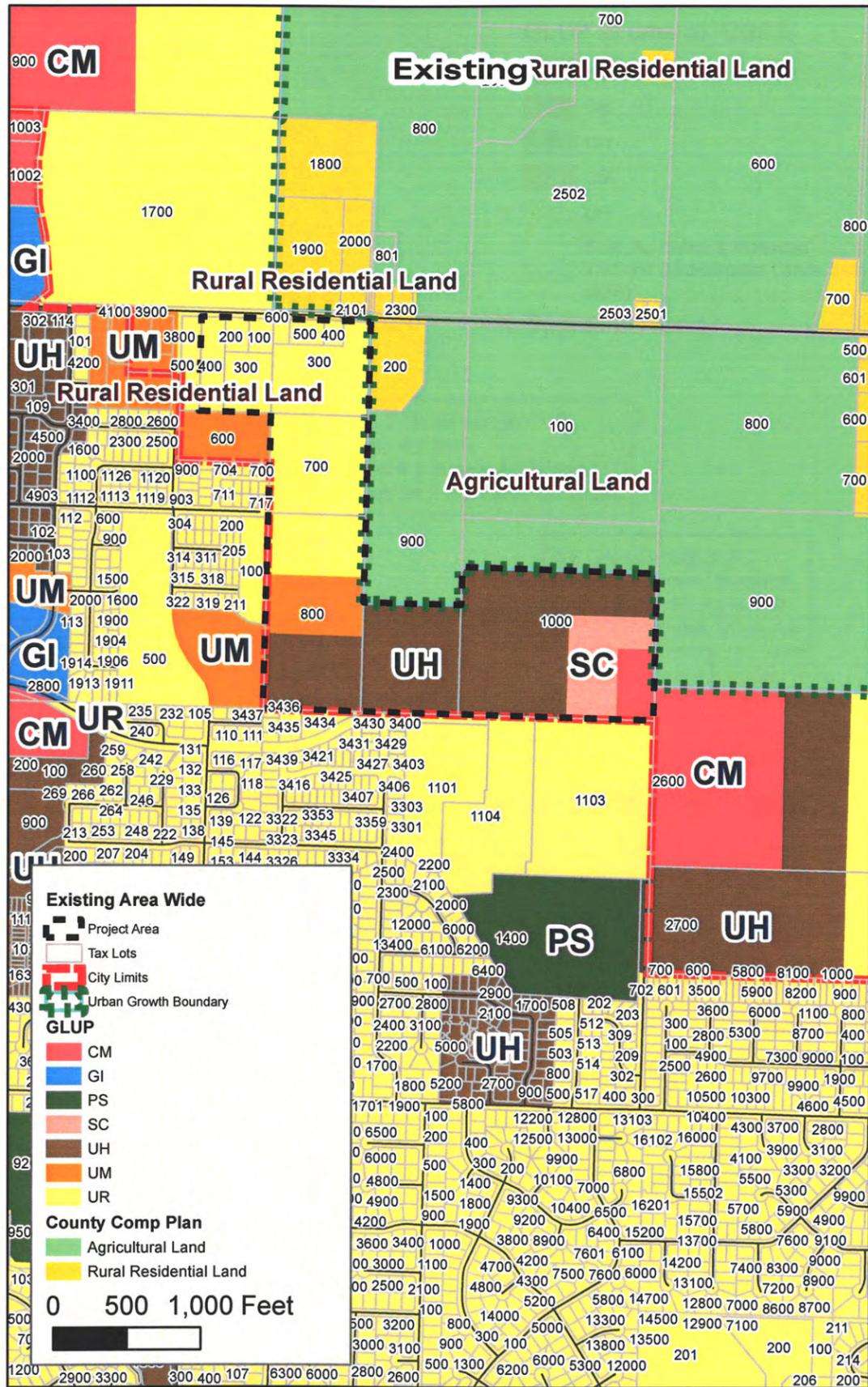


Figure 4c. Wetland Determination Map - Carpenter Property

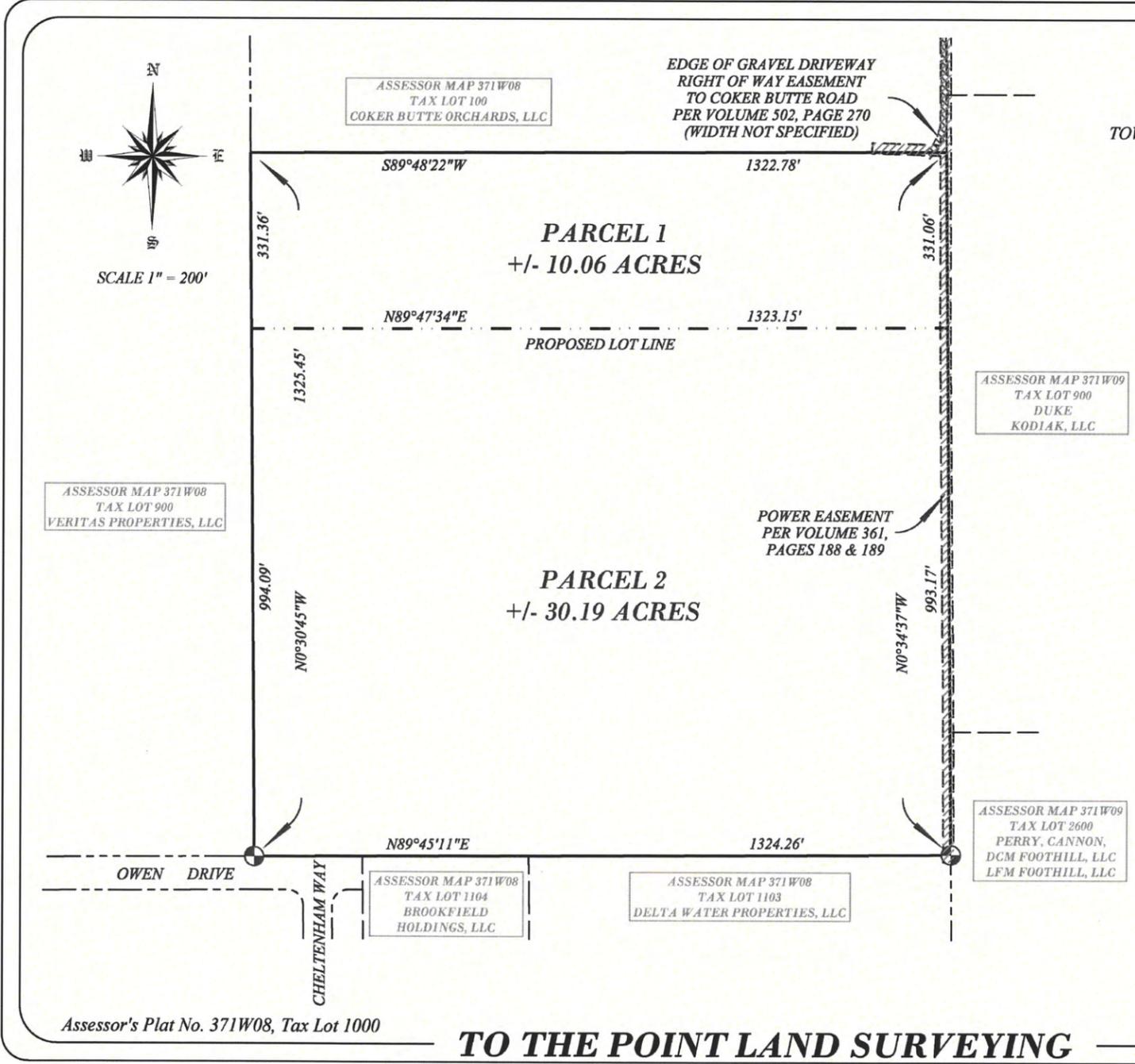
Date: 2/12/2019
 1 inch = 175 feet
 Data Source: ESRI, 2019;
 Jackson County GIS Dept., 2018

Carpenter-Skinner Project Site: S&A #2664





SCALE 1" = 200'



Assessor's Plat No. 371W08, Tax Lot 1000

TO THE POINT LAND SURVEYING

TENTATIVE PLAT

LOCATED WITHIN
 THE NORTHEAST CORNER OF SECTION 8,
 TOWNSHIP 37 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
 JACKSON COUNTY, OREGON
 FOR
STEVEN SKINNER
 2498 COKER BUTTE ROAD
 MEDFORD, OREGON 97504

LEGEND

- FOUND BRASS CAP MONUMENT
- SUBJECT PROPERTY
- PROPOSED LOT LINE
- DEED LINE
- CADASTRAL LINE
- ROAD RIGHT OF WAY

BASIS OF COORDINATES

OREGON COORDINATE REFERENCE SYSTEM
 GRANTS PASS - ASHLAND ZONE
 WITH NAVD 88 VERTICAL DATUM ELEVATIONS

**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**

Jason M. Martin
**OREGON
 MAY 8, 2012
 JASON M. MARTIN
 54729**

RENEWS: 1/1/2021

SURVEYED BY:
TO THE POINT LAND SURVEYING, LLC
P.O. BOX 217
GOLD HILL, OR 97525
(541) 840-7587
 Date: March 5, 2020
 Project No. 0007-20

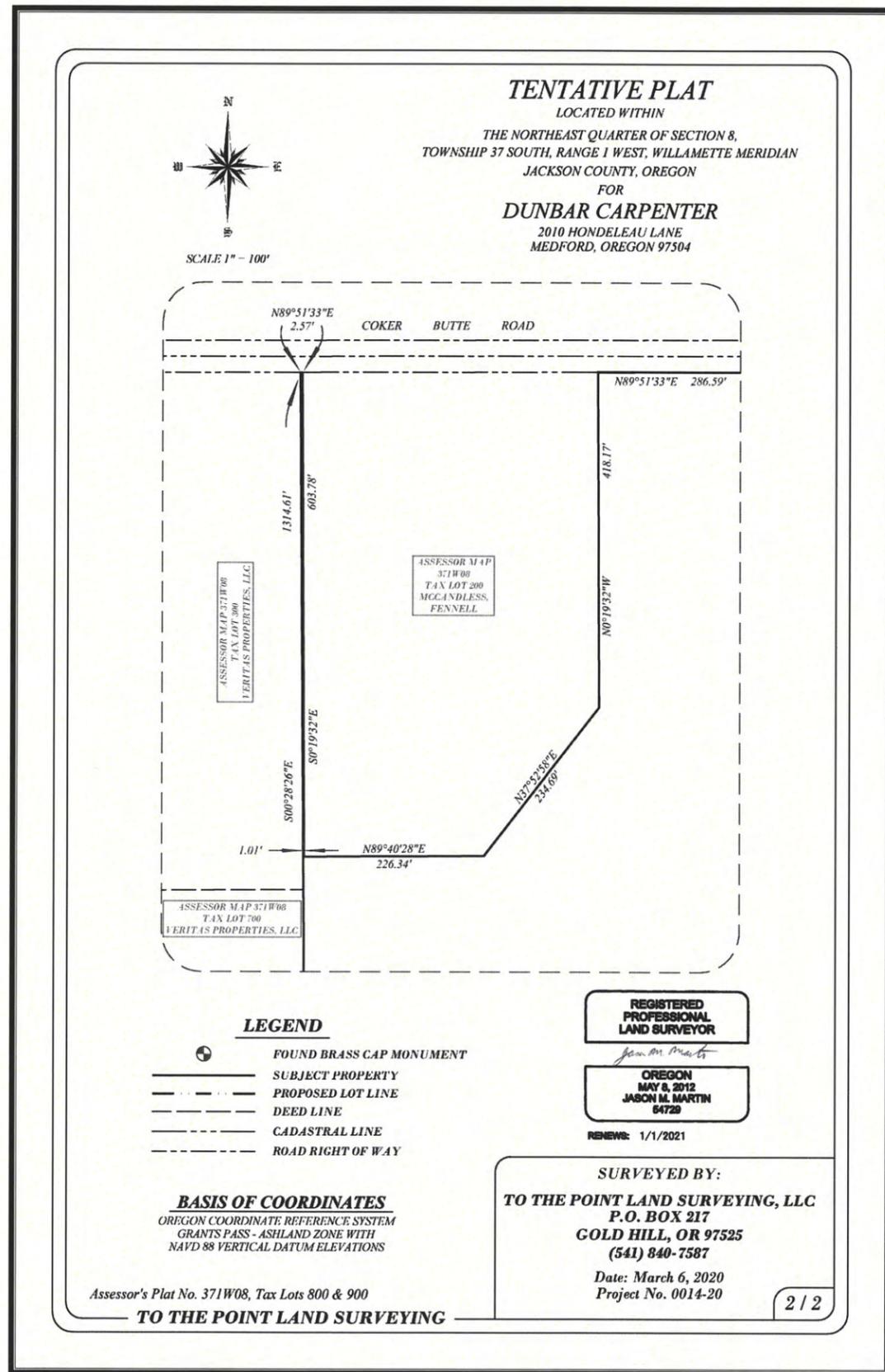
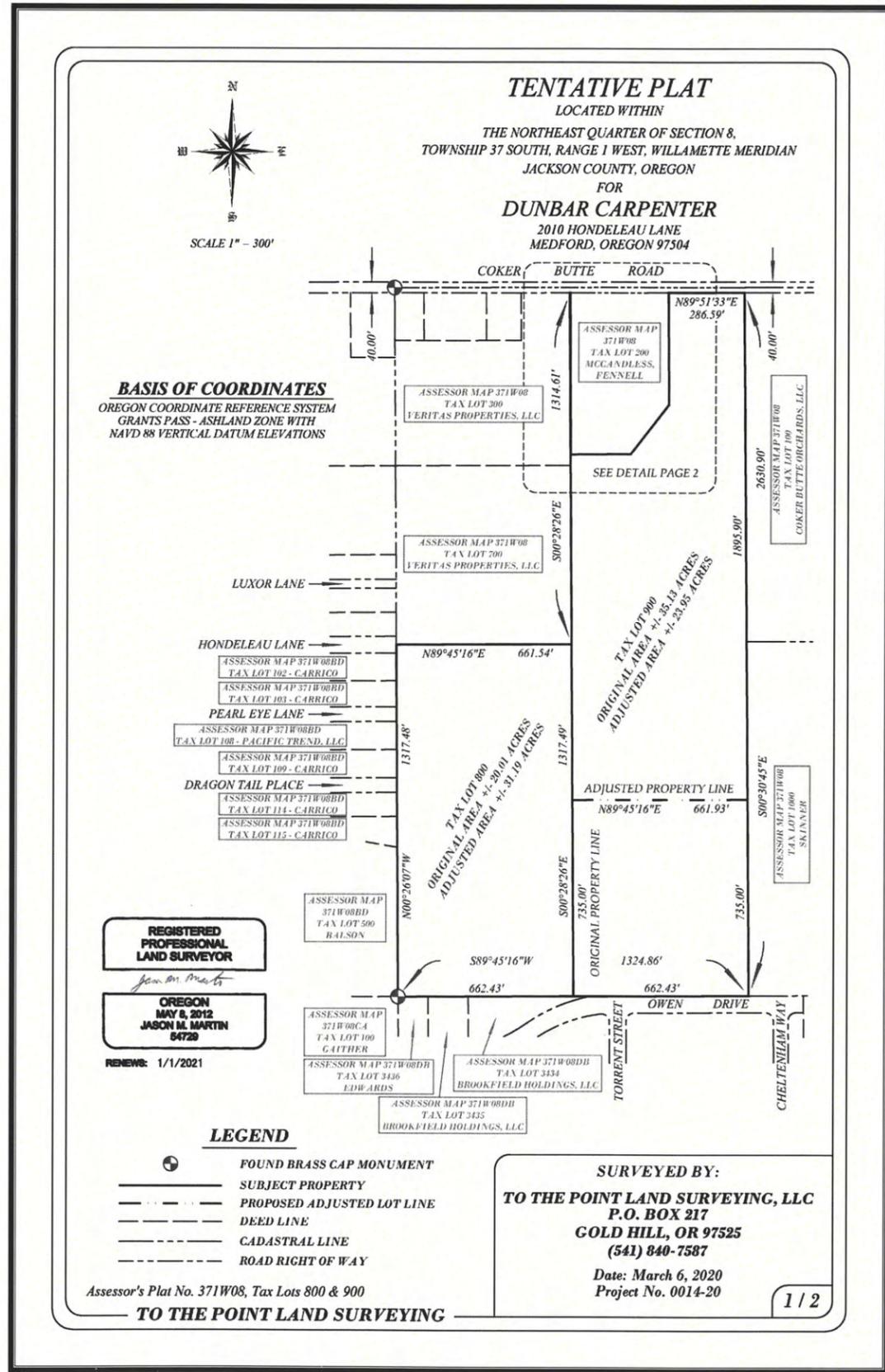
Chilsonrise Urbanization Plan

Tentative Plat for Skinner Property



Atlas Page 10 (Ref. Document 6.4.10)

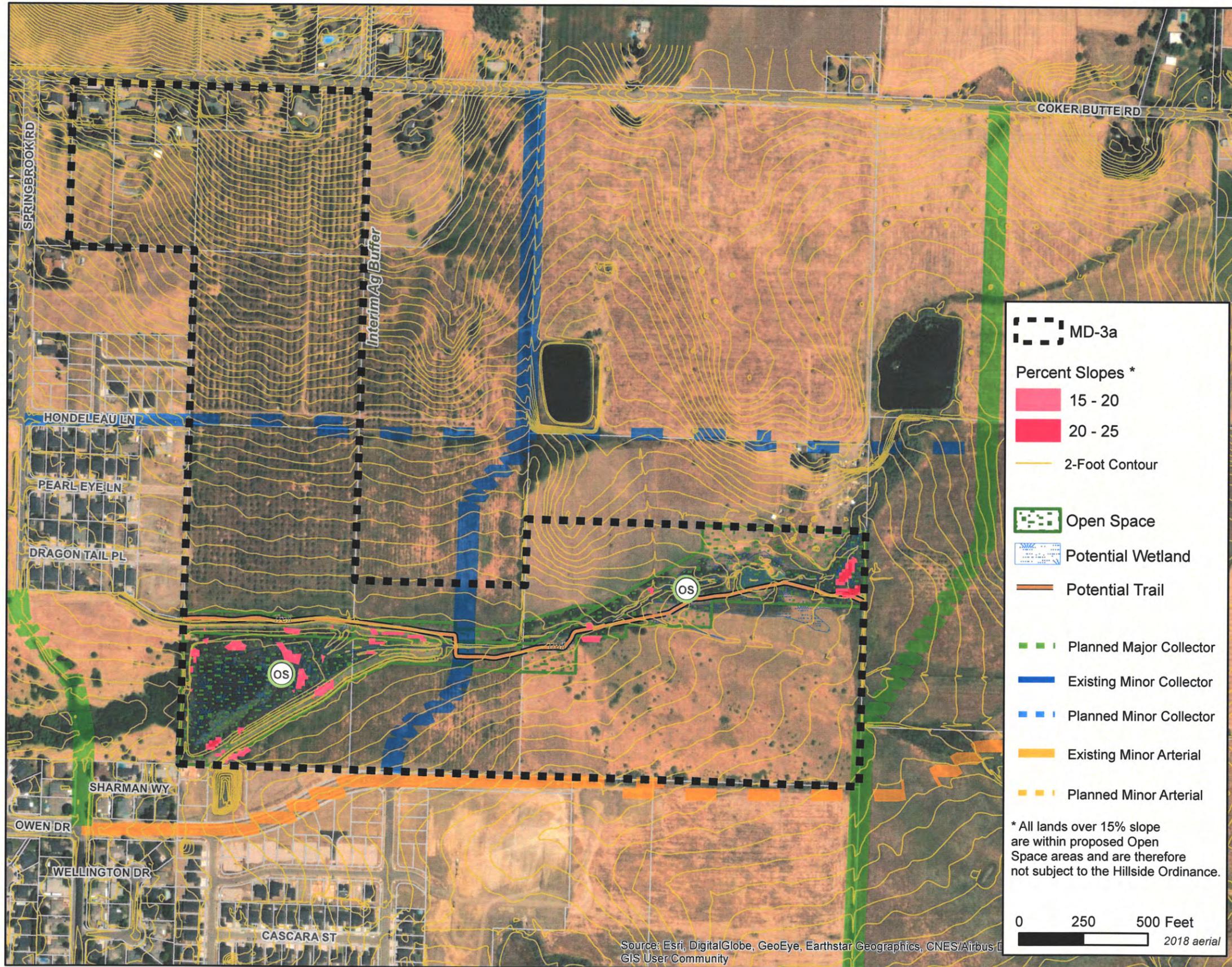
March 2020



Chilsonrise Urbanization Plan

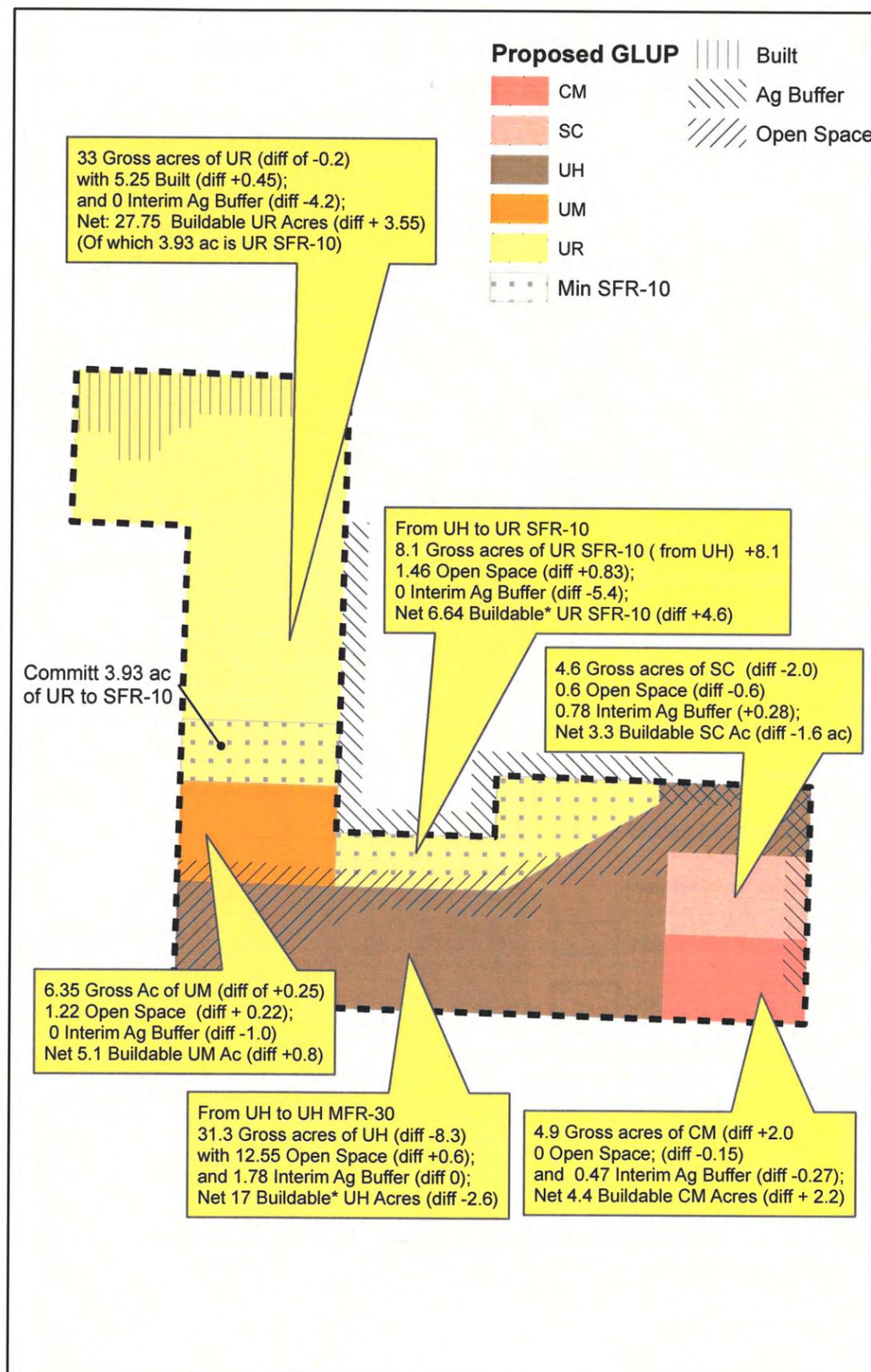
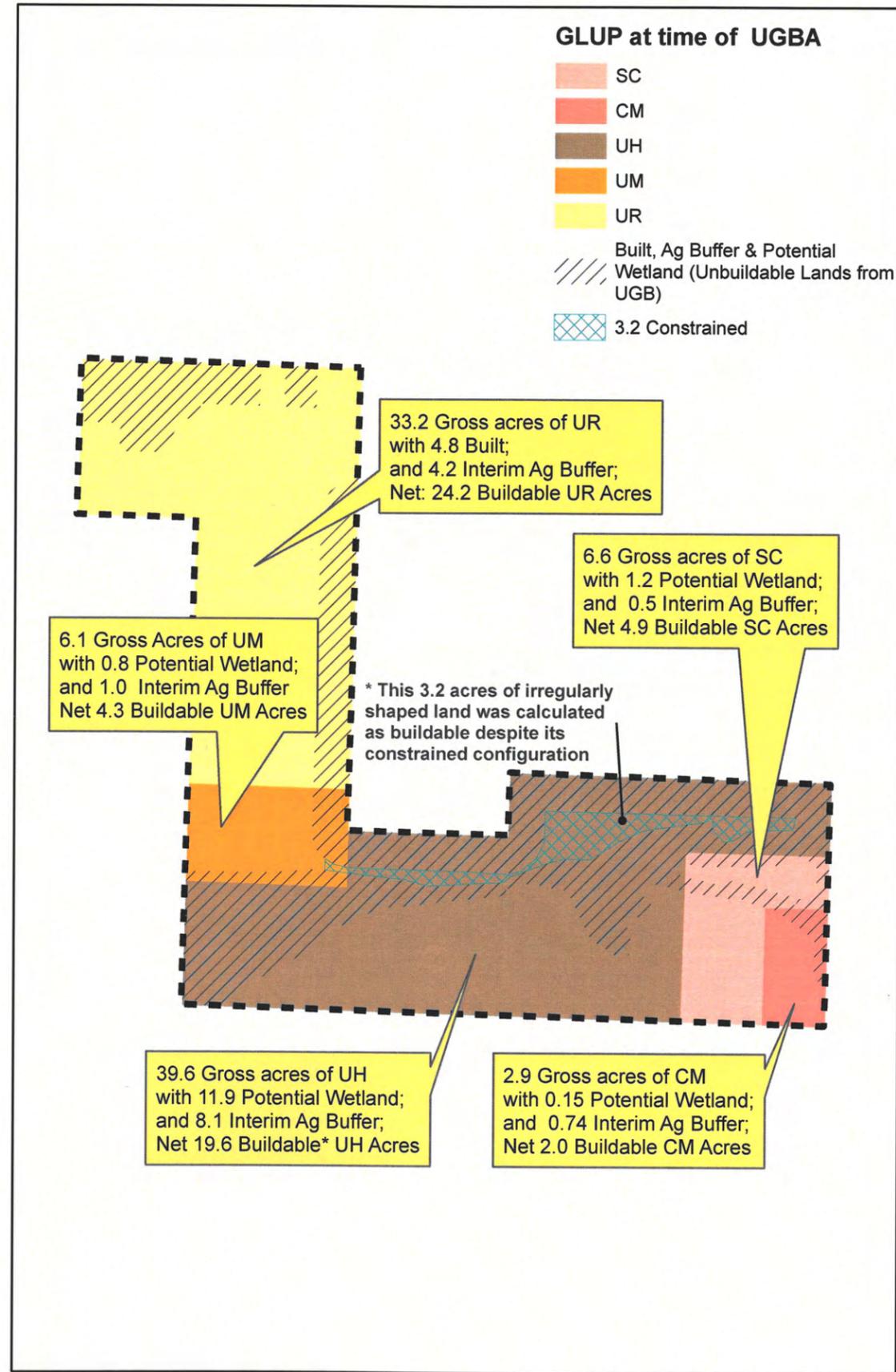
**Tentative Property Line Adjustment
for Carpenter Property**





Topography / Slopes Map

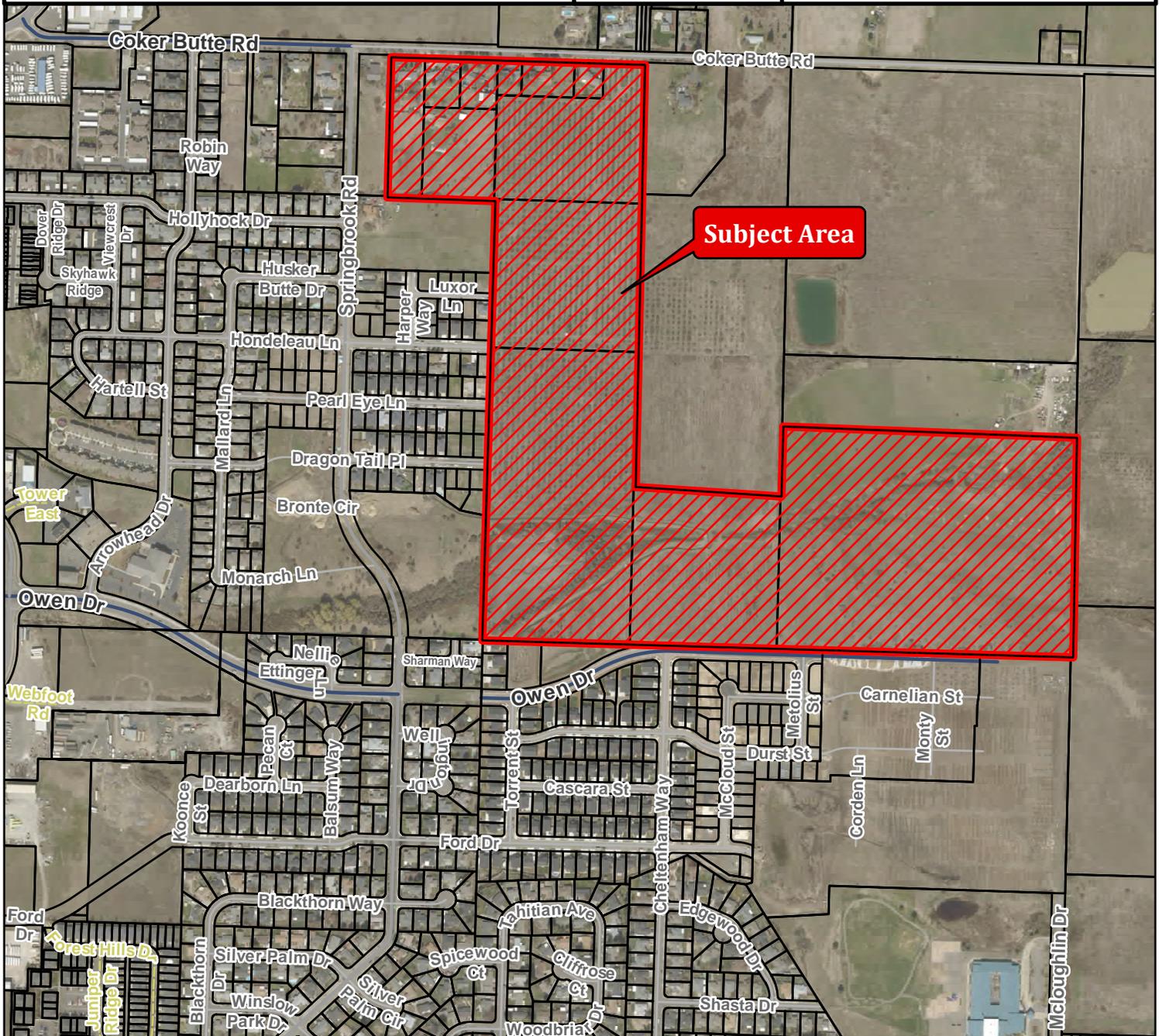




Chilsonrise Urbanization Plan

Detailed Comparison of GLUP Changes





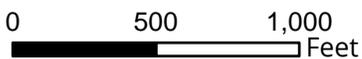
Project Name:

Planning Area MD-3a

Steven Skinner & Veritas Properties LLC

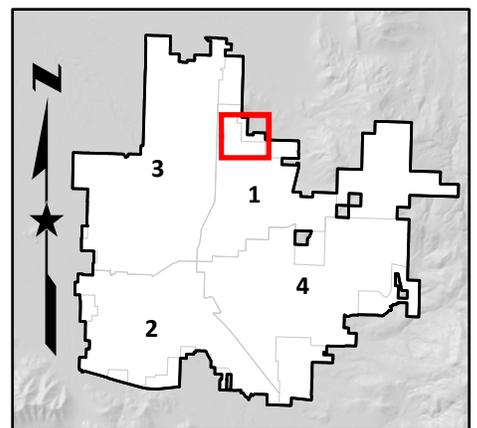
Map/Taxlot:

Various Properties



Legend

-  Subject Area
-  Tax Lots





STAFF REPORT

for a Type-IV quasi-judicial decision: **Minor Comprehensive Plan Amendment**

Project Rogue Valley Manor/Centennial Open Space Amendment

File no. CP-20-134

Property Owner Rogue Valley Manor

To Planning Commission *for 06/25/2020 hearing*

From Carla Angeli Paladino, Principal Planner

Reviewer Matt Brinkley, AICP CFM, Planning Director

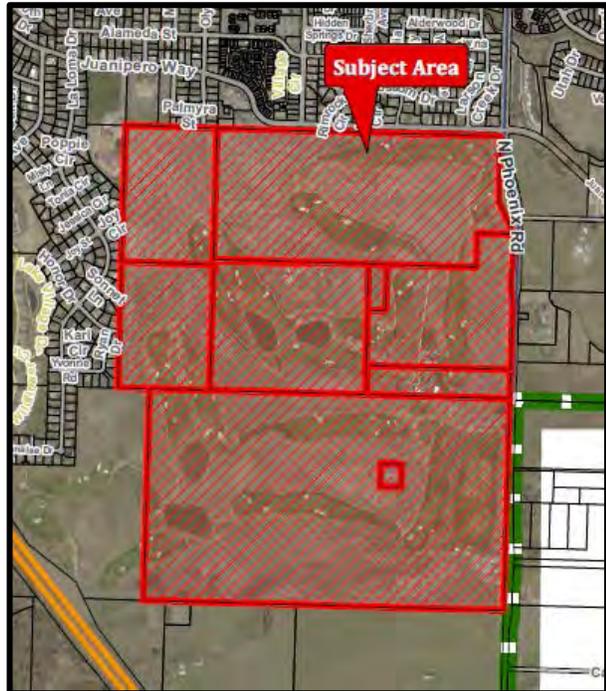
Date June 18, 2020

Proposal

A Minor Comprehensive Plan Amendment to modify the Neighborhood and Urbanization Elements of the Comprehensive Plan specifically related to the Rogue Valley Manor's open space assessment requirement in planning unit MD-5f (Exhibits A and B). The project was filed concurrently with application UP-19-004.

Authority

The proposed quasi-judicial land use action is a Type IV Minor Comprehensive Plan Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Comprehensive Plan under Medford Municipal Code §§10.214 and 10.222.



ISSUES AND ANALYSIS

Background

As part of the findings and conditions of approval of the Urban Growth Boundary (UGB) amendment in 2016, a series of commitments by land owners was substantiated as reasoning for land being included in the City's UGB. The land in Planning Unit MD-5f, owned by the Rogue Valley Manor and currently operated as the Centennial eighteen hole golf course was identified to be reserved as future open space on the site. An open space assessment was identified during the UGB process as the mechanism to reserve this 120 acres of open space on the property.



Open space assessments are statutorily regulated in ORS 308A.300 through 308A.330 (Land Special Assessments – Open Space Lands) (**Exhibit C**). The property owner began discussions with the County Assessor's office in late 2019 to better understand the application process and details of creating such as assessment.

Per the statute, a Comprehensive Plan Amendment through the applicable jurisdiction is needed in order to create the assessment. In this case, the jurisdiction would be Jackson County as the property has not yet been annexed to the City of Medford. Discussions with Jackson County Assessment staff confirmed that the property owner would need to go through the County's land use process in order to create the assessment.

Acknowledging that the property owner is interested in urbanizing and annexing the land, a lengthy land use process at the County level did not seem appropriate to pursue. The property owner started discussions with City staff and possible alternatives to help accomplish the same goal of preserving the open space of the golf course. The applicant met with Medford Planning and Legal staff to review alternatives. Legal staff concluded that a deed restriction could satisfy the creation of the open space without having the property owner complete a separate land use action with the County prior to submitting for land use through the City.

In order to codify the use of a deed restriction as a prescribed method for establishing the open space on the property, the language in the City's Comprehensive Plan must be updated in order to reflect this change. The specific changes are needed within the Neighborhood and Urbanization Elements of the Comprehensive Plan.

The property owner has submitted a draft deed restriction (**Exhibit D**) with the Urbanization Plan application and proposes to record a finalized document upon approval by the City Council.

Proposed Amendments

The proposed language modifies the text within the Comprehensive Plan where the open space assessment is specifically noted in particular:

Section 5.3.4 of the Neighborhood Element (Exhibit A); and

Section 2.1.7(5) of the Urbanization Element (Exhibit B)

The open space assessment requirement is modified to become a deed restriction as the proposed alternative to reserving the open space on the property.

Public Comments

The Planning Department received two letters from Ted and Susan Krempa dated May 31, 2020, in opposition to the proposal (**See Exhibits E and F**). A letter in opposition was received on June 3, 2020, from Bradley and Glenda Allen (**See Exhibit G**). A letter in support of the project was submitted by the Fair Housing Council of Oregon dated June 10, 2020 (**Exhibit H**).

FINDINGS AND CONCLUSIONS

The applicable criteria for a Comprehensive Plan Amendment are in the “Review and Amendments” chapter of the Comprehensive Plan. The applicable criteria in this action are those for Goals and Policies. The applicable criteria are rendered in *italics* below; findings and conclusions in roman type.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Goals and Policies] shall be based on the following [criteria 1-6]:

1. *A significant change in one or more Conclusion.*

Findings

The approval of the Urban Growth Boundary (UGB) amendment in 2016, established one mechanism for the applicant to use in order to meet the open space obligations and justify inclusion of the land in the UGB. The process to receive approval of an open space assessment is a lengthy County process that would need to be approved prior to the applicant submitting an application for urbanization and annexation to the City. Because the applicant

was interested in annexing and becoming part of the jurisdiction of the City, another option was discussed that could help accomplish the same goal of securing the open space. Based on research from City Legal staff, the reservation of open space in Planning Unit MD-5f can be accomplished through the use of a deed restriction. The existing language is being amended to provide this alternative to the applicant.

Conclusions

Satisfied. An alternative has been identified to replace the open space assessment requirement with a recorded deed restriction for Planning Unit MD-5f. The property owner and City staff concur this is a reasonable substitute to meet the open space obligation on the property. This criterion is found to be satisfied.

2. *Information reflecting new or previously undisclosed public need.*

Findings

The proposal codifies an alternative method to be used by the property owner in order to secure the open space acres on the site. The requirement to provide open space on the site continues to be a public need and Regional Plan requirement that must be met. No new or previously undisclosed public need has been identified with the amendment.

Conclusions

Not Applicable. The proposal does not reveal a new or prior public need on the property. The information is simply being updated to reflect a new process to secure open space on the land. This criterion is found to be not applicable.

3. *A significant change in community attitudes or priorities.*

Findings

The amendment is specific to the Rogue Valley Manor's Centennial property or Planning Unit MD-5f. The open space obligation is still required for the property, however the property owner will be reserving the open space through the use of a deed restriction rather than an open space assessment. No community attitudes or priorities regarding the open space requirements have changed.

Conclusions

Not Applicable. The proposal is specific to Planning Unit MD-5f, and the property owner is required to meet their open space requirements on the property. There has not been a change in community attitudes or priorities. This criterion is found to be not applicable.

4. *Demonstrable inconsistency with another Plan provision.*

Findings

In the Urbanization Element, under policy 2.1.7 (5) and (6), there are two requirements related to Planning Unit MD-5f. The first is explicitly related to the golf course receiving an open space assessment prior to annexation for the 120 acres of open space identified on the property. The other is a list of obligations that states, "MD-5 West (the subject property) shall provide a deed restriction for open space areas."

The amendment aims to clarify the provisions and align the requirements for the benefit of the property owner and the City related to the mechanism used to secure the open space.

Conclusions

Satisfied. The proposal will amend the requirements outlined in the Neighborhood and Urbanization Elements so that requirements are consistent. This criterion is found to be satisfied.

5. *Statutory changes affecting the Plan.*

Findings

The proposal is specific to actions taken during the Urban Growth Boundary amendment process, and requirements applicable to the Rogue Valley Manor's Centennial site related to commitments for securing open space on the property. The requirement is a local implementation measure for urbanizing the land. There are no statutory changes that affect the proposed amendment.

Conclusions

Not Applicable. This criterion is found to be not applicable as no statutory changes affect the amendment.

6. *All applicable Statewide Planning Goals.*

Goal 1 – Citizen Involvement

Findings

The City has an adopted Citizen Involvement Element in compliance with Statewide Planning Goal 1. Notice of the amendment was provided to the Department of Land Conservation and Development for review and comment, and mailed notice of the amendment was provided to surrounding property owners within 200 feet of the property boundaries. Two letters from Ted and Susan Krempa have been received in opposition to the proposal (Exhibits E and F). A third letter from Bradley and Glenda Allen has also been received in opposition (**See Exhibit G**). A letter of support (**Exhibit H**) was received from the Fair Housing Council of Oregon.

Finally, the Planning Commission and City Council will consider and vote on the proposed amendment during televised public hearings, written comments are being accepted by the public.

Conclusions

Satisfied. A public comment and appeal period is provided to surrounding property owners regarding the amendment. The project is reviewed by both the Planning Commission and City Council to consider testimony and concerns from the public. This goal is found to be satisfied.

Goal 2 – Land Use Planning

Findings

The proposed amendment is a quasi-judicial land use decision as it is specific to the Rogue Valley Manor's property located in Planning Unit MD-5f. The proposal has been distributed to internal and external agencies for review and comment. The Planning Commission and City Council will hold public hearings to provide an opportunity for the public to provide written feedback on the request.

Conclusions

Satisfied. The proposal follows the outlined land use process within the City's Development Code and Comprehensive Plan. This goal is found to be satisfied.

Goal 3 – Agricultural Lands does not apply in this case.

Goal 4 – Forest Lands does not apply in this case.

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

Findings

The proposed amendment is specific to the Regional Plan requirements and Comprehensive Plan policies specifically listed in the Neighborhood and Urbanization Elements regarding open space. The golf course will be secured through a deed restriction as the open space on the property. The 120 acres shall remain as open space until such time that the City and property owner agree the land needs to be used for other purposes (e.g. another Urban Growth Boundary expansion evaluation).

Conclusions

Satisfied. The site will provide approximately 120 acres of open space through the retention of the existing golf course. This goal is found to be satisfied.

Goal 6 – Air, Water, and Land Resources Quality is not applicable in this case.

Goal 7 – Areas Subject to Natural Hazards is not applicable in this case.

Goal 8 – Recreation Needs

Findings

The Regional Plan outlined the distribution of land uses within each of the planning units that includes open space requirements. The Centennial Golf Course is planned to be reserved as approximately 120 acres of open space on the site providing green space and a recreational amenity open to the public.

Conclusions

Satisfied. The proposal continues to allocate open space on the site in accordance with the Regional Plan requirements. This goal is found to be satisfied.

Goal 9 – Economic Development

Findings

The golf course is the current use on the site. Future development of the remaining acres on the site will include a mix of new residential and commercial improvements that will increase the economic benefit to the property, City, and region as a whole.

Conclusions

Satisfied. Development and new economic opportunities are planned within the planning unit. This goal is found to be satisfied.

Goal 10 – Housing

Findings

The planning unit will include a mix of detached and attached housing units within the designated Urban Residential, Urban High Density Residential, and portions of the Commercial General Land Use Plan (GLUP) designations. The future housing will be surrounded or in close proximity to the golf course, which will serve as the open space within the planning unit. More detailed Goal 10 findings are found in the report for project UP-19-004.

Conclusions

Satisfied. The golf course acreage will be preserved on site and will serve as the open space for future residents living and working in the planning unit. This goal is found to be satisfied.

Goal 11 – Public Facilities and Services does not apply in this case.

Goal 12 – Transportation does not apply in this case.

Goal 13 – Energy Conservation does not apply in this case.

Goal 14 – Urbanization

Findings

The property was included in the City's Urban Growth Boundary in 2016 and acknowledged by the State in 2018. The Regional Plan requirements outline

the percentage of land uses including open space to be accommodated in the planning units. The property owner has filed for approval of an urbanization plan in conformance with the provisions outlined in the neighborhood element with the proposed modification to the open space requirement.

Conclusions

Satisfied. The proposal seeks to modify one of the provisions of the urbanization planning process related to the open space on the property. The adopted mechanism through an open space assessment is being modified to allow for a deed restriction. This goal is found to be satisfied.

Goals 15 – 19 are not applicable to this region of the state.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the applicable criteria are satisfied or not applicable, forward a favorable recommendation for approval of CP-20-134 to the City Council per the staff report dated June 18, 2020, including Exhibits A – H.

EXHIBITS

- A Proposed amendment to the Neighborhood Element
- B Proposed amendment to the Urbanization Element
- C ORS 308A.300 through 308A.330
- D Proposed Draft Deed Restriction
- E Letter from Theodore Krempa, dated May 31, 2020
- F Letter from Susan Krempa, dated May 31, 2020
- G Letter from Bradley and Glenda Allen, dated June 3, 2020
- H Letter from Fair Housing Council of Oregon, dated June 10, 2020

PLANNING COMMISSION AGENDA: JUNE 25, 2020

5.1.2 Commit to specific quantities of residential development in commercial areas.

The findings supporting the urbanization plan submittal shall include density calculations that explain how the plan complies.

5.2 Transportation Planning: A neighborhood circulation plan map showing:

5.2.1 Locations of higher-order streets. Locations and alignments of higher-order streets should be planned in appropriate locations.

The plan will depict how local streets, alleys and paths could be arranged to comply with the City's applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes.

The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) that is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity.

Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths.

Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City's adopted Transportation System Plan.

5.3 Compliance with the open space allocation for an urban reserve area (see land use distribution table in RPE or Table 9-1 below). Units that contain only Industrial GLUP designations are exempt from this requirement. The following classifications count as open space for purposes of fulfilling the RPE requirements:

5.3.1 Parks, both public and private shall be counted as open space. Schools may be counted as open space. Where land acquisition is not complete or where specific open space dedications were not offered and accepted as part of the UGB process, park and school sites may be identified as opportunity areas on maps and the acreage planned may be described in

text form that explains how the planning unit can satisfy the open space requirement. Areas where specific open space dedications were offered and accepted as part of the UGB review process shall be depicted and the acreage counted toward open space percentages.

- 5.3.2 Agricultural buffers. Proposed agricultural buffers within the UGB shall be counted as open space. Interim agricultural buffers shall not be counted toward open space percentages unless an additional legal or planning mechanism is imposed to render such areas as open space even after a future UGB amendment in the applicable MD area.
 - 5.3.3 Riparian corridors shall be counted.
 - 5.3.4 Areas under an “open space” ~~tax assessment~~ deed restriction shall be counted.
 - 5.3.5 Locally significant wetlands and any associated regulatory buffer shall be counted.
 - 5.3.6 Slopes greater than 25 percent
- 5.4 Compliance with the requirements of Regional Plan Element, section 4.1.6, for mixed-use/pedestrian-friendly development and any specific land use performance obligation. Planning units containing only an Industrial GLUP Map designation are exempt from the mixed-use pedestrian friendly development evaluation.
 - 5.5 Preliminary coordination and discussions with public utility providers, including water, sewer, transportation, and irrigation districts.
 - 5.5.1 Coordination may include identifying any existing infrastructure on or adjacent to the site and determining whether it can be maintained or needs to be moved.
 - 5.6 Location or extensions of riparian corridors, wetlands, historic buildings or resources, and habitat protections and the proposed status of these elements.
 - 5.7 Compliance with applicable provisions of the Urban Growth Management Agreement.
 - 5.8 Compliance with the terms of special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary, as detailed in the Urban Growth Management Agreement.
 - 5.9 Coordination with the Parks and Recreation Department for adherence to the Leisure Service Plan related to open space acquisition and proposed trail and path locations.
 - 5.10 Vicinity map including adjacent planning units and their General Land Use Plan designations.

Formerly, the City of Medford permitted lands to retain County zoning until they developed. This meant that the City had to administer two sets of development codes: Medford zoning for most lots and Jackson County zoning for annexed lots that had not developed or redeveloped. Because such work is an inefficient use of staff time—and thereby public funds—the City amended its code to require rezoning contemporaneously with annexation (2003) and undertook a broad zone change of most of the County-zoned land in the city limits (2009).

2.1.6. **Withdrawal from Special Districts**

For any areas hereafter annexed to the City of Medford and withdrawn from the Rogue Valley Sewer Services³ (RVS), or from any sanitary, rural fire protection, domestic water, or other special service district with existing general obligation indebtedness, the city shall, pursuant to ORS 222.520, assume and agree to pay the bonded indebtedness attributable to such area in the manner provided by ORS 222.520, and will thereby relieve the real property in such areas from further district taxation for such bonded indebtedness.

2.1.7 **Annexation of Property Added to the Urban Growth Boundary from the Urban Reserve**

The City Council must find that the following conditions are met in order to approve an annexation of land that was added to the urban area from the Urban Reserve:

1. A revised Transportation System Plan (TSP), which includes the area to be annexed, has been adopted by the City;
2. A Local Wetlands Inventory (LWI), which includes the area to be annexed, has been adopted by the City;
3. For the area to be annexed, all Goal 5 resources, including riparian corridors, historic structures/properties, deer and elk habitat, wetlands, and scenic views have been identified and protected in accordance with Goal 5. In particular, the properties north of Chrissy Park and south of Hillcrest Road will comply with the mitigation process outlined by Oregon Department of Fish and Wildlife: [derived from Council Exhibit GGG]
 - a. A mitigation site shall be proposed by the private property owner and presented to ODFW for evaluation. The site proposed shall be approximately 60 acres. The identified site shall be located within the existing Big Game Winter Range Habitat in either the Lake Creek or Grizzly habitat units. Upon

³ Formerly called the Bear Creek Valley Sanitary Authority

request of the property owner, ODFW will provide guidance to help identify potential mitigation site characteristics desired by the Department.

- b. ODFW will complete the evaluation within 45 days of receipt of a letter requesting a mitigation site evaluation. ODFW will conduct a site visit of the proposed mitigation site. ODFW will provide a letter to the property owner that determines the suitability of the proposed site to meet the mitigation requirements in this condition. The letter shall also detail the habitat restoration efforts that will be required for the site.
 - c. If the property owner accepts the habitat restoration recommendations in 2 above then the restoration shall be completed and the site placed under permanent conservation easement (or other acceptable legal mechanism). Any conservation easement would need to be held by a third party with experience in managing these kinds of agreements, such as the Nature Conservancy or Southern Oregon Land Conservancy.
 - d. If the property owner does not accept the habitat restoration recommendations, the property owner may propose an alternative site or may propose alternative restoration measures in an attempt to reach agreement on a habitat restoration plan.
 - e. Upon completion of the agreed upon restoration for an approved mitigation site and evidence of the recorded conservation easement (or other adequate legal mechanism), ODFW will conduct another site visit. If mitigation is adequate, ODFW will provide the property owner a letter verifying the mitigation has been completed. ODFW will provide a copy of the letter to the Jackson County Development Services Department and the City of Medford Planning Department.
4. An urbanization plan has been submitted, and adopted into the Neighborhood Element, for the area to be annexed which demonstrates compliance with the Regional Plan by showing the following details:
- a. Compliance with the minimum residential density required by Regional Plan Element item 4.1.5. The urbanization plan must demonstrate how the planned residential development will meet the minimum density requirement of 6.6 units per gross acre assuming all areas within the development will build out

to the minimum allowed densities. The following are acceptable methods for meeting the density standard:

- i. Committing areas to higher density zones within a General Land Use Plan (GLUP) designation. For example, an area within the UR GLUP designation could be designated as SFR-10 (Single Family Residential – 10 units per acre) which would insure a minimum density of 6 units per acre; and/or
 - ii. Requesting residential GLUP map changes—from a lower density designation to a higher-density designation—as part of the master plan approval process. This will allow for additional areas for medium-density and high-density development within the areas added to the UGB. Although this process may cause slight deviation from the Housing Element it is necessary to ensure success in meeting the Regional plan obligations.
 - b. Compliance with the requirements of Regional Plan Element item 4.1.6. for mixed-use/pedestrian-friendly development.
 - c. Compliance with the land use distribution requirements of Regional Plan Element item 4.1.8.(b).
 - d. Coordination with applicable irrigation district(s).
5. The Centennial golf course ~~must receive an open space assessment from Jackson County shall impose a deed restriction designating the areas which comprise for~~ approximately 120 acres of land as open space prior to the annexation of any of the 417.26 acres that make up on the following tax lots:
- TL-100 (38 1W 04-100)
 - TL-101 (38 1W 04-101)
 - TL-700 (37 1W 33-700)
 - TL-801 (37 1W 33-801)
 - TL-900 (37 1W 33-900)
 - TL-1000 (37 1W 33-1000)
 - TL-1100 (37 1W 33-1100)
 - TL-1200 (37 1W 33-1200)
 - TL-2000 (37 1W 33CA-2000)
 - TL-4700 (37 1W 33CD-4700)
- The deed restriction protecting the open space shall remain in effect in perpetuity, unless both the land owners and the City together agree to remove the restriction.
6. To substantiate the rationales for including properties that were included at least in part for environmental, social, economic, energy

OPEN SPACE LANDS

308A.300 Definitions for ORS 308A.300 to 308A.330. As used in ORS 308A.300 to 308A.330, unless a different meaning is required by the context:

(1) “Open space land” means:

(a) Any land area so designated by an official comprehensive land use plan adopted by any city or county; or

(b) Any land area, the preservation of which in its present use would:

(A) Conserve and enhance natural or scenic resources;

(B) Protect air or streams or water supply;

(C) Promote conservation of soils, wetlands, beaches or tidal marshes;

(D) Conserve landscaped areas, such as public or private golf courses, which reduce air pollution and enhance the value of abutting or neighboring property;

(E) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space;

(F) Enhance recreation opportunities;

(G) Preserve historic sites;

(H) Promote orderly urban or suburban development; or

(I) Retain in their natural state tracts of land, on such conditions as may be reasonably required by the legislative body granting the open space classification.

(2) “Current” or “currently” means as of next January 1, on which the property is to be listed and valued by the county assessor under ORS chapter 308.

(3) “Owner” means the party or parties having the fee interest in land, except that where land is subject to a real estate sales contract, “owner” shall mean the contract vendee. [Formerly 308.740]

308A.303 Legislative intent. The Legislative Assembly declares that it is in the best interest of this state to maintain, preserve, conserve and otherwise continue in existence adequate open space lands and their vegetation to assure continued public health by counteracting pollutants and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of this state and its people. The Legislative Assembly further declares that it is in the public interest to prevent the forced conversion of open space lands to more intensive uses as the result of economic pressures caused by the assessment of those lands for purposes of property taxation at values incompatible with their preservation as open space lands, that assessment practices must be designed to permit the continued availability of open space lands for these purposes and that it is the intent of ORS 308A.300 to 308A.330 to so provide. [Formerly 308.745; 2017 c.315 §11]

308A.306 Application for open space use assessment; contents of application; filing; reapplication. An owner of land desiring current open space use assessment under ORS 308A.300 to 308A.330 shall make application to the county assessor upon forms prepared by the Department of Revenue and supplied by the county assessor. The owner shall describe the land for which classification is requested, the current open space use or uses of the land, and shall designate the paragraph of ORS 308A.300 (1) under which each such use falls. The application shall include such other information as is reasonably necessary to properly classify an area of land under ORS 308A.300 to 308A.330 with a verification of the truth thereof. Applications

shall be made to the county assessor during the calendar year preceding the first assessment year for which such classification is requested. If the ownership of all property included in the application remains unchanged, a new application is not required after the first year for which application was made and approved. [Formerly 308.750]

308A.309 Submission of application for approval of local granting authority; grounds for denial; approval; application withdrawal. (1) Within 10 days of filing in the office of the assessor, the assessor shall refer each application for classification to the planning commission, if any, of the governing body and to the granting authority, which shall be the county governing body, if the land is in an unincorporated area, or the city legislative body, if it is in an incorporated area. An application shall be acted upon in a city or county with a comprehensive plan in the same manner in which an amendment to the comprehensive plan is processed. In determining whether an application made for classification under ORS 308A.300 (1)(b) should be approved or disapproved, the granting authority shall weigh:

(a) The projected costs and other consequences of extending urban services to the affected lot or parcel;

(b) The value of preserving the lot or parcel as open space;

(c) The projected costs and other consequences of extending urban services beyond the affected lot or parcel; and

(d) The projected costs and other consequences, including the projected costs of extending urban services, of expanding the urban growth boundary in other areas if necessary to compensate for any reduction in available buildable lands.

(2) The granting authority shall not deny the application solely because of the potential loss in revenue that may result from granting the application if the granting authority determines that preservation of the current use of the land will:

(a) Conserve or enhance natural or scenic resources;

(b) Protect air or streams or water supplies;

(c) Promote conservation of soils, wetlands, beaches or tidal marshes;

(d) Conserve landscaped areas, such as public or private golf courses, which enhance the value of abutting or neighboring property;

(e) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations, sanctuaries, or other open spaces;

(f) Enhance recreation opportunities;

(g) Preserve historic sites;

(h) Promote orderly urban or suburban development; or

(i) Affect any other factors relevant to the general welfare of preserving the current use of the property.

(3) The granting authority may approve the application with respect to only part of the land which is the subject of the application; but if any part of the application is denied, the applicant may withdraw the entire application. [Formerly 308.755]

308A.312 Notice to assessor of approval or denial; recording approval; assessor to record potential additional taxes on tax roll; appeal from denial. (1) The granting authority shall immediately notify the county assessor and the applicant of its approval or disapproval which shall in no event be later than April 1 of the year following the year of receipt of said

application. An application not denied by April 1 shall be deemed approved, and shall be considered to be land which qualifies under ORS 308A.300 to 308A.330.

(2) When the granting authority determines that land qualifies under ORS 308A.300 to 308A.330, it shall enter on record its order of approval and file a copy of the order with the county assessor within 10 days. The order shall state the open space use upon which approval was based. The county assessor shall, as to any such land, assess on the basis provided in ORS 308A.315, and each year the land is classified shall also enter on the assessment roll, as a notation, the assessed value of such land were it not so classified.

(3) Each year the assessor shall include in the certificate made under ORS 311.105 a notation of the amount of additional taxes which would be due if the land were not so classified.

(4) The additional taxes noted under subsection (3) of this section shall be deemed assessed and imposed in the year to which the additional taxes relate.

(5) On approval of an application filed under ORS 308A.306, for each year of classification the assessor shall indicate on the tax roll that the property is being specially assessed as open space land and is subject to potential additional taxes as provided by ORS 308A.318, by adding the notation "open space land (potential add'l tax)."

(6) Any owner whose application for classification has been denied may appeal to the circuit court in the county where the land is located, or if located in more than one county, in that county in which the major portion is located. [Formerly 308.760]

308A.315 Determination of maximum assessed value and assessed value of open space lands; rules. (1) The maximum assessed value and assessed value of land classified as open space land under ORS 308A.300 to 308A.330 shall be determined as provided in this section.

(2) Land classified as open space land shall have an assessed value for the tax year equal to the lesser of the land's maximum assessed value or the land's open space value determined under subsection (5) of this section.

(3) The land's maximum assessed value shall equal 103 percent of the land's assessed value for the previous tax year or 100 percent of the land's maximum assessed value for the previous tax year, whichever is greater.

(4)(a) For the first tax year for which the land is classified as open space land, the land shall have a maximum assessed value equal to the land's open space value determined under subsection (5) of this section multiplied by the ratio of the total maximum assessed value of all open space land within the county over the total open space value of all open space land in the county.

(b) If there is an insufficient amount of land classified as open space land in a county to permit a statistically reliable ratio to be determined under paragraph (a) of this subsection, the statewide totals of maximum assessed value of open space land and open space value shall be used in determining the ratio.

(c) The Department of Revenue shall prescribe rules setting forth the minimum amount of open space land in a county needed to establish a statistically reliable ratio.

(5) The open space value of land classified as such under ORS 308A.300 to 308A.330 shall be the land's real market value under ORS 308.205:

(a) Assuming the highest and best use of the land to be the current open space use, such as park, sanctuary or golf course. The assessor shall not consider alternative uses to which the land might be put.

(b) Valuing the improvements on the land, if any, as required by ORS 308.205. [Formerly 308.765; 2003 c.169 §3]

308A.318 Change in use of open space land; notice to assessor; withdrawal from classification; collection of additional taxes; exception. (1) When land has once been classified under ORS 308A.300 to 308A.330, it shall remain under such classification and it shall not be applied to any other use than as open space unless withdrawn from classification as provided in subsection (2) of this section, except that if the use as open space land changes from one open space use to another open space use, such as a change from park purposes to golf course land, the owner shall notify the assessor of such change prior to the next January 1 assessment date.

(2) During any year after classification, notice of request for withdrawal may be given by the owner to the county assessor or assessors of the county or counties in which such land is situated. The county assessor or assessors, as the case may be, shall withdraw such land from such classification, and immediately shall give written notice of the withdrawal to the granting authority that classified the land; and additional real property taxes shall be collected on such land in an amount equal to the total amount of potential additional taxes computed under ORS 308A.312 (3) during each year in which the land was classified, together with interest at the rate of two-thirds of one percent a month, or fraction of a month, from the dates on which such additional taxes would have been payable had the land not been so classified, limited to a total amount not in excess of the dollar difference in the value of the land as open space land for the last year of classification and the real market value under ORS 308.205 for the year of withdrawal.

(3) If the owner fails to give the notice required under subsection (1) of this section during the period of classification, upon withdrawal under subsection (2) of this section, the assessor shall add to the tax extended against the land previously classified, an amount, if any, equal to the additional taxes that would have been collected had the assessor valued the classified land on the basis of the changed open space use, together with interest at the rate of two-thirds of one percent a month, or fraction of a month, from the dates on which such additional taxes would have been payable.

(4) Notwithstanding subsection (2) of this section, open space lands that qualify for wildlife habitat special assessment under ORS 308A.403 to 308A.430 or conservation easement special assessment under ORS 308A.450 to 308A.465 may be disqualified from open space special assessment and qualified for wildlife habitat special assessment or conservation easement special assessment without payment of any additional tax under this section.

(a) The additional tax as determined under subsection (2) of this section shall remain a potential liability notated on the assessment and tax roll, separate from and in addition to the wildlife habitat potential additional tax described in ORS 308A.427 or the conservation easement potential additional tax described in ORS 308A.459.

(b) The interest as described in subsection (2) of this section shall be frozen for as long as the land remains in wildlife habitat special assessment or conservation easement special assessment.

(c) If the land is disqualified from wildlife habitat special assessment or conservation easement special assessment and again becomes qualified for open space special assessment, the open space potential tax calculation shall resume as of the date of the renewed open space use special assessment qualification. [Formerly 308.770; 2003 c.539 §15; 2007 c.809 §9]

308A.321 Withdrawal by assessor when use changed; notice; imposition of additional taxes; interest; penalty; exception. (1) When land which has been classified and assessed under ORS 308A.300 to 308A.330 as open space land is applied to some use other than as open space land, except through compliance with ORS 308A.318 (2), or except as a result of the exercise of the power of eminent domain, the owner shall within 60 days thereof notify the county assessor of such change in use. The assessor or assessors shall withdraw the land from classification and immediately shall give written notice of the withdrawal to the granting authority that classified the land; and additional real property taxes shall be imposed upon such land in an amount equal to the amount that would have been due under ORS 308A.318 if notice had been given by the owner as of the date of withdrawal, plus a penalty equal to 20 percent of the amount so determined.

(2) If no notice is given as required by subsection (1) of this section, the assessor, upon discovery of the change in use, shall compute the amount of taxes, penalty and interest described in subsection (1) of this section, as though notice had been given, and shall add thereto an additional penalty equal to 20 percent of the total amount so computed, for failure to give such notice.

(3) The limitation described in ORS 308A.318 (2) applies only to the computation of taxes and interest, and not to the penalties described in subsections (1) and (2) of this section.

(4) The provisions of subsections (1) and (2) of this section shall not apply in the event that the change in use results from the sale of a least 50 percent of such land classified under ORS 308A.300 to 308A.330 within two years after the death of the owner. [Formerly 308.775]

308A.324 Prepayment of additional taxes; extending taxes on tax roll; collection; distribution. (1) The amount determined to be due under ORS 308A.318 or 308A.321 may be paid to the tax collector prior to the completion of the next general property tax roll, pursuant to ORS 311.370.

(2) The amounts under ORS 308A.318 or 308A.321 shall be added to the tax extended against the land on the next general property tax roll, to be collected and distributed in the same manner as the remainder of the real property taxes. [Formerly 308.780]

308A.327 Reports on land use from owners; effect of failure to make report upon demand. The assessor shall at all times be authorized to demand in writing, by first class mail, and to receive reports from owners of land classified under ORS 308A.300 to 308A.330 as to the use of the land. If the owner fails to comply within 90 days after receipt of the demand, the assessor may immediately withdraw the land from classification. Upon withdrawal of the land from classification, the assessor shall give written notice to the granting authority of the withdrawal and apply the penalties provided in ORS 308A.318 and 308A.321. [Formerly 308.785; 2011 c.204 §6]

308A.330 Rules. The Department of Revenue of the State of Oregon shall make such rules and regulations consistent with ORS 308A.300 to 308A.330 as shall be necessary or desirable to permit its effective administration. [Formerly 308.790]

DEED RESTRICTION REAL PROPERTY COVENANT

The undersigned property owner, being the record owner of the real property described in Exhibit “A” attached hereto (the “Property”), located in Jackson County, State of Oregon, does hereby make the following declaration of restrictions (this “Deed Restriction”) specifying that this declaration shall constitute a covenant to run with the land and shall be binding on all persons claiming under them, as set forth and limited below:

That portion of the Property constituting approximately 120 acres and delineated by certain shaded area identified as “Open Space Lands” in Exhibit “B” attached hereto (the “Restricted Property”) is restricted for use as Open Space Land. “Open Space Land” means any land area so designated by an official comprehensive land use plan adopted by the City of Medford. This Deed Restriction does not prohibit the owner of the Restricted Property from requesting the City of Medford to remove the Open Space Land designation and designate the Restricted Property for development. This Open Space Land use restriction shall be terminated, and this Deed Restriction, and all of its covenants and terms, shall be of no further force or effect, should the City of Medford amend its Comprehensive Plan to remove the Open Space Land designation and allow development of the Restricted Property. Nothing in this Deed Restriction shall in any way limit the use of those portions of the Property not within the area of the Restricted Property.

This covenant is intended to run with the property and touch and concern the real property rights of the parties and parcels described herein and is intended to bind all heirs, executors, legal representatives, lessees, transferees, and assigns.

This covenant shall run in perpetuity and shall not be modified or terminated except by the express and written consent of all the record owners of the land at the time and the duly authorized representative of the City of Medford.

This covenant shall be enforceable by the City of Medford through action at law or suit in equity. If either party deems it necessary to enforce this covenant through a suit at law or in equity, the prevailing party shall be entitled to attorney fees. If any language in this document is deemed not enforceable, that language shall be stricken and the remainder of this document shall survive in full force and effect.

[Signature on the following page]

SIGNED:

Rogue Valley Manor,
an Oregon nonprofit corporation

By: _____

Name: _____

Title: _____

STATE OF OREGON)

) ss

County of _____)

This instrument was acknowledged before me this ____ day of _____, 2020,
by _____, the _____ of Rogue Valley Manor, on behalf
of the company.

NOTARY PUBLIC FOR OREGON

Exhibit A

Property

BEGINNING at a brass disc monument, being the INITIAL POINT of Larson Creek Estates, Phase 3, according to the Official Plat thereof, now of record in Jackson County, Oregon; thence along the south line of said Larson Creek Estates, Phase 3, North 89°57' 50" West 2850.59 feet to the southwest corner thereof; thence continue South 89°57'50" East 927.48 feet to that Boundary Line by Agreement recorded as Instrument No. 75-03109 of the Official Records of Jackson County, Oregon; thence along said boundary by agreement, South 00°04'00" West 1581.77 feet to that Boundary By Agreement recorded as Instrument No. 79-18570 of the Official Records of Jackson County, Oregon; thence along said boundary agreement line, South 00°04'32" West 1067.90 feet, more or less, to the south line of Section 33 in Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence along said south line, South 89°58'01" East 321.32 feet to the westerly line of property described as Parcel A of Parcel 1 of Instrument No. 2015-009346, Official Records of Jackson County, Oregon; thence along said westerly line, South 00°02'15" West 2143.03 feet, more or less, to the south line of Donation Land Claim No. 38 in Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence along said south line, South 89°55'59" East 1533.34 feet to the Northeast corner of Donation Land Claim No. 40 in Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence continue along the south line of the aforesaid Donation Land Claim No. 38, South 89°54'25" East 2108.74 feet, more or less, to the westerly right-of-way line of North Phoenix Road, as said right-of-way is described in Instrument No. 94-12472, Official Records, Jackson County, Oregon; thence leaving the south line of said Donation Land Claim No. 38 and along the westerly right-of-way line of North Phoenix Road the following 10 courses: North 05°39'56" West 46.00 feet; thence North 00°02'43" East 600.50 feet; thence North 05°45'21" East 100.50 feet; thence North 00°00'13" West 2300.00 feet; thence North 05°40'24" West 281.40 feet; thence North 04°23'09" East 421.21 feet; thence North 08°41'24" West 487.12 feet; thence North 14°40'19" West 239.08 feet; thence North 08°59'03" West 268.15 feet; thence North 00°04'53" East 72.53 feet to the south east corner of the aforesaid Larson Creek Estates Phase 3; thence along the south line of the said Larson Creek Estates, Phase 3, North 89°57'50" West 15.00 feet to the point of beginning.

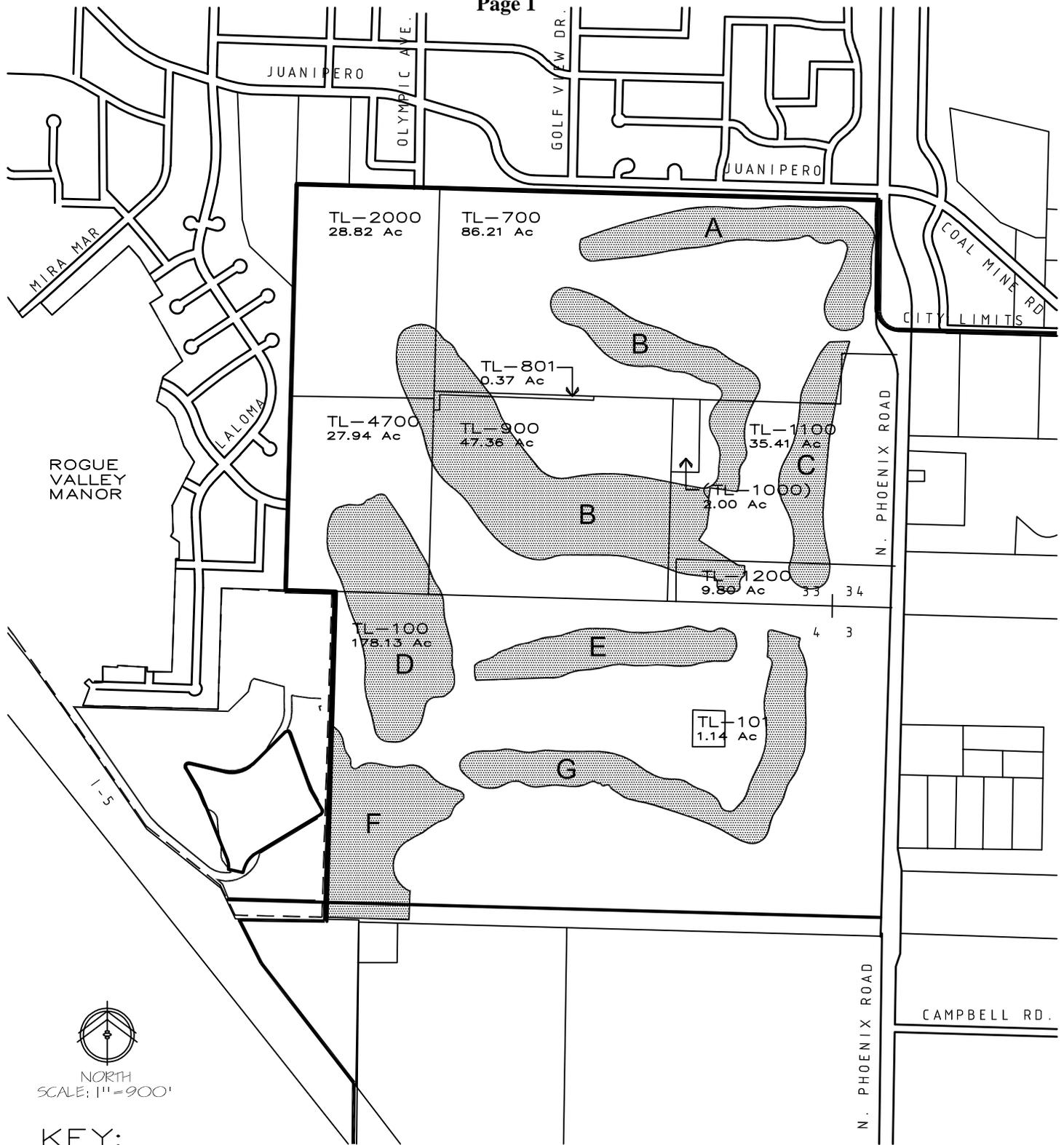


Darrell L. Huck
L.S. 2023 – Oregon
Expires 6/30/2021
Hoffbuhr & Associates, Inc

Exhibit B

Open Space Lands

(See attached pages 1 and 2)



KEY:



OPEN SPACE LANDS (OS - Golf Course) 120.00 acres



DEVELOPABLE LANDS (DL's) 297.18 acres

TOTAL SITE 417.18 acres

Centennial Golf Course Lands

Centennial Golf Course UGB Ammendment 3/9/2020

Summery of Open Space (OS) - (tees, greens, and fairways) and Developable Land (DL's) for the Golf Course properties by Assessor's Taxlot Maps.

	OS Acres	DL's Acres	Total Acres
TL-100 (38 1W 04-100)	50.25	127.88	178.13
TL-101 (38 1W 04-101)	0.00	1.14	1.14
TL-700 (37 1W 33-700)	23.64	63.07	86.71
TL-801 (37 1W 33-801)	0.27	0.1	0.37
TL-900 (37 1W 33-900)	21.53	24.17	45.7
TL-1000 (37 1W 33-1000)	0	2	2
TL-1100 (37 1W 33-1100)	11.44	25.01	36.45
TL-1200 (37 1W 33-1200)	2.19	7.81	10
TL-2000 (37 1W 33CA-2000)	2.49	26.33	28.82
TL-4700 (37 1W 33CD-4700)	8.19	19.75	27.94
Totals	120	297.26	417.26 Acres

Summery of Open Space (Areas - A, B, C, D, E, F, & G) for the Golf Course properties.

	Acres
A - TL-700	12.24
B - TL-700, 801, 900, 1100, 1200, 2000, 4700	41.55
C - TL-700, 1100, 1200	8.60
D - TL-100, 900, 4700	18.35
E - TL-100	8.75
F - TL-100	14.21
G - TL-100	16.30
Total	120 Acres

Centennial Golf Course Lands

THEODORE R KREMPA
SUSAN H KREMPA

May 31, 2020

To: Medford Planning Commission
c/o: Carla.paladino@cityofmedford.org

RE: File No.: UP-19-004/CP-20-134

Dear Commissioners:

I remain in opposition to this project and the annexation by the City.

First, the PRS plan calls for over 900 multi-story apartment units to be built along the south side of Juanipero and curving southward along the fence line behind Orchard Hill Elementary to Honor Drive. Secondly, Golf View Drive would be extended south to a new South Stage Road, and in effect be a short cut for traffic from Pacific Highway. The 'new' Golf View would also be opened to Honor Drive, creating a direct path to La Loma Drive, which is all residential area. The road design alone would create an impact on the neighborhoods around La Loma, and especially traffic in and out of Orchard Hill Elementary, which is already a nightmare at the start/end school times. Juanipero cannot be widened and cannot support any additional traffic from the new apartment units, or the new traffic on Golf View. Orchard Hill Elementary cannot absorb new elementary students from the apartments, and there is no middle school or high school in the Talent school district within 10 miles. The sheer number of apartment units in this residential area simply cannot be supported by existing infrastructure.

However, this does not matter to PRS CEO McLemore who revealed at a public meeting on November 5, 2019, that the 'apartment' component of the PRS plan would neither be owned nor managed by PRS. The units would be sold for profit and could be 'low income housing' units, depending on the buyer.

It is clear that PRS is using the 'apartment' component of their plan as a bargaining chip to gain approval of the project with the City of Medford Planning Department. PRS is only interested in profits from the sale of the \$600k golf course units to rich retirees from out of state. As stated in the story, McLemore said, "We're anticipating it will create a feeder for the Manor." PRS has a big enough presence in the area. They don't need to expand on the backs of local homeowners and residents. As for McLemore's wish that Medford be more like Bend, that's rich. Medford is many things, but at the end of the day, Medford is a

'blue collar' community. No one I know is yearning to live in a crowded and overpriced place like Bend. If PRS wants to court rich Californians to fill its towers, have at it, but not by ruining the ambiance of local neighborhoods.

The long term residents and homeowners in the area deserve better treatment from PRS and realistic consideration from the Planning Department and Medford City Councilmembers. If we don't stand up to PRS, we can kiss our neighborhoods goodbye.

Sincerely,

Ted Krempa

2856 Tonia Cir

Medford, OR 97504

541-282-2468

THEODORE R KREMPA
SUSAN H KREMPA

May 31, 2020

To: Medford Planning Commission
c/o: Carla.paladino@cityofmedford.org

RE: File No.: UP-19-004/CP-20-134

Dear Commissioners:

I remain in opposition to this project and the annexation by the City.

First, the PRS plan calls for over 900 multi-story apartment units to be built along the south side of Juanipero and curving southward along the fence line behind Orchard Hill Elementary to Honor Drive. Secondly, Golf View Drive would be extended south to a new South Stage Road, and in effect be a short cut for traffic from Pacific Highway. The 'new' Golf View would also be opened to Honor Drive, creating a direct path to La Loma Drive, which is all residential area. The road design alone would create an impact on the neighborhoods around La Loma, and especially traffic in and out of Orchard Hill Elementary, which is already a nightmare at the start/end school times. Juanipero cannot be widened and cannot support any additional traffic from the new apartment units, or the new traffic on Golf View. Orchard Hill Elementary cannot absorb new elementary students from the apartments, and there is no middle school or high school in the Talent school district within 10 miles. The sheer number of apartment units in this residential area simply cannot be supported by existing infrastructure.

However, this does not matter to PRS CEO McLemore who revealed at a public meeting on November 5, 2019, that the 'apartment' component of the PRS plan would neither be owned nor managed by PRS. The units would be sold for profit and could be 'low income housing' units, depending on the buyer.

It is clear that PRS is using the 'apartment' component of their plan as a bargaining chip to gain approval of the project with the City of Medford Planning Department. PRS is only interested in profits from the sale of the \$600k golf course units to rich retirees from out of state. As stated in the story, McLemore said, "We're anticipating it will create a feeder for the Manor." PRS has a big enough presence in the area. They don't need to expand on the backs of local homeowners and residents. As for McLemore's wish that Medford be more like Bend, that's rich. Medford is many things, but at the end of the day, Medford is a

'blue collar' community. No one I know is yearning to live in a crowded and overpriced place like Bend. If PRS wants to court rich Californians to fill its towers, have at it, but not by ruining the ambiance of local neighborhoods.

The long term residents and homeowners in the area deserve better treatment from PRS and realistic consideration from the Planning Department and Medford City Councilmembers. If we don't stand up to PRS, we can kiss our neighborhoods goodbye.

Sincerely,

Susan Hoppe Krempa

2856 Tonia Cir

Medford, OR 97504

541-282-2468

City of Medford
Planning

Notice of Public Hearing-Planning Commission

Hearing Date: Thursday June 11, 2020

Hearing Time: 5:30 pm

File No: UP19-004 / CP-20-134

Attn: Carla Angeli Paladino

We bought our house on Ryan Drive in 1991 and this is not the first time that Brian McLemore, the CEO of Pacific Retirement Services has been instrumental in attempting to destroy the livability of our local neighborhood. Apparently, he does not live in this neighborhood; we that do are collateral damage in his search for profit.

We understood that at some point PRS would surround their golf course with expensive single family dwellings however the plans now have become grossly overbuilt directly affecting the Phoenix Talent school system with 900 multi-story new apartment units. (Which McLemore has already announced will not be owned by PRS but sold) Orchard Hill is a neighborhood school which will not be able to manage the explosion of growth. The Phoenix Talent School district will be looking for tax payers to build a new grade school and eventually an additional middle school and high school.

The road infrastructure will not be not be able to accommodate the increased traffic in the neighborhoods and making the neighborhood intimate streets into laterals will destroy the ambience of a once lovely area.

PRS is in it for the money, but as residents of this area we are appealing to the planning commission to not allow this to be approved as it has been presented.

Bradley R & Glenda Y Allen
1311 Ryan Dr
Medford, OR 97504
541-821-0730 (GYA Cell)



June 10, 2020

City of Medford Planning Commission
200 South Ivy Street,
Medford, Oregon 97501

RE: CP-20-134

A Minor Comprehensive Plan Amendment to modify the Neighborhood and Urbanization Elements of the Comprehensive Plan specifically related to the Rogue Valley Manor's open space assessment requirement in planning unit MD-5f (Exhibits A and B).

Dear Commissioners:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians.

Both HLA and FHCO are supportive of CP-20-134, the modification to the Neighborhood and Urbanization Elements of the Comprehensive Plan. Good luck with the continuation of this project!

Thank you for your consideration of our comments.

Sincerely,

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

Louise Dix
AFFH Specialist
Fair Housing Council of Oregon

Cc: Gordon Howard, DLCD

STAFF REPORT for a Type IV legislative decision: **Comprehensive Plan Amendment - Urbanization Plan**

Project Urbanization Plan for Planning Unit MD-5f (south of Juanipero Way and west of North Phoenix)

Applicant: Rogue Valley Manor, Brian McLemore

Agent: Clark Stevens, Richard Stevens and Associates, Inc.

File no. UP-19-004

To Planning Commission *for 06/25/2020 hearing*

From Carla Angeli Paladino, Principal Planner, Long Range Division

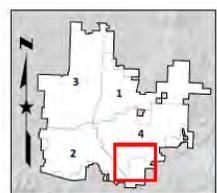
Reviewer Matt Brinkley, AICP CFM, Planning Director

Date June 18, 2020

BACKGROUND

Proposal

A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan (See Exhibit A-3) for ten properties totaling approximately 417.18 acres located south of Juanipero Way and west of North Phoenix Road) (371W33 700, 800, 900, 1000, 1100, 1200; 381W04 100 and 101; 371W33CA 2000; and 371W33CD 4700) (See Exhibits A, A-1, A-2, A-3 B, C, D and E)



The Urbanization Plan is filed in conjunction with an annexation request for the above tax lots plus adjacent right-of-way along North Phoenix Road (totaling approximately 424 acres). (ANNX-19-003)

Concurrently, the City filed a Comprehensive Plan amendment to modify the text within the Urbanization and Neighborhood Elements specifically related to the Rogue Valley Manor’s open space assessment requirement for the properties. (CP-20-134)

Urbanization Plan Details

Open Space Requirement	Minimum Residential Density	Street Extensions
<p>Required: 19% of the total planning unit</p> <p>Proposed: 120 acres of the golf course and ponds being deed restricted (representing 29% open space)</p>	<p>Regulatory Minimum 1,499 dwelling units</p> <p>Applicant’s Committed Residential Minimum 448 (UR) <u>1,079 (UH)</u> 1,527 dwelling units</p> <p>Overall Units 1,527 <u>186 (CM)</u> 1,713 dwelling units</p>	<p>Olympic Avenue (Standard Residential)</p> <p>Honor Drive (Standard Residential)</p> <p>Unnamed Street connecting Golf View to North Phoenix (Public Street)</p> <p>Golf View Drive (Major Collector)</p> <p>South Stage Road (Future Minor Arterial)</p>

Subject Site Characteristics

Planning Unit: MD-5f

Zoning: Exclusive Farm Use (EFU) and Rural Residential 5 (RR-5)

GLUP: Urban Residential, Urban High Density Residential, Service Commercial, and Commercial

Uses on site: Centennial golf course and club house; Fredric E. Furry historic single family residence; gas substation

Acreage: 417.18 acres

Surrounding Site Characteristics

North Zone: City SFR-4 and SFR-10
Use(s): Residential

South Zone: County Exclusive Farm Use (EFU)
Use(s): Utility substation; Existing structure/Maintenance shop

East Zone: City SFR-4, County Exclusive Farm Use (EFU) and Rural Residential 5 (RR-5)
Use(s): Residences, Hillcrest Cemetery, 2 Hawk Winery

West Zone: City SFR-00 and SFR-4
Use(s): Residential

History

In June 2018, the Department of Land Conservation and Development acknowledged the City of Medford's proposed Urban Growth Boundary (UGB) amendment providing for the inclusion of 1,658 acres of buildable land to be developed. Following the adoption of the UGB, the City established the Urbanization Planning process in order to provide a regulatory framework for ensuring specific development goals are met as land converts from rural to urban uses. The land included in the UGB was categorized into distinct planning units and coded with a specific numbering and lettering system (e.g. MD-5f). Each planning unit must adopt an Urbanization Plan prior to or in conjunction with a proposal for annexation. The Urbanization Plans are high level master plans intended to show conformance with the Regional Plan and transportation plan requirements.

Property owners of and within planning units are required to conduct a pre-application conference with planning staff and other internal and external review agencies to discuss the proposal prior to submitting a

formal application. A pre-application conference was held to discuss the subject properties on October 23, 2019.

In addition, property owners are required to hold a neighborhood meeting with surrounding neighbors and property owners in order to provide an opportunity to explain the proposal and provide for questions and answers. A neighborhood meeting was held for this project on November 5, 2019.

Planning Unit MD-5f was approved with four General Land Use Plan (GLUP) designations: Urban Residential, Urban High Density Residential, Service Commercial, and Commercial. The planning unit consists of ten tax lots. The property is located in southeast Medford and is bordered by Juanipero Way on the north, North Phoenix Road on the east, and the future extension of South Stage Road on the south. The proposal was initiated by the property owner who is the sole owner of the entire planning unit.

The property owner has requested concurrent annexation of the land. The City Council set the hearing date for annexation for July 16, 2020, through Resolution No. 2020-59. The review and decision on the Urbanization Plan and Annexation will be held on the same evening.

Public Comments

To date, 29 e-mails or letters noting either support or opposition to the proposal have been submitted (**See Exhibits P through RR**).

Related projects

CP-20-134: Comprehensive Plan Amendment to modify text related to open space requirements for this planning unit

ANNX-19-003: Annexation request for subject parcels and adjacent rights-of-way

CP-16-075: Urbanization Planning Comprehensive Plan Amendments

CP-14-114: Urban Growth Boundary Amendment

Authority

This proposed plan authorization is a Type IV legislative Comprehensive Plan Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Comprehensive Plan under Medford Municipal Code §§10.102–10.122, 10.214, and 10.220.

ANALYSIS

Planning unit MD-5f was adopted into the City's Urban Growth Boundary in 2016 and acknowledged by the State in 2018 to help accommodate future growth. The site is located in southeast Medford and provides for roughly $\frac{3}{4}$ of the land for residential uses surrounding the existing golf course and the remaining $\frac{1}{4}$ of the land for commercial development. The property is bordered by a major collector on the north (Juanipero Way), a regional arterial on the east (North Phoenix Road), and will be bordered by a future minor arterial on the south (South Stage Road). The site currently includes an eighteen hole golf course that will be incorporated around an active adult retirement community, multi-family housing, and commercial development.

As described below, this proposal meets the plan requirements/criteria for incorporation into the Neighborhood Element of the Comprehensive Plan. The plan provides for future street connectivity in all directions with extensions of local, collector, and arterial streets to serve existing and future residents and employees. A significant portion of the property will provide housing specifically for older adults through the creation of an active adult retirement community and along the edges of the golf course multi-family housing will be provided for a broader segment of the population. As stipulated in the findings of the Urban Growth Boundary amendment process, the owners will secure the open space of the golf course through a recorded deed restriction.

FINDINGS AND CONCLUSIONS

Applicable criteria

For the applicable criteria the Medford Municipal Code §10.220(B)(4) redirects to the criteria in the "Review and Amendments" chapter of the Comprehensive Plan. The applicable criteria in this action are those for an

Urbanization Plan found in Sections 5 and 6 in the Urbanization Planning Chapter of the Neighborhood Element. The criteria are set in *italics* below; findings and conclusions are in roman type.

The applicant's findings of fact and conclusions address each of the criteria in detail and are attached as **Exhibit F**. A letter dated June 3, 2020, stipulating to certain minimum densities in the Urban High Density Residential (UH) GLUP is attached as **Exhibit F-1**.

Section 5 - PLAN CONTENTS

Criterion 5.1 RPS Density Requirements: Compliance with the Regional Element minimum gross density performance measures. The urbanization plan shall include specific zoning designations or text that assures development under the minimum densities will meet or exceed the density expected to be achieved for the planning unit(s) in the UGB Amendment residential land supply analysis. Plan techniques that can be employed to achieve this standard include but are not limited to the following:

5.1.1 Specify residential zoning districts for certain areas.

5.1.2 Commit to specific quantities of residential development in commercial areas.

The findings supporting the urbanization plan submittal shall include density calculations that explain how the plan complies.

The text below also includes findings that demonstrate compliance with Goal 10 (Housing).

Findings

The Regional Plan Element of the Comprehensive Plan was adopted in August 2012 and established the minimum residential densities each of the participating jurisdictions agreed to achieve. For Medford, the minimum target density is 6.6 dwelling units per gross acre until 2035, then the density increases to 7.6 dwelling units per gross acre. Gross acreage in the City of Medford includes the total area of the properties' boundaries plus any adjacent right-of-way measured to the center line multiplied by the zoning districts minimum and maximum density factors.

The City's Housing Element indicates 15,050 dwelling units are needed between 2009 and 2029. Of that total, the need for single-family detached (for both owners and renters) is 9,034 units, single-family attached units are identified as 384 dwelling units, and multi-family units include 651 duplexes and 4,586 multi-units. The applicant proposes to accommodate 448 dwelling units within the Urban Residential GLUP designation (179

acres/2.5 dwelling units per acre (Single Family Residential 4 (SFR-4)). These units are specific to the Active Adult Retirement Community (AARC) proposed within the planning unit. The Housing Element puts forth special attention to the needs of housing seniors as Medford is anticipated to have a higher proportion of people aged 60 and older in the coming decade. In addition, a list of housing alternatives for seniors are listed in the Housing Element that include independent/assisted living facilities, nursing homes, subsidized housing, manufactured homes in parks, and Active Adult Retirement Communities (AARP).

The Urban High Density Residential (UH) GLUP designation which is planned to be zoned Multi-Family Residential 30 (MFR-30) can provide for 1,079 dwelling units (40.9 acres/25 dwelling units per acre and 2.81 acres/20 dwelling units per acre). The applicant proposes to exceed the minimum density of the zoning district for 40.9 acres of the UH GLUP. In addition, 9.3 acres of the Commercial (CM) GLUP will be used for multi-family development to provide an additional 186 dwelling units (9.3 acres/20 units per acre).

The proposed 1,713 dwelling units will contribute to meeting the two greatest needs outlined in the Housing Element, the detached single family and multi-family dwelling type categories.

The zoning districts noted above include minimum and maximum density factors at the following dwelling units per acre (du/acre):

Zoning	SFR-2	SFR-4	SFR-6	SFR-10	MFR-30
Minimum Density	0.8	2.5	4.0	6.0	20.0
Maximum Density	2.0	4.0	6.0	10.0	30.0

Using a detailed spreadsheet to standardize how residential density is calculated for each of the planning units, the Planning Department has calculated 1,499 dwelling units as the minimum residential density needed within the planning unit. **(See Exhibit G for calculation summary)** The applicant proposes to exceed this number through use of the UH and CM GLUP designations.

Conclusions

Satisfied. The minimum residential density requirement as calculated by Planning staff for the Urban Residential portion of the property is 1,499 dwelling units which includes increasing the minimum density in the UH GLUP and using the CM GLUP to accommodate additional units. The applicant proposes to exceed this number by providing 1,527 dwelling units in the residential GLUP designations and an additional 186 units in the commercial GLUP designations for a total of 1,713 dwelling units. The applicant proposes to re-zone the UR GLUP to the Single-Family Residential 4 (SFR-4) and the UH GLUP to Multi-Family Residential 30 (MFR-30). The re-zoning of the property and future development will be required to meet the applicant's committed minimum residential densities as an obligation of meeting the Regional Plan elements (1,527 dwelling units). The applicant has included a portion of the Commercial GLUP designation to create additional dwelling units (186 units).

The City has an adopted Housing Element (2010) that describes the housing needs of the City through 2029. The housing mix allocations assumed roughly two thirds of the dwelling units to be constructed as single family detached homes, single-family attached homes, manufactured homes, and two-family attached homes (duplexes). The remaining one third would accommodate multi-family homes (3 or more attached units). The overall needed density in the Housing Element was calculated as 6.3 dwellings per gross acre.

The Regional Plan (2012) imposes a density standard that exceeds that outlined in the Housing Element at a minimum density of 6.6 dwelling units per gross acre. The City has committed to this density until 2035, and then the density factor increases to 7.6 dwelling units per gross acre from 2036 through 2050. Land use changes made as part of the Urban Growth Boundary Phase I (Internal Study Areas 2014) project increased the supply of medium and high density residential designations within the City limits and reallocated lower density residential into the expansion areas. The Urbanization Planning (2018) process was established in order to establish minimum residential density standards in the UR GLUP designations and track housing production within each planning unit as the land develops. This process helps ensure land within the Urban Growth Boundary is being used to its maximum capacity to ensure needed housing of all types is

being constructed and the City's obligations under the Regional Plan are being met to the extent possible. This criterion is satisfied.

Criterion 5.2 Transportation Planning: A neighborhood circulation plan map showing:

5.2.1 Locations of higher-order streets. Locations and alignments of higher order streets should be planned in appropriate locations.

The plan will depict how local streets, alleys and paths could be arranged to comply with the City's applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes.

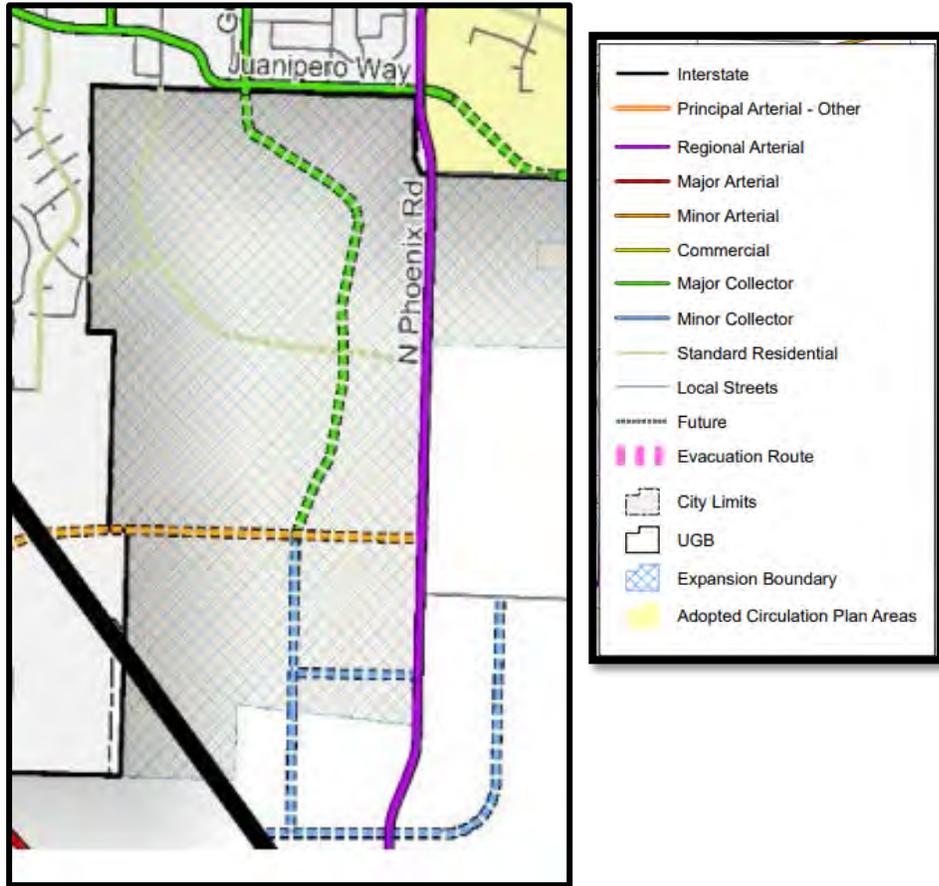
The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) that is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity.

Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths.

Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City's adopted Transportation System Plan.

Findings

The subject properties are bordered by existing higher order streets including Juanipero Way (major collector) on the north, North Phoenix Road (regional arterial) on the east, and the future extension of South Stage Road (minor arterial) on the south. Per the Transportation System Plan (TSP) as identified in Figure 18 (Roadway Functional Classification), Golf View Drive (major collector) will be extended through the property from north to south. The applicant proposes to extend this road on the western side of the golf course instead of on the eastern side as noted in the TSP. Other lower order street extensions in the TSP include Honor Drive, Olympic Avenue, and the connection of an unnamed street to connect Golf View Drive and North Phoenix Road along the southeast portion of the property.



Portion of Figure 18 from TSP

The internal street pattern surrounding the golf course is intended to provide for private, gated access to homes within the active adult retirement community. Street connectivity to Juanipero Way will be via Olympic Avenue and Golf View Drive. Honor Drive will provide a connection on the west side of the property, and Golf View Drive and another proposed local street will provide connections to South Stage Road. The existing primary access from North Phoenix Road into the golf course will be converted into a public street and will connect to Golf View Drive. This will take the place of Olympic Drive connecting to North Phoenix Road as shown in the figure above. One additional local street is proposed to connect to North Phoenix Road located south of the primary access.



As shown on Figure 18, Golf View Drive was originally configured to connect into a proposed minor collector street on the south side of South Stage Road within planning unit MD-5g. There is an opportunity for the property owners on the south to realign the minor collector with the new alignment of Golf View Drive or there is ample spacing to connect the minor collector proposed in MD-5g with the local street proposed to extend to South Stage Road in MD-5f.

Seven street connections are proposed to carry traffic from the residential and commercial components of the development to Juanipero Way, North Phoenix Road, and South Stage Road.

Conclusions

Satisfied. There are two higher order streets planned within this planning unit, Golf View Drive and South Stage Road. Other local street connections are proposed to provide outlets to the surrounding higher order street network on the north, east, and south sides of the properties. The internal street pattern for the site is intentionally limited in order to create a gated active adult retirement community surrounding the golf course. The

proposal provides the proposed street connections outlined in the Transportation System Plan (TSP) just in a different configuration. This criterion is satisfied.

***Criterion 5.3** Compliance with the open space allocation for an urban reserve area. Units that contain only Industrial GLUP designations are exempt from this requirement. The following classifications count as open space for purposes of fulfilling the RPE requirements:*

***5.3.1** Parks, both public and private shall be counted as open space. Schools may be counted as open space. Where land acquisition is not complete or where specific open space dedications were not offered and accepted as part of the UGB process, park and school sites may be identified as opportunity areas on maps and the acreage planned may be described in text form that explains how the planning unit can satisfy the open space requirement. Areas where specific open space dedications were offered and accepted as part of the UGB review process shall be depicted and the acreage counted toward open space percentages.*

***5.3.2** Agricultural buffers. Proposed agricultural buffers within the UGB shall be counted as open space. Interim agricultural buffers shall not be counted toward open space percentages unless an additional legal or planning mechanism is imposed to render such areas as open space even after a future UGB amendment in the applicable MD area.*

***5.3.3** Riparian corridors shall be counted.*

***5.3.4** Areas under an "open space" tax assessment shall be counted.*

***5.3.5** Locally significant wetlands and any associated regulatory buffer shall be counted.*

***5.3.6** Slopes greater than 25 percent*

Findings

The Regional Plan allocated employment, residential and open space land use requirements within each of the planning units. For the planning units within MD-5, 19 percent of the land is designated to open space. Based on 417 acres in MD-5f, a 19 percent allocation would provide 79 acres of open space on the site. As part of the Urban Growth Boundary process, the property owner agreed to reserve the golf course holes located within the planning unit through an open space assessment totaling approximately 120 acres. As per the proposed Comprehensive Plan amendment (CP-20-134), the language is proposed to be changed to secure this open space through the use of a recorded deed restriction (**Exhibit H**) rather than an

open space assessment. The areas in green below include the golf course holes and ponds to be deed restricted as open space on the site.



The site does not contain any agricultural buffers or riparian corridors that would count toward the open space. The State approved the City's Local Wetlands Inventory for the Urban Growth Boundary expansion areas in 2017. Although the site was noted as having a wetland and several probable wetlands, the site does not have any identified locally significant wetlands (See Exhibit I). Below is one of the maps showing the wetland areas on site. This wetland is not counted toward the open space total or included in the proposed 120 acres of open space.



The applicant has not identified any slopes greater than 25 percent to be counted as open space.

Conclusions

Satisfied. The property owner is subject to a 19 percent open space requirement on the property which equates to 79 acres. The “open space assessment” type noted under Section 5.3.4 was intended for this planning unit and serves to meet the Regional Plan Element requirement. The open space assessment is proposed to be secured by a recorded deed restriction upon approval of a code change submitted under application CP-20-134.

The golf course and ponds on the site are approximately 120 acres and will be reserved as the designated open space areas on the property. This criterion is satisfied.

***Criterion 5.4** Compliance with the requirements of Regional Plan Element, Section 4.1.6, for mixed-use/pedestrian-friendly development and any specific land use performance obligation. Planning units containing only an Industrial GLUP Map designation are exempt from the mixed-use pedestrian friendly development evaluation.*

Findings

Section 4.1.6 of the Regional Plan Element points to the 2020 benchmark targets identified in the most recent Regional Transportation Plan (RTP-2017) for number of dwelling units and new employment in mixed-use and pedestrian friendly developments or activity centers. Activity centers are defined in the RTP as:

- Areas of development that contribute to achieving mixed-use, pedestrian friendly development;
- Neighborhood commercial and employment centers, parks, and schools;
- Downtown areas;
- Transit Oriented Developments; and
- Development that is vertically or horizontally mixed-use

The 2020 target for new dwelling units in the RTP is identified as 49 percent and for new employment in activity centers is 44 percent. Data from 2001 indicated that Medford was already exceeding these targets at 61 percent and 48 percent respectfully. The City is required to continue meeting or exceeding these targets as required by the Regional Plan.

The planning unit includes residential and commercial land use types to achieve a mix of uses that are easily accessible and will serve those living or working in the planning unit or in the surrounding neighborhoods. The distribution of residential and commercial GLUP designations aligns with that adopted through the Urban Growth Boundary process with commercial proposed along the higher order streets of North Phoenix Road, future South Stage Road, and Golf View Drive. All of these streets have cross sections that will provide for convenient and safe traveling by pedestrians and provide connections through the planning unit and to other designations outside. Multi-family residential is distributed along the

northwest, south, and central east and is in close proximity to the commercial areas in two locations. The development of the Active Adult Retirement Community (AARC) east of Golf View Drive is a key component of the property and provides a self-contained community that is “intended to be a mixed-use/pedestrian friendly development” as noted in the application materials. The gated community will provide opportunities for reduced vehicle trips as residents will be able to walk and bike easily to destinations within the planning unit.

Residential units will be accommodated specifically within the AARC (a future Planned Unit Development), and through increased acreage in the Urban High Density Residential GLUP designation. Portions of the Commercial GLUP will also serve to provide residential units, as well as retail and office uses. A number of different dwelling unit types can be accommodated in the residential GLUP designations to serve the housing needs of residents.

Overall street connectivity is provided in all directions to the higher order streets that border the planning unit.

Conclusions

Satisfied. MD-5f has the appropriate combination of residential and commercial land uses, street connectivity, and allowed versatility within the commercial components to meet the Regional Plan requirements and create a mixed-used/pedestrian friendly activity center in southeast Medford. This criterion is satisfied.

Criterion 5.5 Preliminary coordination and discussions with public utility providers, including water, sewer, transportation, and irrigation districts.

5.5.1 Coordination may include identifying any existing infrastructure on or adjacent to the site and determining whether it can be maintained or needs to be moved.

Findings

The property owner has begun preliminary discussions with utility providers through development of this urbanization plan and future development plans for the site. Comments have been provided during the pre-application process and through this formal application. The guidance from utility providers at this stage is informational only and serves to guide

the applicant with future development plans. No utilities are being extended to serve the property during the urbanization planning process.

During the Land Development meeting held on April 29, 2020, comments were received from Medford Public Works Engineering (**Exhibit J**), Jackson County Roads (**Exhibit K**), Rogue Valley Sewer Services (**Exhibit L**), Medford Building (**Exhibit M**), and the Medford Water Commission (**Exhibit N**). Medford Fire-Rescue provided standard comments but no specific conditions for consideration at this time. The installation of off-site and on-site utilities will be coordinated with future development phases of the property.

Rogue Valley Sanitary Sewer is not currently near the site. Two different extension options are possible, one is to connect/extend to the Upper Bear Creek Inceptor line located west of Interstate 5 and the other is to extend north from an existing line near Home Depot. There are existing City sewer lines north and west of the planning unit, but these lines may not be suitable for gravity service. City sewer lines near Juanipero Way may be an option to serve a portion of the development but a service boundary adjustment will be needed.

Jackson County Roads provided comments related to the annexation and jurisdictional transfer of North Phoenix Road. Storm drain management will become the responsibility of the City upon annexation. Future review of access via North Phoenix and possible impacts to nearby intersections will need to be studied.

Water to provide domestic and fire protection will be through two different pressure zones. Water line extensions under North Phoenix and the other proposed streets will be required in coordination with Medford Water Commission staff.

Public Works Engineering will take over jurisdiction and storm water maintenance of North Phoenix Road along the property frontage upon annexation. The other public streets proposed to be constructed will be maintained by the City. Sewer and storm drain capacity constraints exist in this location that will need to be addressed prior to future zone change approval. The applicant will need to provide the location of private and emergency access gates to the private streets in the AARC. A pedestrian

connection to Larson Creek Drive and Juanipero Way is recommended with future development proposals from the proposed closed street network near holes 16 and 17 located in the northeast portion of the development. This connection will provide direct pedestrian access to Juanipero Way and travel to neighborhoods and the Larson Creek Commercial Center to the north. System development charges and utility fees will apply upon annexation and as future construction occurs.

The applicant has identified an existing natural gas distribution and metering facility located in the southeast corner of the property near the golf course maintenance shop. The property is leased to Gas Transmission Northwest Corporation and will remain on the site.

Conclusions

Satisfied. Utility providers have reviewed the urbanization plan and have provided preliminary comments that the applicant can use and apply to the next stage of development for the property. This criterion is satisfied.

Criterion 5.6 Location or extensions of riparian corridors, wetlands, historic buildings or resources, and habitat protections and the proposed status of these elements.

Findings

The urbanization plan provides a description of the applicable items listed under Criterion 5.6. The site does not contain any mapped riparian corridors. The City's adopted 2017 Local Wetland Inventory identifies one wetland in between holes 8 and 11, existing ponds, and a number of points identified as probable wetlands on the inventory (**See Exhibit I**). Further investigation by a wetland professional is needed to determine the location and extent of wetlands on the site prior to development.

There is an existing residence on the site known as the Fredric E. Furry House which is listed on the National Historic Register. The home is located near holes 14 and 15 and is planned to be retained. After annexation, the home will be incorporated into the City's historic inventory and will be subject to the City's historic review regulations.

Conclusions

Satisfied. The plans shows the location and extent of wetland boundaries, probable wetlands, and existing ponds on the site. In addition, the property contains a historic resource known as the Fredric E. Furry house. This criterion is satisfied.

Criterion 5.7 Compliance with applicable provisions of the Urban Growth Management Agreement.

Findings

The property is currently within the Urban Growth Boundary and is subject to the provisions in the Urban Growth Management Agreement (UGMA) as included in the Urbanization Element.

As outlined in the UGMA amended by both the City and County in 2016 and 2017 respectively, under Policy 2, the City agrees to request surrender of the full width road right-of-way along North Phoenix Road upon annexation. The portion of the roadway to be annexed extends from Coal Mine Road (where the current city limits stop) south for approximately 3,900 feet to the southern boundary of the subject property. The applicant has filed a concurrent annexation application that includes this portion of North Phoenix Road. The City will consider annexation during the July 16th public hearing.

Other policies in the UGMA include the protection of agricultural land zoned Exclusive Farm Use (EFU) outside of the Urban Growth Boundary. There is land zoned EFU located north and south of Hillcrest Cemetery on the east side of North Phoenix Road. An agricultural buffer was not specifically identified in this planning unit during the Urban Growth Boundary amendment likely due to the separation of the land by the North Phoenix Road right-of-way. Full construction of the road to City standards will include a 100 foot cross section providing for an instant separator. The City has adopted agricultural buffering standards in accordance with Regional Plan requirements that can be applied if warranted, and can be discussed through a pre-application conference.

The applicant proposes to comply with the provisions agreed upon in the UGMA.

Conclusions

Satisfied. The applicant has proposed to annex the full width right-of-way along the applicable segment of North Phoenix Road in accordance with the Urban Growth Management Agreement. The City will request surrender of this right-of-way following annexation. Segments of the property may be subject to agricultural buffering standards if it is concluded the existing right-of-way on North Phoenix Road is not sufficient. This criterion is satisfied.

Criterion 5.8 Compliance with the terms of special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary, as detailed in the Urban Growth Management Agreement.

Findings

The annexation policies in the Urbanization Element (2.1.7(6)(e)) include a list of commitments offered by land owners during the Urban Growth Boundary expansion process to be met. The property under review is subject to the following:

- (e) MD-5 West shall provide a deed restriction for open space areas.

The applicant has submitted a proposed deed restriction for the 120 acres of open space that includes the golf course holes and ponds on the property. The deed restriction shall be recorded after approval of the urbanization plan.

Conclusions

Satisfied. The applicant has submitted a deed restriction to reserve the 120 acres of open space that is the golf course on the property. This is in accordance with the agreements made at the time of approval of the expansion of the Urban Growth Boundary. This criterion is satisfied.

Criterion 5.9 Coordination with the Parks and Recreation Department for adherence to the Leisure Service Plan related to open space acquisition and proposed trail and path locations.

Findings

The Leisure Services Plan includes shared use pathways along North Phoenix Road and South Stage Road. The property which has frontage along these roadways will be built to City standards with future development.

The cross section for these arterials include off-street bicycle facilities and sidewalks that can satisfy the pathway requirements noted in the Leisure Services Plan.

Currently, the open space proposed for the site includes the 120 acres of the golf course which is privately maintained and open to the public. Conversations between the applicant and Parks and Recreation staff has occurred based on the applicant's findings. Although there are no specific plans for the Parks and Recreation Department to acquire park land at this time, staff is open to future discussions with the applicant. The site is located in a park watershed gap and the nearest park is at Orchard Hill Park to the northwest of the site. A future neighborhood park may be appropriate in this location to serve existing and future residents in this area. The Parks and Recreation Department has provided formal comments for the project (**See Exhibit O**).

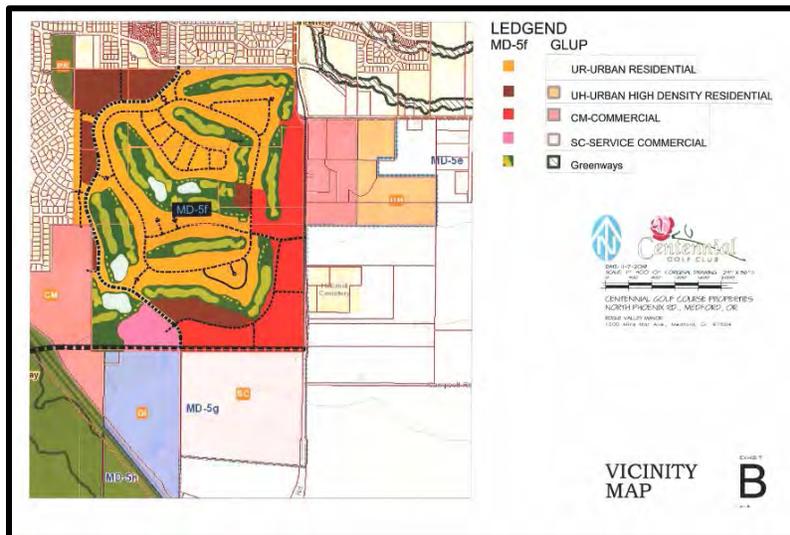
Conclusions

Satisfied. The applicant is satisfying the open space requirement on the property through the use of the golf course. The cross sections for the abutting higher order streets of North Phoenix Road and future South Stage Road will provide off road pedestrian and bicycle facilities for the residents and neighbors to use that will satisfy the proposed trails in the Leisure Service Plan. This criterion is satisfied.

Criterion 5.10 Vicinity map including adjacent planning units and their General Land Use Plan designations.

Findings

A vicinity map (**Exhibit B**) showing adjacent planning units and General Land Use Plan (GLUP) designations has been provided by the applicant. Land to the east across North Phoenix Road is identified as planning unit MD-5e and contains the Commercial (CM) and Urban High Density (UH) GLUP designations. To the south is planning unit MD-5g, which includes the General Industrial (GI) and Service Commercial (SC) GLUP designations.



Conclusions

Satisfied. The applicant has provided a vicinity map showing the subject property in relationship to the adjacent and adjoining properties. This criterion is satisfied.

Criteria 5.11 Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.

Findings

The applicant has provided a vicinity map (**Exhibit B**) showing the outer boundaries of the tax lots for the subject properties and the proposed street extensions to the north, west and south. The current access point on the east side of the property will remain and will be converted into a public street upon development of the property.

Conclusions

Satisfied. The information requested has been provided by the applicant. This criterion is satisfied.

Criteria 5.12 Existing easements of record, irrigation canals, and structures.

Findings

A topographic survey (**Exhibit D**) showing contour lines and a map (**Exhibit C**) showing existing structures, ponds, and the location of a number of easements including utility, access, drainage and canal easements were submitted with the application. Exhibit C identifies five existing buildings on the property, two being the Fredric E. Furry house and the golf course club house.

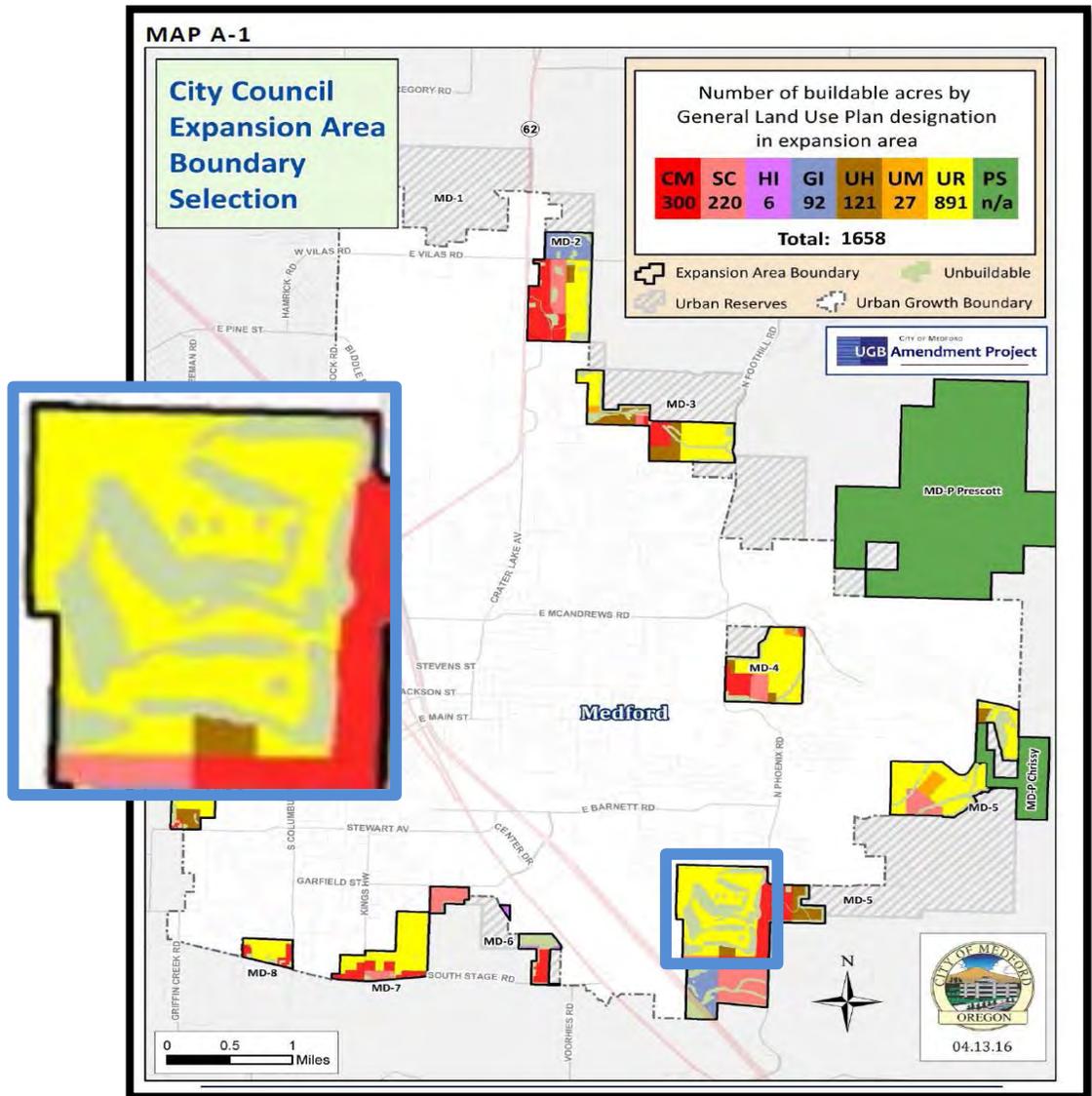
Conclusions

Satisfied. The applicant has provided documentation of existing easements and shown the location of existing buildings on the property. This criterion is satisfied.

Criterion 5.13 Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.

Findings

Below is Map A-1 which is part of the Urban Growth Boundary Amendment project report adopted by City Council on August 18, 2016. The subject properties are outlined in the blue boxes below. The map outlines the unbuildable areas (green/grey color) on the properties including the existing golf course holes and existing structures. The existing golf course will be designated as open space. No agricultural buffers are noted on the map, but there are portions of the property that abut EFU land to the east which may be subject to buffer requirements prior to development.



Conclusions

Satisfied. The site contains approximately 120 acres of unbuildable land that is the existing golf course along with other existing structures. There is no agricultural buffer noted on Map A-1, but the property in two locations abuts Exclusive Farm Use (EFU) zoning on the east. This criterion is satisfied.

Criterion 5.14 Contour lines and topography.

Findings

The contour lines range from 1,550 feet at the northeast portion of the property to 1,470 feet near the southwest portion of the property. The applicant's submitted topographic/contour map is below (**Exhibit D**). The property has approximately a 2.1 percent slope from north to south with steeper slopes near the southeast portion of the property near Hole 1 located in tax lot 381W04100.



Conclusions

Satisfied. The applicant has provided a contour map of the site. The City's mapping program (Medford Land Information) was used to calculate the slope using 10 foot contour data and the map layer that identifies slope information. This criterion is satisfied.

Criterion 5.15 *In the interest of maintaining clarity and flexibility for both the City of Medford and for landowners, no urbanization plan may be submitted with or contain the following items, which are only appropriate at the time of development:*

5.15.1 *Deviations from Municipal Code provisions, including exceptions to Chapter 10. This prohibition does not function to limit specific neighborhood circulation plan requirements hereinabove.*

5.15.2 *Limitations on development due to facility capacity shortfalls.*

5.15.3 *Architectural details.*

5.15.4 *Specifics about building types and building placement.*

5.15.5 *Access and internal circulation on prospective lots or development sites.*

Findings

The applicant's urbanization plan does not include any of the five items listed above which are applicable at the time of development of the properties.

Conclusions

Satisfied. The proposal does not contain any deviations from the Municipal Code provisions, limitations on development due to facility capacity shortfalls, architectural details, building types or placement, or access/internal circulation for lots or sites as these details are too specific for this stage of the planning process. This criterion is satisfied.

Section 6 - GLUP AMENDMENTS

Criteria

6.1.1 *Minor Spatial Adjustments: If GLUP map amendments are proposed within the planning unit but the total acreage for each GLUP Map designation is not significantly changed, the urbanization plan can be the basis for GLUP amendments without the need for complex land supply analysis.*

6.1.2 *Moderate Spatial Adjustments: If land supply GLUP map amendments are proposed that change the spatial arrangement of GLUP designations beyond the boundary of a particular planning unit but maintain the total acreage for each GLUP Map designation within the applicable MD area that is now inside the UGB, then the urbanization plan shall be accompanied by a mapping analysis that explains how the total land use allocations are maintained by GLUP. Spatial exchanges of land use designations such as this shall be coordinated with other planning units in the MD and an analysis urban land use value equity shall be provided.*

6.1.3 Complex Spatial Adjustments: More complex GLUP Map amendments that have the potential to alter the land supplies in more fundamental ways will typically require extensive city-wide and/or regional plan land supply analyses. This analysis shall demonstrate that both the urban land needs described in the City's Housing Element and Economy Element will be served and that the resulting amendment will continue to comply with all applicable provisions of the Regional Plan for the area specifically and the City as a whole.

Findings

The General Land Use Plan (GLUP) designations adopted as part of the Urban Growth Boundary resulted in the following types and acres of land.

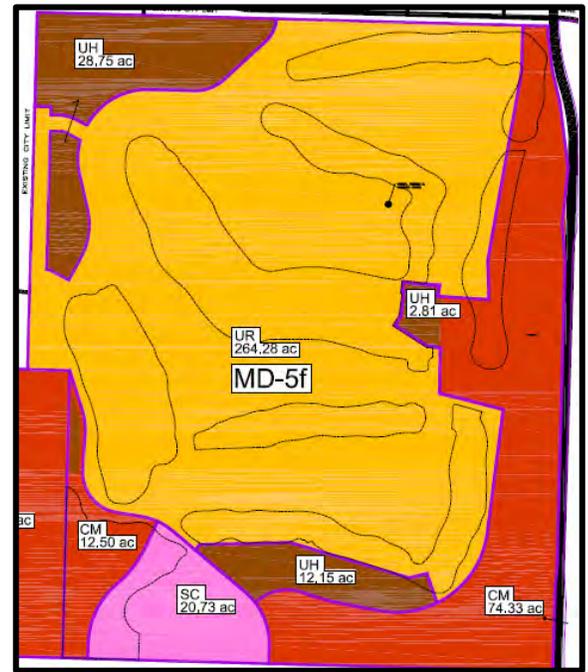
	Existing GLUP Acres	Proposed GLUP Acres
Urban Residential (UR)	334.1	264.28
Urban High Density Residential (UH)	7.2	43.71
Commercial (CM)	60.6	86.83
Service Commercial (CM)	14.81	20.73
Totals	416	415.55

The applicant proposes to decrease the Urban Residential and increase the Urban High Density Residential, Commercial, and Service Commercial designations within the planning unit. The 120 acres of open space extends across all of the proposed GLUP designations reducing the totals noted above. The proposed GLUP map below shows the outline of the open space areas within the different GLUP designations. The change is proposed as a Minor Spatial Adjustment within the planning unit.

Upon approval by City Council, the City's General Land Use Plan map will be updated to reflect the proposed modifications to the size and location of these designations.



Existing GLUP



Proposed GLUP

Conclusions

Satisfied. The applicant proposes to make adjustments to the General Land Use Plan map in order to expand multi-family housing and commercial opportunities within the planning unit. The approval of the Urbanization Plan provides for this GLUP adjustment without the need for a separate GLUP Amendment process. The changes represent a Minor Spatial Adjustment that the City Council can approve with this application. This criterion is satisfied.

RECOMMENDED ACTION

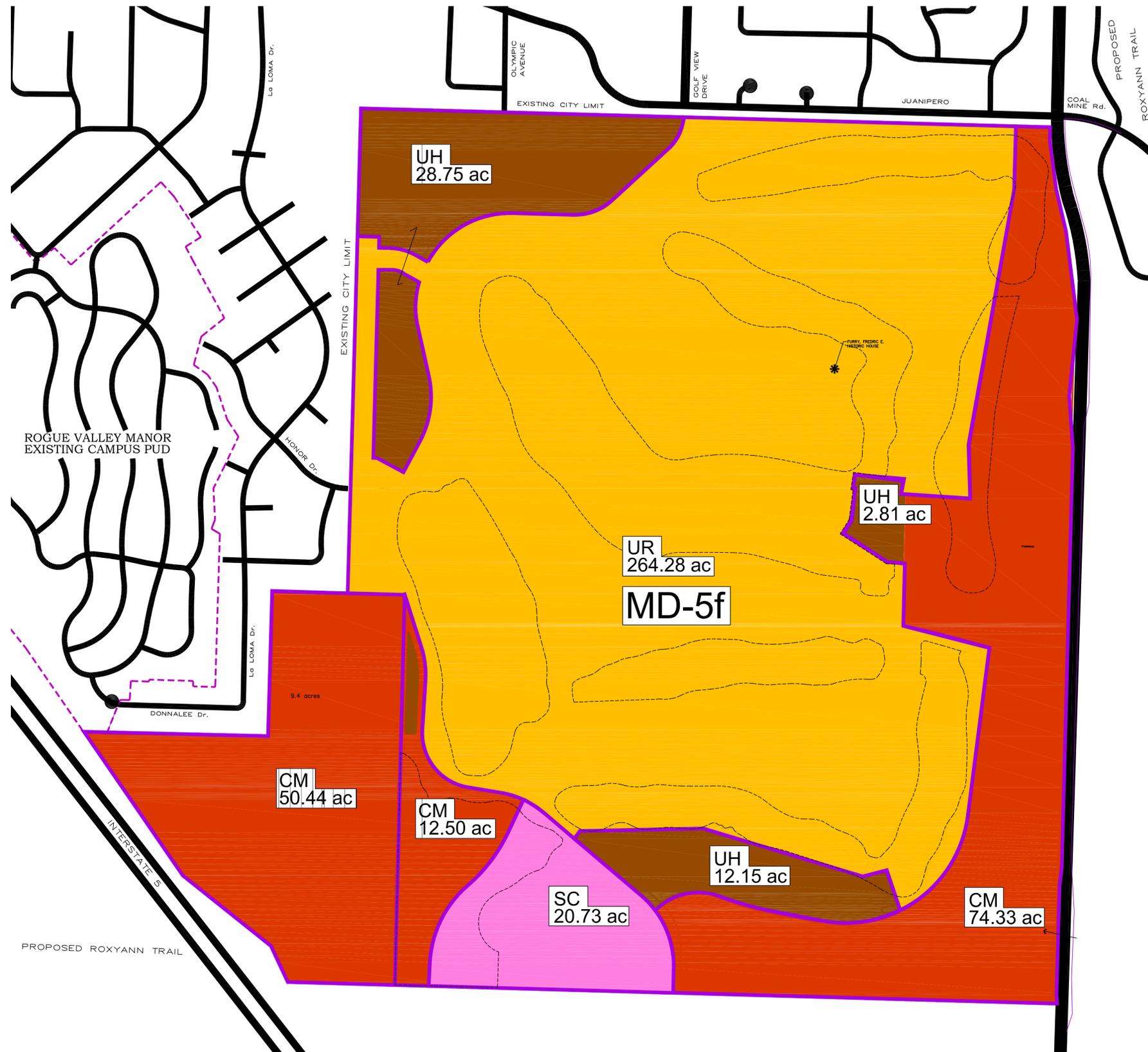
Based on the findings and conclusions that all of the applicable criteria are satisfied, forward a favorable recommendation to the City Council per the staff report dated June 18, 2020, including Exhibits A through RR for approval of UP-19-004, and adopting Exhibit A-3 into the Neighborhood Element of the Comprehensive Plan.

EXHIBITS

- A Applicant's Proposed GLUP Map
 - A-1 Applicant's Urbanization Plan
 - A-2 Applicant's Existing GLUP Map
 - A-3 Neighborhood Element Amendment
- B Applicant's Vicinity Map
- C Applicant's Existing Easements and Structures Map
- D Applicant's Topography/Contour Map
- E Applicant's Conceptual Street Circulation Map
- F Applicant's Findings of Fact
- G Staff's Residential Density Spreadsheet Calculator
- H Applicant's Open Space Deed Restriction
- I Local Wetland Inventory Maps
- J Public Works Engineering Comments dated 4/29/2020
- K Jackson County Roads Comments dated 3/30/2020
- L Rogue Valley Sewer Services Comments dated 4/8/2020
- M Building Safety Comments dated 4/27/2020
- N Medford Water Commission Comments dated 4/29/2020
- O Parks, Recreation, and Facilities Department Comments dated 5/29/2020
- P Letter from Theodore Krempa dated 5/31/2020
- Q Letter from Susan Hoppe Krempa dated 5/31/2020
- R Letter from Bradley and Glennda Allen dated 6/3/2020
- S E-mail from Ed Nicholson dated 6/3/2020
- T E-mail from Suzanna Davis dated 6/4/2020
- U Letter from Rogue Valley Manor Board dated 6/5/2020
- V E-mail from Jane Weaver dated 6/7/2020
- W E-mail from Gerry Stanley dated 6/7/2020
- X E-mail from Ronald Constable dated 6/7/2020
- Y E-mail from Katie Yasui dated 6/7/2020
- Z Letter from Renae Rogers dated 6/9/2020
- AA Letter and signatures from Centennial Golfers dated 6/10/2020
- BB Letter from Superintendent Brett Barry from Phoenix Talent School District dated 6/5/2020
- CC E-mail from Bruce Bauer dated 6/10/2020
- DD Letter from Khmar and Roberta Bhasin dated 6/10/2020
- EE Letter from Louise Dix from Fair Housing Council of Oregon dated 6/10/2020

- FF E-mail from Dr. and Mrs. Everett dated 6/11/2020
- GG Letter from Carolyn and Larry Shirk dated 6/11/2020
- HH E-mail from Dr. Paul and Carolyn Turner dated 6/11/2020
- II E-mail from Bob Karchich dated 6/11/2020
- JJ E-mail from Barbara Field dated 6/12/2020
- KK E-mail from Fred Willms dated 6/12/2020
- LL Letter from James Stocker dated 6/12/2020
- MM E-mail from Wayne Thomas dated 6/12/2020
- NN Letter from Dan Wagner dated 6/13/2020
- OO E-mail from Paul and Patricia Berglund dated 6/14/2020
- PP Letter from Ravindra and Hubertina Vasavada dated 6/14/2020
- QQ E-mail from Russy Sumariwalla dated 6/15/2020
- RR Letter from James and Joyce Ellis dated 6/15/2020
Vicinity map

PLANNING COMMISSION AGENDA: JUNE 25, 2020

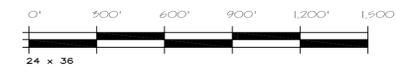


**LAND-USE SUMMARY
GLUP CATEGORIES
CENTENNIAL PROPERTIES**

468.78ac. TOTAL SITE ACREAGE

KEY	ACRES	LAND-USE TYPE	HOUSING & ACREAGES	GLUP DESIGNATION
HOUSING				
	264.28	UR (SFR-4 ZONE)		UR
	43.71	UH (MFR 30 ZONE)		UH
		307.99	SUB TOTAL HOUSING 307.99	
COMMERCIAL				
	137.27	CM COMMERCIAL		CM
	20.73	SC COMMERCIAL		SC
		160.79	SUB TOTAL COMMERCIAL 160.79 AC.	
		TOTAL SITE AREA 468.78 AC		

DATE: 9-30-2020
SCALE: 1" = 300' - 0"



CENTENNIAL PROPERTIES
a Golf Course Community
ROGUE VALLEY MANOR
1200 Mira Mar Ave., Medford, Or. 97504
MASTER PLAN
ROBERT H. FOSTER CONSULTANTS
431 ASH ST., LAKE OSWEGO, OR.
97034 (503) 635-6190 CEL (503) 997-6190
PLANNING
RICHARD STEVENS ASSOCIATES INC.
PO BOX 4368
MEDFORD, OR 97501
(541) 773-2646
GREG HATHAWAY
HATHAWAY LARSON LLP
1331 NW LOVEJOY ST. SUITE 950
PORTLAND, OR 97209
(503) 704-6954
WESTECH ENGINEERING, INC.
CIVIL ENGINEERING
3841 FAIRVIEW DR. S.E., SUITE 100
SALEM, OR 97302 (503) 585-2474
KITTELSON & ASSOCIATES, INC.
TRANSPORTATION PLANNING/ TRAFFIC ENGINEERING
610 SW Alder St., Portland, Or. 97205
(503) 228-5230



**GLUP Future
URBANIZATION
PLAN** for
PLANNING UNIT MD-5f



24 x 36



LAND-USE SUMMARY
GLUP CATEGORIES
CENTENNIAL PROPERTIES
 418.34ac. TOTAL SITE ACREAGE

KEY	ACRES	LAND-USE TYPE	ACREAGE	GLUP DESIGNATION
HOUSING				
	173.55	UR (SFR-4 ZONE)		UR
	41.60	UH (MFR 30 ZONE)		UH
			215.15	SUB TOTAL HOUSING 215.15 AC
COMMERCIAL				
	69.51	CM COMMERCIAL NOTES: INCLUDES 20' N. PHOENIX WIDENING & 39' STAGE RD. EXTENSION (4.21 AC)		CM
	13.68	SC COMMERCIAL INCLUDES 39' STAGE RD. EXTENSION (1.38 AC)		SC
			83.19	SUB TOTAL COMMERCIAL 83.19 AC.
OPEN SPACE & ANCILLARY USES				
	120.0	GLUP GOLF COURSE OPEN SPACE, LAKES & WETLANDS		
			120.00	SUB TOTAL OPEN SPACE 120.00 AC.
				TOTAL SITE ACRES UGB 418.34 ACRES



DATE: 9-30-2020
 SCALE: 1" = 300' - 0"
 0' 300' 600' 900' 1,200' 1,500'
 24 x 36

CENTENNIAL PROPERTIES
 a Golf Course Community
 ROGUE VALLEY MANOR
 1200 Mira Mar Ave., Medford, Or. 97504
 MASTER PLAN
 ROBERT H. FOSTER CONSULTANTS
 431 ASH ST., LAKE OSWEGO, OR.
 97034 (503) 635-6190 CEL (503) 997-6190
 PLANNING
 RICHARD STEVENS ASSOCIATES INC.
 PO BOX 4368
 MEDFORD, OR 97501
 (541) 773-2646
 GREG HATHAWAY
 HATHAWAY LARSON LLP
 1331 NW LOVEJOY ST. SUITE 950
 PORTLAND, OR 97209
 (503) 704-6954
 WESTECH ENGINEERING, INC.
 CIVIL ENGINEERING
 3841 FAIRVIEW DR. S.E., SUITE 100
 SALEM, OR 97302 (503) 585-2474
 KITTELSON & ASSOCIATES, INC.
 TRANSPORTATION PLANNING/ TRAFFIC ENGINEERING
 610 SW Alder St., Portland, Or. 97205
 (503) 228-5230

EXHIBIT
A-1

RVM Proposed
URBANIZATION
PLAN for
 PLANNING UNIT MD-5f

EXHIBIT **A1**



LAND-USE KEY
GLUP CATEGORIES MD-5f
CENTENNIAL PROPERTIES
 416.7ac. TOTAL SITE ACREAGE

KEY	ACRES	LAND-USE TYPE	HOUSING & ACREAGES	GLUP DESIGNATION
HOUSING				
	334.1	UR (SFR-4 ZONE)	= 1,336 LOTS	UR
	7.2	UH (MFR 30 ZONE)	= 216 UNITS	UH
		341.3 GLUP AREA	TOTAL 1,552 UNITS	
COMMERCIAL				
	60.6	CM COMMERCIAL		CM
	14.8	SC COMMERCIAL		SC
		75.4 GLUP =	TOTAL COMMERCIAL 75.4 AC.	
		416.7ac TOTAL SITE ACRES UGB		



DATE: 5-30-20
 SCALE: 1" = 300'-0"
 0' 300' 600' 900' 1,200' 1,500'
 24 x 36

CENTENNIAL PROPERTIES
 a Golf Course Community
 ROGUE VALLEY MANOR
 1200 Mira Mar Ave., Medford, Or. 97504



GLUP Existing
URBANIZATION
PLAN for
PLANNING UNIT MD-5f

EXHIBIT
A2

Medford Comprehensive Plan
Chapter 10

Neighborhood Element

Introduction

The divisions of this chapter are special area plans that have been adopted by the Council. Two plans are incorporated by reference; three others are incorporated into this document.

Contents

Introduction	1
10.1 Southeast Plan	2
10.2 Southeast Circulation Plan.....	17
10.3 Bear Creek Master Plan	40
10.4 Urbanization Planning.....	41
10.5 Liberty Park Neighborhood Plan.....	52
10.6 Adopted Urbanization Plans	
1. Planning Unit MD-7c (NW corner of South Stage Road and Kings Highway)	
<u>2. Planning Unit MD-5f (South of Juanipero Way and West of North Phoenix Road)</u>	



URBANIZATION PLAN FOR MD-5f

Adopted by Medford City Council on July 16, 2020; Ordinance no. 2020-XX

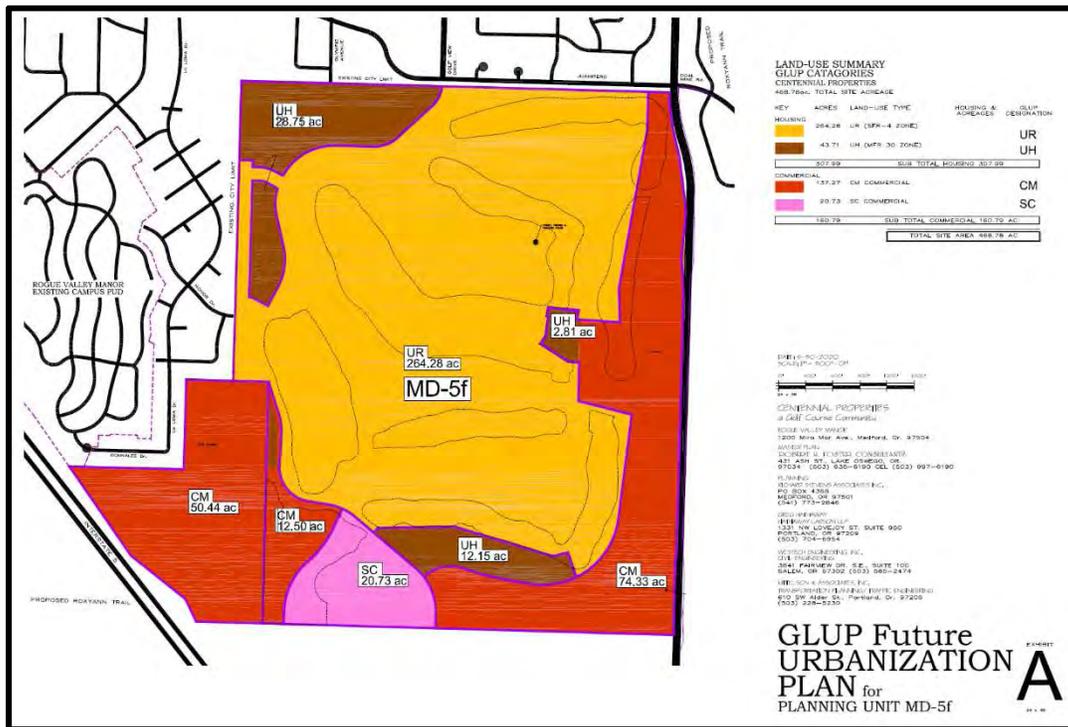


Exhibit A includes 50.44 acres of tax lot 381W04 200 already included in the City

Project Details – MD-5f

The planning unit is approximately 416 acres in size and is located south of Juanipero Way and west of North Phoenix Road. The property has the following four General Land Use Plan designations: Urban Residential, Urban High Density Residential, Service Commercial, and Commercial. The existing golf course totaling approximately 120 acres will be reserved through a deed restriction on the property, exceeding the 19 percent open space requirement for the planning unit. The applicant proposes a minimum of 1,527 dwelling units to be constructed within the residential GLUP designations on the property. Street extensions include Golf View Drive, Olympic Way, Honor Drive, South Stage Road, and the conversion of the main entrance into the golf course into a public street to extend from North Phoenix Road to Golf View Drive.

RECEIVED
 JAN 31 2020
 PLANNING DEPT.



LEDGEND

MD-5f

GLUP

- UR-URBAN RESIDENTIAL
- UH-URBAN HIGH DENSITY RESIDENTIAL
- CM-COMMERCIAL
- SC-SERVICE COMMERCIAL
- Greenways



DATE: 11-7-2019
 SCALE: 1" = 400'-0" ORIGINAL DRAWING - 24" X 36"



CENTENNIAL GOLF COURSE PROPERTIES
 NORTH PHOENIX RD., MEDFORD, OR
 RIDGE VALLEY MANOR
 1200 Mira Mar Ave., Medford, Or. 97504

**EXHIBIT
 B
 CITY OF MEDFORD**

VICINITY
 MAP

EXHIBIT
B

NOTES:

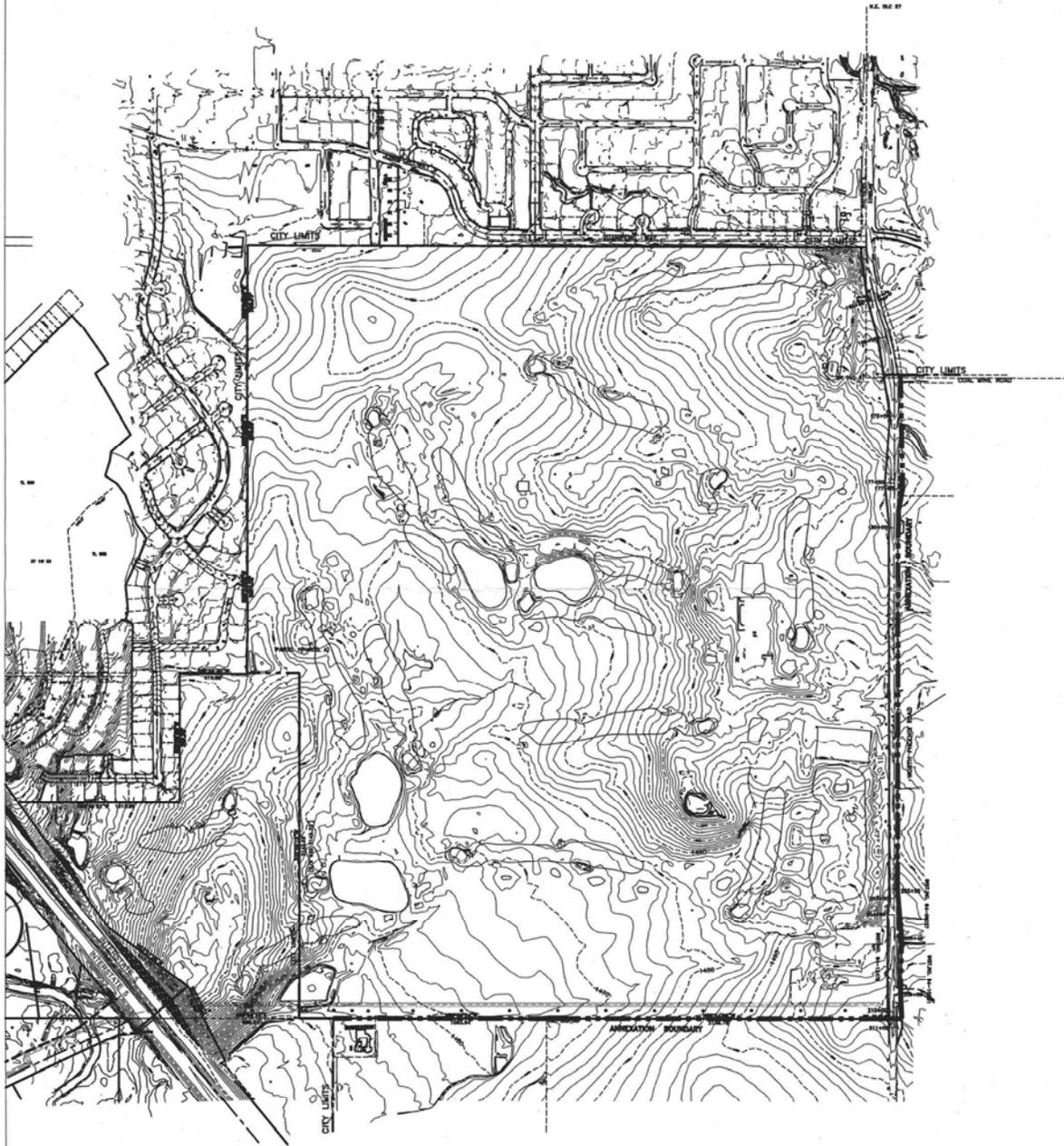
AREA OF ANNEXATION = 424 ACRES
ANNEXED AREA INCLUDES:
TAX LOT 700 OF MAP 37 1W 33
TAX LOT 900 OF MAP 37 1W 33
TAX LOT 1000 OF MAP 37 1W 33
TAX LOT 1100 OF MAP 37 1W 33
TAX LOT 1200 OF MAP 37 1W 33
TAX LOT 2000 OF MAP 37 1W 33CA
TAX LOT 4700 OF MAP 37 1W 33CD
TAX LOT 100 OF MAP 38 1W 04
TAX LOT 101 OF MAP 38 1W 04

EXHIBIT "D"
(TOPO/CONTOUR MAP)

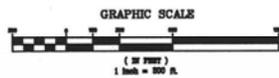
LOCATED IN:
THE S.W. 1/4 & S.E. 1/4, SEC. 33 & THE S.W. 1/4, SEC. 34 &
THE S.E. 1/4, SEC. 33 & THE S.W. 1/4, SEC. 34, T. 37S., R. 1W., W.M.
& THE N.W. 1/4 & N.E. 1/4, SEC. 04, T. 38S., R. 1W., W.M.
JACKSON COUNTY, OREGON

OWNER:
ROGUE VALLEY MANOR
1200 MIRA MAR
MEDFORD, OR. 97504

AGENT:
RICHARD STEVENS & ASSOCIATES
100 EAST MAIN SUITE "O"
MEDFORD, OR. 97501
(541) 773-2646



RECEIVED
JAN 31 2020
PLANNING DEPT.



REGISTERED
PROFESSIONAL
LAND SURVEYOR
Darrell L. Huck
OREGON
DARRELL L. HUCK
Expire 4/30/2021



BY: DARRELL L. HUCK	LS 2023
PROJECT: MANOR	19-023
DRAWING FILE NO.: 19083 ANNEX TOPO.DWG	
SCALE: 1" = 200'	DECEMBER 26, 2019
REVISION NO.:	
REVISION DATE:	
SHEET 1 OF	SUNOAKS SUB
BASES OF FINISHING:	
ELEVATION DATUM:	CITY OF MEDFORD
DRAWN BY:	
REVIEWED BY:	



RECEIVED
 JAN 31 2020
 PLANNING DEPT.



KEY:
 ■■■■■ PUBLIC STREETS
 ■■■■■ PRIVATE STREETS
 ■■■■■ PUBLIC FOOT PATH



DATE: 12-18-2019
 SCALE: 1" = 500' - 0"

CENTENNIAL PROPERTIES
 a Golf Course Community
 ROGUE VALLEY MANOR
 1200 Mira Mar Ave., Medford, Or. 97504

EXHIBIT
E
CITY OF MEDFORD

CONCEPTUAL
 STREET
 CIRCULATION
 PLAN for
 PLANNING UNIT MD-5f

EXHIBIT
E
 24 x 36

**BEFORE THE PLANNING COMMISSION AND CITY COUNCIL FOR THE CITY OF
MEDFORD, JACKSON COUNTY, OREGON:**

**IN THE MATTER OF AN APPLICATION FOR)
A COMPREHENSIVE PLAN AMENDMENT,)
URBANIZATION PLAN, FOR PLANNING)
UNIT MD-5F; ROGUE VALLEY MANOR,)
APPLICANT; RICHARD STEVENS &)
ASSOCIATES, INC., AGENTS)**

**FINDINGS OF FACT
AND CONCLUSIONS**

I. RECITALS PERTAINING TO THE PROPERTY:

APPLICANT: Rogue Valley Manor
1200 Mira Mar Avenue
Medford, OR 97504

DESIGNER: Robert H. Foster Consultants
431 Ash Street
Lake Oswego, OR 97034

ATTORNEY: Greg Hathaway
Hathaway Larson LLP
1331 NW Lovejoy Street, Suite 950
Portland, OR 97209

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

PURPOSE OF APPLICATION:

The Applicant proposes a Comprehensive Plan amendment to adopt an Urbanization Plan for planning unit MD-5f which is located within the Urban Growth Boundary (UGB) of the City of Medford. The MD-5f planning unit is located east of Interstate-5, south of Juanipero Way, west of North Phoenix Road and north of the planned extension of South Stage Road.

The proposed Urbanization Plan includes ten tax lots totaling 417.18 acres, which are entirely owned by the Applicant. The properties included are described as: T.37S-

RECEIVED

JAN 31 2020

PLANNING DEPT.



R.1W-S.33, Tax Lots 700, 801, 900, 1000, 1100 & 1200; T.38S-R.1W-S.04, Tax Lots 100 & 101; T.37S-R.1W-S.33CA, Tax Lot 2000 and T.37S-R.1W-S.33CD, Tax Lot 4700.

II. PROCEDURE:

Medford Land Development Code (MLDC) Section 10.220 governs Major Type IV Amendments. Per MLDC Section 10.220(A)(8) Urbanization plans are a Major Type IV Amendment. Per Section 10.220(C), an application for an Urbanization Plan shall contain the following items:

- (1) *Written consent of the owner(s) within the planning unit per the Urbanization Planning requirements in the Comprehensive Plan.*
- (2) *Urbanization Plan map(s) drawn to scale that includes the Plan Contents found in Section 5 in the Urbanization Planning Chapter in the Neighborhood Element (20 copies).*
- (3) *One reduced copy of each size plan (8.5" x 11" and 11" x 17").*
- (4) *Electronic files in dwg format or shapefiles.*
- (5) *Vicinity map including other adjacent planning units and their General Land Use Plan designations.*
- (6) *Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.*
- (7) *Existing easements of record, irrigation canals, and structures.*
- (8) *Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.*
- (9) *Written or graphical representation of compliance with the Plan Contents found in Section 5 of the Urbanization Planning Chapter in the Neighborhood Element.*
- (10) *Written findings showing compliance with the Regional Plan requirements*
- (11) *Contour lines and topography*
- (12) *Property owners' names, addresses, and map and tax lot numbers within 200 feet of the project boundaries, typed on mailing labels.*
- (13) *Documentation that a neighborhood meeting was conducted in accordance with Section 10.194*

Discussion: The Applicant owns all of the property within the planning unit and consents to the proposed Urbanization Plan. Urbanization Plan maps have been submitted as required (Exhibit A). A vicinity map including other adjacent planning units, their GLUP designations and adjacent property lines has been submitted (Exhibit B). An exhibit showing existing easements of record, irrigation canals and structures has been submitted (Exhibit C). This planning unit was required to designate 120 acres of the golf course fairways as open space. This unbuildable area is shown on the submitted plans and a draft deed restriction document, to limit these

areas to open space use, has been submitted for review. An exhibit showing contour lines and topography has been submitted (Exhibit D). Required mailing labels have been submitted. Appropriate documentation that a neighborhood meeting was conducted in accordance with Section 10.194 has been submitted. The submitted plan, exhibits and these findings demonstrate compliance with the Plan Contents found in Section 5 of the Urbanization Planning Chapter in the Neighborhood Element and compliance with the Regional Plan requirements.

FINDING:

The City of Medford finds that this application includes the required plans, findings and exhibits for Urbanization Plan applications, in compliance with Section 10.220(C) MLDC.

III. APPLICABLE CRITERIA:

Per MLDC Section 10.220(B)(4) for Urbanization Plan Approval Criteria refer to Sections 5 and 6 in the Urbanization Planning Chapter in the Neighborhood Element of the Comprehensive Plan. The application form provided by the City for urbanization plan approval also requires findings in compliance with Regional Plan Element Section 4.1.8 of the Comprehensive Plan.

IV. FINDINGS IN COMPLIANCE WITH SECTIONS 5 & 6 OF THE URBANIZATION PLANNING CHAPTER IN THE NEIGHBORHOOD ELEMENT AND SECTION 4.1.8 OF THE REGIONAL PLAN ELEMENT, OF THE COMPREHENSIVE PLAN:

5. PLAN CONTENTS

In order to adopt an urbanization plan, the City Council shall be satisfied that the plan substantially conforms to the performance measures outlined in the Regional Plan Element and the submitted plan adequately demonstrates each of the following:

5.1 RPS Density Requirements: Compliance with the Regional Element minimum gross density performance measures. The urbanization plan shall include specific zoning designations or text that assures development under the minimum densities will meet or exceed the density expected to be achieved for the planning unit(s) in the UGB Amendment residential land supply analysis. Plan techniques that can be employed to achieve this standard include but are not limited to the following:

5.1.1 Specify residential zoning districts for certain areas.

5.1.2 Commit to specific quantities of residential development in commercial areas.

The findings supporting the urbanization plan submittal shall include density calculations that explain how the plan complies.

Discussion: The MD-5f planning unit was assigned approximately 76 acres of commercial land, approximately 221 acres of residential land and 120 acres of open space through the UGB amendment process. The Applicant is responsible for demonstrating that the project will meet the minimum density of 6.6 dwelling units (DU) per acre for the portions of the property designated for residential development. The 221.42 acres of residential land prescribes a minimum of 1,461 DU to meet the minimum density requirement across the entire planning unit. In order to demonstrate compliance with this section, the planning unit must be shown to meet the required minimum density if developed to the lowest density permitted in the respective General Land Use Plan (GLUP) designation unless, as permitted through Section 5.1.1 of the Neighborhood Element, areas are committed to specific zoning districts. In addition, Urbanization Element Section 2.1.7.4.a.ii. allows for changes in residential GLUP designations from a lower density designation to a higher density designation and Neighborhood Element Section 5.1.2 allows for specific quantities of residential development in commercial areas to meet minimum density requirements.

Neighborhood Element Section 4.3 requires an application for Urbanization Plan to identify whether the plan includes no spatial changes, minor spatial adjustments, moderate spatial adjustments or complex spatial adjustments. As shown in Table 1.1 below, the proposed Urbanization Plan includes only minor spatial adjustments as the amounts of each of the GLUP map categories shown on the proposed plan is very close to the amounts that were assigned to the planning unit through the UGB amendment process (with the exception of Urban Residential (UR) to Urban High-Density Residential (UH)).

Table 1.1 – Land Categories for Planning Unit MD-5f

	Acres in Comprehensive Plan	Acres in Urbanization Plan
Urban Residential (UR)	214.25	179.38
Urban High-Density (UH)	7.17	41.4
All Residential	221.42	220.78
Golf Course Open Space	120	120
Commercial (CM)	61.11	64.1
Service Commercial (SC)	14.84	12.3
All Commercial	75.95	76.4
Land Totals	417.37*	417.18

* City of Medford number produced during the UGB expansion process. Tax assessment information shows a total of 417.18 acres.

The GLUP designations have been moved throughout the planning unit to match the planned development on the property, 9.3 acres of Commercial (CM) land is committed to residential development, approximately 34 acres of UR land has been converted to UH land, and all areas designated UH are committed to the MFR-30 zoning designation. Table 1.2 identifies the changes made to meet minimum density requirements along with references to the portion of the Comprehensive Plan which permits the proposed change.

Table 1.2 – Proposed Changes and Related Sections of the Comprehensive Plan

Proposed Change	Authority in Comprehensive Plan
Convert approximately 34 acres of UR land to UH designation	Urbanization Element Section 2.1.7.4.a.ii.
Commit 9.3 acres of CM land to residential development	Neighborhood Element Section 5.1.2
Commit all 41.4 acres of UH lands to MFR-30 zoning	Neighborhood Element Section 5.1.1

With these changes and commitments, the planning unit will exceed the 1,459 DU and 6.6 DU/acre minimums. Table 1.3 below shows that the project will result in at least 1,462 DU.

Table 1.3 – Total Dwelling Units and Overall Density for Planning Unit MD-5f

	Acres of Land	Minimum Density	Dwelling Units
UR	179.38	2.5 DU/acre	448
UH (all to MFR-30)	41.4	20 DU/acre	828
CM committed	9.3	20 DU/acre	186
			Total DU = 1,462

FINDING:

The City of Medford finds that the discussion and tables above demonstrate that the assigned GLUP map designations as modified in the proposed Urbanization Plan, along with the commercial areas committed to residential development and the commitment to zone all UH lands as MFR-30, assure that residential development will exceed 6.6 DU/gross acre, thus satisfying the Regional Element minimum gross density performance measure.

5.2 Transportation Planning: A neighborhood circulation plan map showing:

5.2.1 Locations of higher-order streets. Locations and alignments of higher order streets should be planned in appropriate locations.

The plan will depict how local streets, alleys and paths could be arranged to comply with the City's applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes.

The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) than is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity.

Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths.

Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City's adopted Transportation System Plan.

Discussion: The City of Medford Transportation System Plan (TSP) shows a minor arterial street to be constructed along the south end of the planning unit along with a major collector street to connect north to south through the site. The plan also shows two local street connections: the first is a connection from the southern terminus of Olympic Avenue which eventually connects to North Phoenix Road, and the second is a connection from the eastern terminus of Honor Drive that intersects the road extending from Olympic Avenue. The submitted Conceptual Street Circulation Plan (Exhibit E) and the Urbanization Plan show the extension of South Stage Road as a minor arterial street and Golf View Drive as the major collector street connection between Juanipero Way and South Stage Road. These plans also show a local street connection to Olympic Avenue which will intersect with Golf View Drive and eventually connect through the site to North Phoenix Road via a new public street that will run from Golf View Drive to the existing entrance to the Centennial property. The plans also shows a connection to Honor Drive that will intersect with Golf View Drive. As with the land use designations, the street alignments have been modified to match proposed future development while still accomplishing the street connections required by the TSP. The proposed street layout substantially conforms to the higher-order street circulation plan shown in the TSP.

The Conceptual Street Circulation Plan relies on the existing entrance to the Centennial golf club to provide access to the property from North Phoenix Road. The planned development of the property includes a gated Active Adult Retirement Community (AARC) around the golf course between North Phoenix Road and the extension of Golf View Drive. The existing access along North Phoenix Road will be converted to a public street and will provide access to future commercial development along North Phoenix Road and South Stage Road. This new public street will connect from North Phoenix Road to Golf View Drive. The existing access driveway (which will be converted to a public street) will also provide access to the planned private streets which will serve the gated AARC portions of the development. Access to the gated portions of the development will also be provided from Golf View Drive in two locations; one near the northwest corner of the development and the second in the southwest portion of the development. In addition to these two points of access on Golf View Drive, an emergency vehicle access will be provided into the gated portions of the development along Golf View Drive near the intersection of Honor Drive.

The subject property is unique in that it contains a golf course which the Applicant intends to preserve, utilize and develop as an AARC, addressing a need for a specific residential housing type in the City of Medford. Active Adult Retirement Communities are identified on page 72 of the Housing Element, in the Housing Needs of Seniors section, of the Strategies for Meeting Housing Needs Chapter. The fact that this property was identified for meeting this specific development need was part of the basis for its inclusion in the urban reserve as described in Section 3.3 of the Regional Element, which states:

The area north of South Stage Road contains Centennial Golf Course and Pacific Retirement Services has already forwarded a UGB proposal that contemplates this area as an "Active Adult Retirement Community." While this use would be residential by definition, the nature of the use will function as basic sector economic development because it has the effect of transferring wealth and investment from outside the region and concentrating it within the region. Pacific Retirement Services has a proven track record of marketing and attracting upper income retirees to relocate to the Rogue Valley and this has spawned a major economic development cluster within the region and one that will be supported by demographic changes over at least the first half of the RPS planning horizon.

The development of a gated community around a golf course requires a different street orientation than what is typically seen throughout the city. For these reasons, the Applicant intends to develop the property through the Planned Unit Development (PUD) process to provide for private streets and modifications to the street and block length standards. These modifications are necessary to preserve the golf course in place, develop an AARC, and allow the golf course to remain playable. As shown on the Conceptual Street Circulation Plan, golfers will have to cross one public street,

Golf View Drive, to play through the existing golf course. This crossing will require either a bridge or a tunnel to provide safe crossing for golfers. Additional public street crossings through the golf course would create safety issues for players crossing these streets and for drivers passing through the course as not all golf balls remain within the identified confines of the course. The proposed street layout provides connectivity through this large development area while also providing necessary separation between public vehicular traffic and the existing golf course.

The Conceptual Street Circulation Plan shows the conceptual location of several planned private streets within the development. The exact location and orientation of streets throughout this planning unit will be determined prior to development based on site surveying and engineering. The street connectivity as shown will be achieved but the exact location and orientation of streets within the development may change as additional surveying and engineering work is completed.

The Urbanization Plan and Conceptual Street Circulation Plan show the placement of a multi-use path along the extension of South Stage Road and North Phoenix Road adjacent to the site, consistent with Map 11 (Proposed Path & Trail Network) of the Leisure Services Plan. In addition, bicycle and pedestrian connectivity will be provided for through the site with the development of sidewalks and bike lanes on Golf View Drive and with sidewalks on the new street to be developed in the southern portion of the property to connect from Golf View Drive to North Phoenix Road. Pedestrian circulation will also be provided for through the site on cart paths and the network of private streets within the gated portions of the development. The extension and connection of Honor Drive with Golf View Drive will also enhance vehicle, bicycle and pedestrian connectivity for the existing neighborhood to the northwest.

The street circulation plan shown on the proposed Urbanization Plan and Conceptual Street Circulation Plan provides higher order street circulation through the property; it improves circulation (vehicles, bicycles and pedestrians) in the vicinity of the property; it preserves the golf course; it provides internal circulation for a gated AARC; and it provides for bike and pedestrian circulation through the property.

FINDING:

The City of Medford Finds that the submitted materials include a neighborhood circulation plan which shows the alignment of higher-order streets in appropriate locations; planned local streets and paths providing connectivity within and through the site; and justifications for why the Applicant is seeking approval for a local street arrangement based on environmental and development constraints.

5.3 Compliance with the open space allocation for an urban reserve area (see land use distribution table in RPE or Table 9-1 below). Units that contain only Industrial GLUP designations are exempt from this requirement. The following classifications count as open space for purposes of fulfilling the RPE requirements:

5.3.1 Parks, both public and private shall be counted as open space. Schools may be counted as open space. Where land acquisition is not complete or where specific open space dedications were not offered and accepted as part of the UGB process, park and school sites may be identified as opportunity areas on maps and the acreage planned may be described in text form that explains how the planning unit can satisfy the open space requirement. Areas where specific open space dedications were offered and accepted as part of the UGB review process shall be depicted and the acreage counted in open space percentages.

5.3.2 Agricultural buffers. Proposed agricultural buffers within the UGB shall be counted as open space. Interim agricultural buffers shall not be counted toward open space percentages unless an additional legal or planning mechanism is imposed to render such areas as open space even after a future UGB amendment in the applicable MD area.

5.3.3 Riparian corridors shall be counted.

5.3.4 Areas under an "open space" tax assessment shall be counted.

5.3.5 Locally significant wetlands and any associated regulatory buffer shall be counted.

5.3.6 Slopes greater than 25 percent.

Discussion: MD-5 is committed to providing 19% open space per the Regional Element. During the UGB expansion process it was communicated to property owners that the open space percentages, like the residential and employment land figures provided in Section 3.3 of the Regional Element, would be addressed on an MD-wide (a larger urban reserve area) basis and that individual sub-areas (now known as planning units) would not be required to meet the open space, employment, or residential land type commitments individually as these were intended to be addressed across the larger urban reserve area. In the case of open space, property owners were told that if they could demonstrate that open space was assured across a group (any number more than 1) of sub-areas (planning units), they could demonstrate compliance with the open space requirement without having to demonstrate that each of the planning units would provide 19% open space independently. After the adoption of the expanded UGB, the City amended the Neighborhood Element of the Comprehensive Plan to add a section related to Urbanization Plans. In that section, Table 9-1 indicates that the planning units in MD-5

must provide 19% open space. This table does not indicate that each of these planning units must meet the 19% threshold on its own. As such, it appears that the Comprehensive Plan allows for the interpretation that has been provided throughout the adoption of the urban reserves and expansion of the UGB, that open space requirements could be distributed outside of planning unit boundaries.

Planning unit MD-5f is approximately 417 acres in total area. If MD-5f were to commit 79 acres as open space the 19% requirement for open space would be met. However, the Centennial golf course was designated as open space through the UGB expansion process and the Urbanization Element of the Comprehensive Plan requires that 120 acres of this planning unit remain dedicated to open space. This open space meets the standards for open space described in Section 5.3 of the Urbanization Planning Chapter as it was offered and accepted as open space through the UGB amendment process and it was identified as an area that would receive an "open space" tax assessment. The 120 acres amounts to approximately 29% open space for this planning unit and creates 41-acre surplus of open space in excess of the 19% requirement. The 120 acres of open space are shown as designated open space on the submitted Urbanization Plan and a draft deed restriction document, which will be recorded to ensure that these areas remain in open space use, was submitted for review.

The requirement of the Regional Plan is for 19% open space, 56% residential land and 25% employment land for MD-5. In order to avoid exceeding the 19% open space requirement, which would result in an inefficient use of the lands in the UGB as prescribed and an accelerated need to expand the UGB again, the 41-acre surplus in open space for MD-5 should be recognized in considering the Urbanization Plans for other planning units in MD-5, specifically those planning units located near MD-5f.

FINDING:

The City of Medford Finds that the Applicant has demonstrated that MD-5f will provided 29% open space and that this results in a 41-acre surplus of open space that should be counted as helping to meet the 19% open space requirement across all of MD-5 when Urbanization Plans are reviewed for other planning units within MD-5.

5.4 Compliance with the requirements of Regional Plan Element, Section 4.1.6, for mixed-use/pedestrian-friendly development and any specific land use performance obligation. Planning units containing only an Industrial GLUP Map designation are exempt from the mixed-use pedestrian friendly development evaluation.

Discussion: Regional Plan Element, Section 4.1.6 requires that the City achieve 2020 benchmark targets for the number of dwelling units (Alternative Measure no. 5) and

employment (Alternative Measure no. 6) in mixed-use/pedestrian friendly areas as established in the 2009 Regional Transportation Plan (RTP) for lands within urban reserve areas and for lands within the UGB but outside of the City Limit. According to the 2009 RTP:

The objective of these measures is to demonstrate progress towards creating mixed-use, pedestrian-friendly developments in the metropolitan planning organization (MPO). Progress towards meeting the benchmarks and targets for these measures would be determined by monitoring development after the appropriate land use and development regulations have been adopted.

The Measure 5 target for 2020 is that at least 49% of new dwelling units will be developed within new and existing activity centers and the Measure 6 target for 2020 is that at least 44% of new employment will be developed within new and existing activity centers.

Planning unit MD-5f was assigned a mix of residential and commercial land types through the UGB expansion process. The proposed Urbanization Plan locates the allocated land use types around the subject property to achieve an integrated mix of uses while also appropriately locating land uses based on existing and planned adjacent land uses and transportation facilities. The large commercial tracts are placed along North Phoenix Road, South Stage Road and Golf View Drive. The single-family land use is primarily located around the existing golf course as an AARC development. The multiple-family land uses are located near the planned commercial uses towards the south and along the west side of the property near an existing elementary school and Orchard Hill park, with access to Golf View Drive. There is also an area of single-family development proposed along the western boundary of the planning unit which is intended to provide identical uses and separation between the existing single-family homes to the west and the proposed multiple-family development.

The area east of Golf View is planned for the development of an AARC, which is intended to be a mixed-use/pedestrian friendly development. The development of an AARC relies on an integration of land uses to create a community where residents can recreate and shop within the development. The low traffic volumes created by restricting traffic in the gated portions of the community will help to encourage the use of the private streets by pedestrians and bicyclist and the golf cart paths can also be utilized by pedestrians.

The land use designations on the planning units adjacent to the subject property also provide for opportunities to develop a larger-scale activity center in the vicinity of North Phoenix Road and South Stage Road. MD-5e to the east is designated for high-density residential and commercial development and MD-5g to the south is designated as an employment center. These planned land uses should encourage the

development of transit routes into the area to serve the residential, commercial and employment uses that will be developed.

The availability of transit will help to connect these planning units to other parts of the city and the MPO as a whole without strong reliance on personal automobiles. To facilitate transit use, and to further limit the vehicle miles traveled, each of these planning units should provide for bicycle and pedestrian connectivity to major transportation facilities that could be used for future transit routes. For MD-5f, it is important that pedestrians and bicyclists can safely travel through all parts of the development to get to North Phoenix Road, Golf View Drive and South Stage Road. The plans include the development of a multi-use path along the extension of South Stage Road and North Phoenix Road adjacent to the site and bike and pedestrian connectivity will also be provided for through the site with the development of sidewalks and bike lanes on Golf View Drive and sidewalks on the new public street connecting from Golf View Drive to North Phoenix Road.

The property will be developed as a PUD to allow for the use of private streets within the gated portions of the development. The PUD process will allow the Applicant to provide a detailed master plan that shows the planned integration of uses and the pedestrian-friendly nature of the planned project. The proposed Urbanization Plan, without showing development plans, has demonstrated that the designated land uses have been appropriately located to provide for mixed-use development. The provisions of the MLDC will ensure that bicycle and pedestrian facilities are constructed as the property develops.

FINDING:

The proposed Urbanization Plan for MD-5f has demonstrated that the development of this property will help the City in meeting the 2020 targets of the RTP for new residential and employment development within activity centers by providing for the development of a new activity center. The plan, along with assigned land use designations on adjacent planning units, provide for the opportunity to develop a large-scale activity center in the area of North Phoenix Road and South Stage Road. The plan shows the development of a multi-use path along the extension of South Stage Road and North Phoenix Road adjacent to the site and bike and pedestrian connectivity will also be provided for through the site with the development of sidewalks and bike lanes on Golf View Drive and sidewalks on the new public street connecting from Golf View Drive to North Phoenix Road. The provisions of the MLDC will ensure that bicycle and pedestrian facilities are constructed as the property develops and more detail regarding pedestrian-friendly development will be provided through the PUD application process.

5.5 Preliminary coordination and discussions with public utility providers, including water, sewer, transportation, and irrigation districts.

5.5.1 Coordination may include identifying any existing infrastructure on or adjacent to the site and determining whether it can be maintained or needs to be moved.

Discussion: The Applicant's development team has been communicating with applicable utility providers throughout the development of the Urbanization Plan and associated master plan for the property. The location of available utility infrastructure along with available capacity within utility infrastructure have been key considerations during the development of the phasing associated with the master plan for the property.

There is an existing natural gas distribution/metering facility located on a portion of the planning area. This facility is located next to the existing golf course maintenance shop and next to North Phoenix Road on 38 1W 04 TL 100. The property is leased by Gas Transmission Northwest Corporation. As this existing facility will remain in its current location, it is identified on the Urbanization Plan map.

FINDING:

The Applicant has had, and continues to have, discussions with public utility providers, including water, sewer, transportation, and the Medford Irrigation District regarding coordinating the proposed development with existing infrastructure adjacent to the site.

5.6 Location or extensions of riparian corridors, wetlands, historic buildings or resources, and habitat protections and the proposed status of these elements.

Discussion: The Furry, Fredric E., House, listed on the National Historic Register under reference number 80003324 and listed as SE of Medford at 1720 N. Phoenix Road, is located within this planning unit. The approximate location of the home is shown on the Urbanization Plan. The Applicant intends to preserve the building on the property through the development of the planning unit.

The Urbanization Plan shows the location of existing ponds/lakes to be retained on the property. These areas are included within the 120-acres of open space. In addition to the ponds, the updated Local Wetland Inventory (LWI) for the City of Medford identified an approximately 0.87-acre wetland (W17) and several possible wetland locations. A wetland delineation will be conducted to determine the location and extent of wetlands on the property prior to development and any/all development will comply with applicable local, state and federal regulations regarding wetland development.

Wetlands will be mitigated, enhanced and utilized for stormwater detention areas through the development of the property.

There are no riparian corridors within this planning unit.

FINDING:

The historic Fredric E. Furry house is identified on the Urbanization Plan within the planning unit, MD-5f. The location and extent of water bodies, wetlands and possible wetlands for this planning unit are shown on the updated LWI for the City of Medford. The Urbanization Plan shows the locations of the larger ponds/lakes on the property and a wetland delineation will be conducted prior to the development of the property. There are no riparian corridors within this planning unit.

5.7 Compliance with applicable provisions of the Urban Growth Management Agreement.

Discussion:

Per policy number 2 of the Urban Growth Management Agreement (UGMA):

"The City Council will request surrender of the following roads within the UGB expansion area upon annexation of the road. City shall not annex property fronting any of these roads without also annexing the full road width."

On that list is:

"MD-5 North Phoenix Road, Coal Mine Road to 2780 feet north of Grove Way (southern boundary of MD-5)."

A concurrent application for annexation was submitted with this request for Urbanization Plan approval. Although MLDC Section 10.216 (F) (4) requires annexation applications to include a "legal metes and bounds or lot and block description of the annexation area including to the centerline of the adjacent right-of-way", the annexation application submitted includes the entire width of the North Phoenix Road right-of-way adjacent to the subject planning unit, in accordance with this portion of the UGMA.

Policy 12 of the UGMA requires the City to consider compatibility of uses within the UGB with uses outside of the UGB and policy 13 requires uses within the UGB to provide buffering between adjacent EFU lands. The subject planning unit is bordered by urbanized areas within the existing city limits to the north and the west. The

property abuts planning unit MD-5g to the south and MD-5e to the east across North Phoenix Road. These abutting properties, being either currently developed with, or planned for, urban development, need not be considered per either of these policies of the UGMA.

The only portion of the planning unit that does not abut either existing city limits or another planning unit within the UGB is the southern approximately ½ of the subject planning unit's east frontage along North Phoenix Road. The properties on the east side of North Phoenix Road in this location are zoned EFU, outside of the UGB. However, agricultural buffering is not required along this frontage as the properties, and uses are not abutting as they are separated by the North Phoenix Road right-of-way. This interpretation of the City's implementing ordinance (MLDC Section 10.802), that properties separated from EFU zones by existing rights-of-way are not abutting and therefore do not require agricultural buffering, is consistent with Map A-1 of the August 18, 2016 Urban Growth boundary City Council Report which does not identify an "unbuildable" agricultural buffer on the southeast frontage of this planning unit along North Phoenix Road. However, if it is determined that an agricultural buffer is required in this location, the buffering requirements can easily be addressed as the property along this frontage is designated for commercial uses and the 100-foot right-of-way will provide for most if not all of the required buffering distance. Buffering requirements in excess of the 100-foot right-of-way width will however result in either a planted tree buffer along the commercial frontage of the street or required parking being placed between the commercial buildings and the street, neither of which are desirable outcomes.

FINDING:

The annexation application submitted concurrently with this request for Urbanization Plan approval includes the full width of the North Phoenix Road right-of-way adjacent to the subject planning unit consistent with UGMA policy 2. The City of Medford has adopted agricultural buffering standards to implement policies 12 and 13 of the UGMA. The subject planning unit does not abut EFU zoned land outside of the UGB and therefore no agricultural buffers are required.

5.8 Compliance with the terms of special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary, as detailed in the Urban Growth Management Agreement.

Discussion:

The "special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary" appear to be

located in the Annexation Policies of the Urbanization Element. The Urban Growth Management Agreement is also located in the Urbanization Element. These agreements are listed under Section 2.1.7 (6) of the Annexation Policies. There are two agreements that appear to apply to this subject planning unit. The first is a requirement for MD-5 properties to provide donation of land for trails per the approved master plan, with the commitment to construct trails that are built concurrently with private development. The submitted Urbanization Plan shows the placement of a multi-use path along the extension of South Stage Road and North Phoenix Road adjacent to the site, consistent with Map 11 of the Leisure Services Plan.

The second requirement is for the MD-5 west properties to provide a deed restriction for open space areas. The Applicant has submitted a draft deed restriction limiting the use of 120 acres of the land to golf course related open space, wetlands, and storm water management. The Applicant agrees to record this deed restriction upon approval of the Urbanization Plan and concurrent annexation request.

FINDING:

The submitted application has demonstrated compliance with the “special agreements” to provide right-of-way for and to construct trails per the approved trails plan and to provide a deed restriction for the 120-acres of open space identified in the conceptual plan for this planning unit.

5.9 Coordination with the Parks and Recreation Department for adherence to the Leisure Services Plan related to open space acquisition and proposed trail and path locations.

Discussion: The Urbanization Plan shows the placement of a multi-use path along the extension of South Stage Road and North Phoenix Road adjacent to the site, consistent with Map 11 of the Leisure Services Plan. There are no other park facilities shown within this planning unit in the Leisure Services Plan. The Applicant’s development team has been in contact with the Parks and Recreation Department to coordinate the development of this property as it relates to park facilities. The Parks and Recreation Department has expressed interest in acquisition of land for the development of either a neighborhood park (3-10 acres) or a community park (15+ acres) as the property is located within a park walkshed gap and the land will eventually develop with at least 1,462 new dwelling units.

The Applicant will continue to discuss options for park development within the subject planning unit with the Parks and Recreation Department. However, 120 acres of this planning unit has been committed to open space for the existing public golf course. The golf course will remain open to the public and will provide recreation opportunities

for the larger community. This area will also provide an open space benefit for the residents of the planned AARC. The land uses on the site have been planned to relate to existing park and open space areas. The majority of the multiple-family development will occur in the northwest portion of the planning unit near an existing 4.16-acre public park, Orchard Hill park. Much of the remaining multiple-family development along with most of the single-family development will be developed near and along the existing golf course. These residents will have access to the golf course, to the open space it provides, and to the cart paths which can be used as pedestrian paths. With these conditions, additional park space may not be needed in this planning unit.

FINDING:

The submitted Urbanization Plan complies with the Leisure Services Plan by showing planned trail improvements along the south and east boundaries of the property. The Applicant's development team will continue coordination with the Parks and Recreation Department for adherence to the Leisure Services Plan related to open space acquisition and proposed trail and path locations.

5.10 Vicinity map including adjacent planning units and their General Land Use Plan designations. City of Medford Comprehensive Plan Chapter 10.

Discussion: This required map is included as Exhibit B with this application.

5.11 Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.

Discussion: This required map is included as Exhibit B with this application.

5.12 Existing easements of record, irrigation canals, and structures.

Discussion: This required map is included as Exhibit C with this application.

5.13 Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.

Discussion: For this planning unit, the areas identified as unbuildable on Map A-1 of the August 18, 2016 Urban Growth Boundary City Council Report are the 120 acres of

the Centennial golf course and areas containing existing development. The 120 acres of open space is shown and designated as open space on the submitted Urbanization Plan. The portions of the property shown as unbuildable due to existing development were identified as such because whether they remain developed in the state they were in 2016, or if they are redeveloped, they are not anticipated to provide any additional development potential. These areas are still required to receive a GLUP map designation and the submitted Urbanization Plan includes all of the developed portions of the property within the GLUP categories assigned to the planning unit. The Urbanization Plan does not identify any areas as unbuildable aside from the 120 acres of open space previously required although additional areas may remain unbuilt due to golf course safety zone requirements and wetland delineations.

FINDING:

The submitted Urbanization Plan shows the 120 acres of open space for the golf course fairways which were shown as unbuildable on Map A-1 of the City Council report dated August 18, 2016. The plan also properly assigns GLUP map designations to areas shown as unbuildable due to the fact that they were developed.

5.14 Contour lines and topography.

Discussion: This required map is included as Exhibit D with this application.

5.15 In the interest of maintaining clarity and flexibility for both the City of Medford and for landowners, no urbanization plan may be submitted with or contain the following items, which are only appropriate at the time of development:

5.15.1 Deviations from Municipal Code provisions, including exceptions to Chapter 10. This prohibition does not function to limit specific neighborhood circulation plan requirements hereinabove.

5.15.2 Limitations on development due to facility capacity shortfalls.

5.15.3 Architectural details.

5.15.4 Specifics about building types and building placement.

5.15.5 Access and internal circulation on prospective lots or development sites.

Discussion: The submitted Urbanization Plan does not include any of information listed as prohibited by this section.

FINDING:

The submitted Urbanization Plan does not include any deviations from Municipal Code Provisions aside from those discussed in the neighborhood circulation plan; it does not include any limitations on development due to capacity shortfall; it does not include any architectural details; it does not include any specifics about building types and building placement; and it does not include any information regarding access or internal circulation on prospective lots or development sites.

CONCLUSION:

The City of Medford concludes that the submitted Urbanization Plan application includes all required application materials per MLDC Section 10.220(C). The Urbanization Plan demonstrates compliance with Section 5 of the Urbanization Planning Chapter in the Neighborhood Element of the Comprehensive Plan by:

- 1) Demonstrating compliance with the GLUP map designations assigned to the property through the UGB expansion process; compliance with the RPS density requirements; compliance with the TSP higher-order street locations; compliance with neighborhood circulation plan requirements; compliance with open space requirements; compliance with requirements for mixed-use/pedestrian-oriented development; compliance with the UGMA; and compliance with special agreements for inclusion in the UGB.
- 2) The application materials demonstrate preliminary coordination with public utility providers and the Parks and Recreation Department; and the application includes information about the locations of riparian corridors, wetlands, historic structures and areas designated as unbuildable per Map A-1 of the August 18, 2016 City Council report.
- 3) The application includes maps showing GLUP map designation and property lines on adjacent planning units; existing easements of record, irrigation canals and structures; and contour lines and topography.
- 4) The Urbanization Plan does not include any of the project or design details prohibited by Section 5.15.

6. GLUP AMENDMENTS

6.1.1 Minor Spatial Adjustments: If GLUP map amendments are proposed within the planning unit but the total acreage for each GLUP Map designation is not significantly changed, the urbanization plan can be the basis for GLUP amendments without the need for complex land supply analysis.

6.1.2 Moderate Spatial Adjustments: If land supply GLUP map amendments are proposed that change the spatial arrangement of GLUP designations beyond the boundary of a particular planning unit but maintain the total acreage for each GLUP Map designation within the applicable MD area that is now inside the UGB, then the urbanization plan shall be accompanied by a mapping analysis that explains how the total land use allocations are maintained by GLUP. Spatial exchanges of land use designations such as this shall be coordinated with other planning units in the MD and an analysis urban land use value equity shall be provided.

6.1.3 Complex Spatial Adjustments: More complex GLUP Map amendments that have the potential to alter the land supplies in more fundamental ways will typically require extensive city-wide and/or regional plan land supply analyses. This analysis shall demonstrate that both the urban land needs described in the City's Housing Element and Economy Element will be served and that the resulting amendment will continue to comply with City of Medford Comprehensive Plan Chapter.

Discussion: As discussed in the findings for Section 5.1 above, the proposed Urbanization plan includes only minor spatial adjustments. The amounts of each of the GLUP map categories shown on the proposed plan is very close to the amounts that were assigned to the planning unit through the UGB amendment process. The GLUP designations have been moved throughout the planning unit to match the planned development on the property, 9.3 acres of Commercial (CM) land is committed to residential development, approximately 34 acres of UR land has been converted to UH land, and all areas designated UH are committed to the MFR-30 zoning designation. Table 1.2 under Section 5.1 above identifies the changes made to meet minimum density requirements along with references to the portion of the Comprehensive Plan which permits the proposed change.

FINDING:

As the proposed GLUP map amendment includes only minor spatial adjustments this Urbanization Plan can be the basis of the GLUP amendments without the need for a complex land supply analysis per Section 6.1.1.

CONCLUSION:

The submitted Urbanization Plan complies with the provisions of Section 6 of the Urbanization Planning Chapter in the Neighborhood Element of the Comprehensive Plan which allows the Urbanization Plan to be the basis of the proposed GLUP map amendments, which are classified as minor spatial adjustments.

Regional Plan Element Section 4.1.8. Conceptual Land Use Plans

A proposal for a UGB Amendment into a designated UR shall include a Conceptual Land Use Plan prepared by the City in collaboration with the Rogue Valley Metropolitan Planning Organization, applicable irrigation districts, Jackson County, and other affected agencies for the area proposed to be added to the UGB as follows:

- a. Target Residential Density. The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the residential densities of Section 4.1.5 above will be met at full build-out of the area added through the UGB amendment.*
- b. Land Use Distribution. The Conceptual Land Use Plan shall indicate how the proposal is consistent with the general distribution of land uses in the Regional Plan, especially where a specific set of land uses were part of the rationale for designating land which was determined by the Resource Lands Review Committee to be commercial agricultural land as part of an urban reserve, which applies to the following URs: CP-1B, CP-1C, CP-4D, CP-6A, CP-2B, MD-4, MD-6, MD7mid, MD-7n, PH-2, TA-2, TA-4.*
- c. Transportation Infrastructure. The Conceptual Land Use Plan shall include the transportation infrastructure required in Section 4.1.7 above.*
- d. Mixed Use/Pedestrian Friendly Areas. The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the commitments of Section 4.1.6 above will be met at full build-out of the area added through the UGB amendment.*

Discussion: Chapter 5 of the Urbanization Chapter of the Neighborhood Element states that: "In order to adopt an urbanization plan, the City Council shall be satisfied that the plan substantially conforms to the performance measures outlined in the Regional Plan Element". In order to demonstrate conformance with the performance measures of the Regional Plan, the application forms provided by the City for Urbanization Plan approval require findings in compliance with this section in addition to the criteria found in Chapters 5 & 6 of the Neighborhood Element. However, this section of the Comprehensive Plan applies generally to the UGB amendment process.

Prior to amendments to the UGB, the City of Medford is required to prepare conceptual land use plans for any/all urban reserve areas being considered for inclusion into the UGB. This being the case, the findings now must relate to how the proposed Urbanization Plan, like the conceptual plan prepared by the City at the time of UGB expansion, meets the standards produced through the Regional Problem Solving (RPS) process. These standards have been discussed in detail in the required findings under Section 5 of the Urbanization Planning Chapter of the Neighborhood Element and will be summarized here to demonstrate compliance with Section 4.1.8 of the Regional Plan Element.

- a. *Target Residential Density. The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the residential densities of Section 4.1.5 above will be met at full build-out of the area added through the UGB amendment.*

As shown in Table 1.3 and in the discussion provided under Section 5.1 above, the GLUP map designations provided for in the submitted Urbanization Plan, along with commitments to develop all UH designated lands under the MFR-30 zoning designation and to develop at least 9.3 acres of commercial lands with high-density residential development, insure that the required minimum residential density standard of 6.6 DU/acre will be achieved even if the property is developed to the lowest possible density allowed for by the plan.

- b. *Land Use Distribution. The Conceptual Land Use Plan shall indicate how the proposal is consistent with the general distribution of land uses in the Regional Plan, especially where a specific set of land uses were part of the rationale for designating land which was determined by the Resource Lands Review Committee to be commercial agricultural land as part of an urban reserve, which applies to the following URs: CP-1B, CP-1C, CP-4D, CP-6A, CP-2B, MD-4, MD-6, MD7mid, MD-7n, PH-2, TA-2, TA-4.*

This standard is meant to be addressed on an MD-wide basis and was properly addressed at the time of UGB expansion. That being the case, by demonstrating the submitted Urbanization Plan is consistent with the conceptual plan produced by the City as it relates to the allocation of employment, residential and open space lands; this plan can be found to be in compliance with the land distribution requirements of this section. Table 1.1 in the discussion provided under Section 5.1 above shows that the amounts of employment, residential and open space land types shown on the Urbanization Plan are all within 1 acre of the numbers provided for in the conceptual plan – which was the basis for the current GLUP map designations for the property.

- c. *Transportation Infrastructure. The Conceptual Land Use Plan shall include the transportation infrastructure required in Section 4.1.7 above.*

Section 4.1.7 requires conceptual plans to identify a general network of regionally

significant arterial streets, transit corridors, bike and pedestrian paths, and associated projects to provide mobility throughout the region. This standard was meant to be addressed on both an MD-wide and a City-wide basis prior to expanding the UGB. This work was used to create the "Street Functional Classification Plan" (Map A-2 of the UGBA City Council Report dated August 18, 2016) which was used to inform applicable portions of the TSP and the Leisure Services Plan. The discussion and findings provided under Section 5.2 above regarding to location of higher-order streets and off-road multi-use paths also demonstrate compliance with the requirements of this section.

d. Mixed Use/Pedestrian Friendly Areas. The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the commitments of Section 4.1.6 above will be met at full build-out of the area added through the UGB amendment.

Both the conceptual plan and the submitted Urbanization Plan are required to demonstrate that mixed-use/pedestrian-friendly development will be provided for. As both of these plans are high-level plans, showing only land-use designations and major transportation corridors, neither can demonstrate the totality of planned mixed-use/pedestrian-friendly development. In order to demonstrate compliance with this criterion, the conceptual plan, and now this Urbanization Plan, have demonstrated that the pattern of land use designations along with the planned transportation corridors will help to provide for a mix of uses and provide for pedestrian friendly development both with the mix of uses and with the availability of pedestrian infrastructure, pedestrian connectivity, and provisions for the development of transit routes into the development. Compliance with this section is discussed in more detail in the discussion and findings provided under Section 5.4 above.

FINDING:

Findings in compliance with Regional Plan Element Section 4.1.8 were made at the time of UGB expansion. Findings in compliance with Section 4.1.8 at this time are used to demonstrate that the submitted Urbanization Plan matches the conceptual plan regarding required minimum residential density, percentages of major land use types (employment, residential and open space), major transportation corridors, and mixed-use/pedestrian-oriented development. The discussion provided above along with the more detailed discussion and findings made under Section 5 of the Urbanization Planning Chapter of the Neighborhood Element above, demonstrate that the submitted Urbanization Plan meets the standards required for conceptual plans per Regional Plan Element Section 4.1.8.

CONCLUSION:

The City of Medford concludes that the submitted Urbanization Plan addresses the required minimum residential density, percentages of major land use types (employment, residential and open space), major transportation corridors, and mixed-use/pedestrian-oriented development as required by Regional Plan Element Section 4.1.8.

IV. SUMMARY:

In order to approve an application for an Urbanization Plan, the City of Medford must find that the application meets the applicable criteria for plan contents and GLUP amendments found in Sections 5 & 6 of the Urbanization Planning Chapter in the Neighborhood Element of the Comprehensive Plan. The application form provided by the City for Urbanization Plan approval also requires findings in compliance with Regional Plan Element Section 4.1.8 of the Comprehensive Plan. Upon review of the application materials, including the above Findings of Fact and all maps and exhibits, the City of Medford can conclude that the submitted Urbanization Plan complies with these applicable sections of the Comprehensive Plan.

With this information, the Applicant respectfully requests that the City of Medford approve the requested Comprehensive Plan amendment and adopt the submitted Urbanization Plan for planning unit MD-5f into the Neighborhood Element of the Comprehensive Plan.

Respectfully Submitted,

Richard Stevens & Associates, Inc.



RICHARD STEVENS & ASSOCIATES, INC.

P.O. Box 4368
Medford, OR 97501

100 E. Main St., Suite O
Phone: (541) 773-2646
Fax: (541) 858-8947

E-mail: rsc@mind.net
Website: rsaoregon.com

Carla Paladino / Principal Planner
Medford Planning Department
200 S. Ivy Street
Medford, OR 97501

June 3, 2020

RE: Density within the UH designations for Centennial Urbanization Plan

The attached exhibit Urbanization Plan map has three areas hatched that reflects approximately 40.9 gross acres of land that will contain the UH Comp Plan Designation. All of the UH lands are proposed to acquire the MFR-30 zoning designation with a minimum density of 20 DU per gross acre. The applicant stipulates that these hatched areas will be developed with multifamily dwellings units that will contain a minimum of 25 dwelling units per gross acre. This calculates to 1,022 MFR dwelling units. The remaining UH/MFR area, approximately 2.81 gross acres, will retain the minimum density for the MFR-30 zoning district, which calculates to 56 MFR dwelling units. Based on these calculations, the total minimum number of MFR dwelling units will be 1,078.

When you add the planned UR/SFR lands planned to contain 448 SFR dwelling units with the MFR dwelling units, there is a total of a minimum of 1,526 DU proposed with this urbanization plan.

Also attached are the requested mapping updates for the urbanization plan. As can be seen, the commercial area west of Golf View Drive consists of 62.94 acres, which includes Tax Lot 200 in the calculations. Tax Lot 200 consists of 50.44 acres, of which approximately 12.50 acres is included as part of the urbanization plan and concurrent annexation.

Sincerely,

Richard Stevens & Associates, Inc.





LAND-USE SUMMARY & DENSITY CALCULATIONS
GLUP CATEGORIES
CENTENNIAL PROPERTIES
 417.18ac. TOTAL SITE ACREAGE

KEY	ACRES	LAND-USE TYPE	HOUSING & ACREAGES	GLUP DESIGNATION
	179.38	UR (SFR-4 ZONE) 2.5 UNITS/ACRE	- 448 LOTS	UR
	41.4	UH (MFR 3D ZONE) 20 UNITS/ACRE	- 828 UNITS	UH
220.78 GLUP AREA			SUB TOTAL 1,276 UNITS	
	54.1	CM COMMERCIAL		CM
NOTES:				
1. B.30c ARE SLATED FOR HOUSING DEV. MFR 3D @ 20-U/AC. 188 UNITS				
TOTAL HOUSING UNITS = 1,462 UNITS				
2. INCL. 0.4ac GAS SUBSTATION				
3. INCL. 7.1ac STAGE RD. EXT. (55' HALF ST. IMP.) & 20' PHOENIX RD. WIDENING				
	12.3	SC COMMERCIAL		SC
76.4 GLUP - TOTAL COMMERCIAL 76.4 AC.				

OPEN SPACE & ANCILLARY USES	
	120.0 GLUP GOLF COURSE OPEN SPACE INCLUDING LAKES & WETLANDS
417.18ac	TOTAL SITE ACRES UGB
1,462	TOTAL HOUSING UNITS (INCL. COMMERCIAL SITE)
76.4ac	TOTAL COMMERCIAL DEV. ACRES



CENTENNIAL PROPERTIES
 a Golf Course Community

ROGUE VALLEY MANOR
 1200 Mira Mar Ave., Medford, Or. 97504

MASTER PLAN
 BY GREG H. BARNES CONSULTANTS
 431 ASH ST., LAKE OSWEGO, OR.
 97034 (503) 635-6190 CEL (503) 997-6190

PLANNING
 BY HOWARD STEVENSON ASSOCIATES P.C.
 PO BOX 4358
 MEDFORD, OR 97501
 (541) 773-2640

GREG HARRMAN
 HATHAWAY LAMPSON LLP
 1331 NW LOVEJOY ST. SUITE 950
 PORTLAND, OR 97209
 (503) 704-6954

WESCHER ENGINEERING, P.C.
 CIVIL ENGINEERING
 3841 FAIRVIEW DR. S.E., SUITE 100
 SALEM, OR 97302 (503) 585-2474

WHEELSON & ASSOCIATES, P.C.
 TRANSPORTATION PLANNING / CIVIL ENGINEERING
 610 SW Alder St., Portland, Or. 97205
 (503) 228-5230

URBANIZATION PLAN for **PLANNING UNIT MD-5f**

EXHIBIT **A**

Urbanization Plan Density Calculator

6/3/2020

Urbanization Plan Name: Rogue Valley Manor

MD-5f_____

SCENARIO RESULTS	Dwelling Units
Supply of Dwelling Units for the Planning Area from the UGB Process from UGB_DUscalcs sheet	987
Minimum Number of Dwelling Units Regulatorily Required by the Urbanization Plan from UrbanizationPlanDUcalcs sheet	1499
Density Compliance expressed as Dwelling Unit Difference (Subtract Row 3 from Row 4)	512
Urbanization Plan Density Compliance - Criterion 5.1?	Yes



DEED RESTRICTION REAL PROPERTY COVENANT

The undersigned property owner, being the record owner of the real property described in Exhibit “A” attached hereto (the “Property”), located in Jackson County, State of Oregon, does hereby make the following declaration of restrictions (this “Deed Restriction”) specifying that this declaration shall constitute a covenant to run with the land and shall be binding on all persons claiming under them, as set forth and limited below:

That portion of the Property constituting approximately 120 acres and delineated by certain shaded area identified as “Open Space Lands” in Exhibit “B” attached hereto (the “Restricted Property”) is restricted for use as Open Space Land. “Open Space Land” means any land area so designated by an official comprehensive land use plan adopted by the City of Medford. This Deed Restriction does not prohibit the owner of the Restricted Property from requesting the City of Medford to remove the Open Space Land designation and designate the Restricted Property for development. This Open Space Land use restriction shall be terminated, and this Deed Restriction, and all of its covenants and terms, shall be of no further force or effect, should the City of Medford amend its Comprehensive Plan to remove the Open Space Land designation and allow development of the Restricted Property. Nothing in this Deed Restriction shall in any way limit the use of those portions of the Property not within the area of the Restricted Property.

This covenant is intended to run with the property and touch and concern the real property rights of the parties and parcels described herein and is intended to bind all heirs, executors, legal representatives, lessees, transferees, and assigns.

This covenant shall run in perpetuity and shall not be modified or terminated except by the express and written consent of all the record owners of the land at the time and the duly authorized representative of the City of Medford.

This covenant shall be enforceable by the City of Medford through action at law or suit in equity. If either party deems it necessary to enforce this covenant through a suit at law or in equity, the prevailing party shall be entitled to attorney fees. If any language in this document is deemed not enforceable, that language shall be stricken and the remainder of this document shall survive in full force and effect.

[Signature on the following page]



SIGNED:

Rogue Valley Manor,
an Oregon nonprofit corporation

By: _____

Name: _____

Title: _____

STATE OF OREGON)

) ss

County of _____)

This instrument was acknowledged before me this ____ day of _____, 2020,
by _____, the _____ of Rogue Valley Manor, on behalf
of the company.

NOTARY PUBLIC FOR OREGON

Exhibit A

Property

BEGINNING at a brass disc monument, being the INITIAL POINT of Larson Creek Estates, Phase 3, according to the Official Plat thereof, now of record in Jackson County, Oregon; thence along the south line of said Larson Creek Estates, Phase 3, North 89°57' 50" West 2850.59 feet to the southwest corner thereof; thence continue South 89°57'50" East 927.48 feet to that Boundary Line by Agreement recorded as Instrument No. 75-03109 of the Official Records of Jackson County, Oregon; thence along said boundary by agreement, South 00°04'00" West 1581.77 feet to that Boundary By Agreement recorded as Instrument No. 79-18570 of the Official Records of Jackson County, Oregon; thence along said boundary agreement line, South 00°04'32" West 1067.90 feet, more or less, to the south line of Section 33 in Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence along said south line, South 89°58'01" East 321.32 feet to the westerly line of property described as Parcel A of Parcel 1 of Instrument No. 2015-009346, Official Records of Jackson County, Oregon; thence along said westerly line, South 00°02'15" West 2143.03 feet, more or less, to the south line of Donation Land Claim No. 38 in Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence along said south line, South 89°55'59" East 1533.34 feet to the Northeast corner of Donation Land Claim No. 40 in Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence continue along the south line of the aforesaid Donation Land Claim No. 38, South 89°54'25" East 2108.74 feet, more or less, to the westerly right-of-way line of North Phoenix Road, as said right-of-way is described in Instrument No. 94-12472, Official Records, Jackson County, Oregon; thence leaving the south line of said Donation Land Claim No. 38 and along the westerly right-of-way line of North Phoenix Road the following 10 courses: North 05°39'56" West 46.00 feet; thence North 00°02'43" East 600.50 feet; thence North 05°45'21" East 100.50 feet; thence North 00°00'13" West 2300.00 feet; thence North 05°40'24" West 281.40 feet; thence North 04°23'09" East 421.21 feet; thence North 08°41'24" West 487.12 feet; thence North 14°40'19" West 239.08 feet; thence North 08°59'03" West 268.15 feet; thence North 00°04'53" East 72.53 feet to the south east corner of the aforesaid Larson Creek Estates Phase 3; thence along the south line of the said Larson Creek Estates, Phase 3, North 89°57'50" West 15.00 feet to the point of beginning.

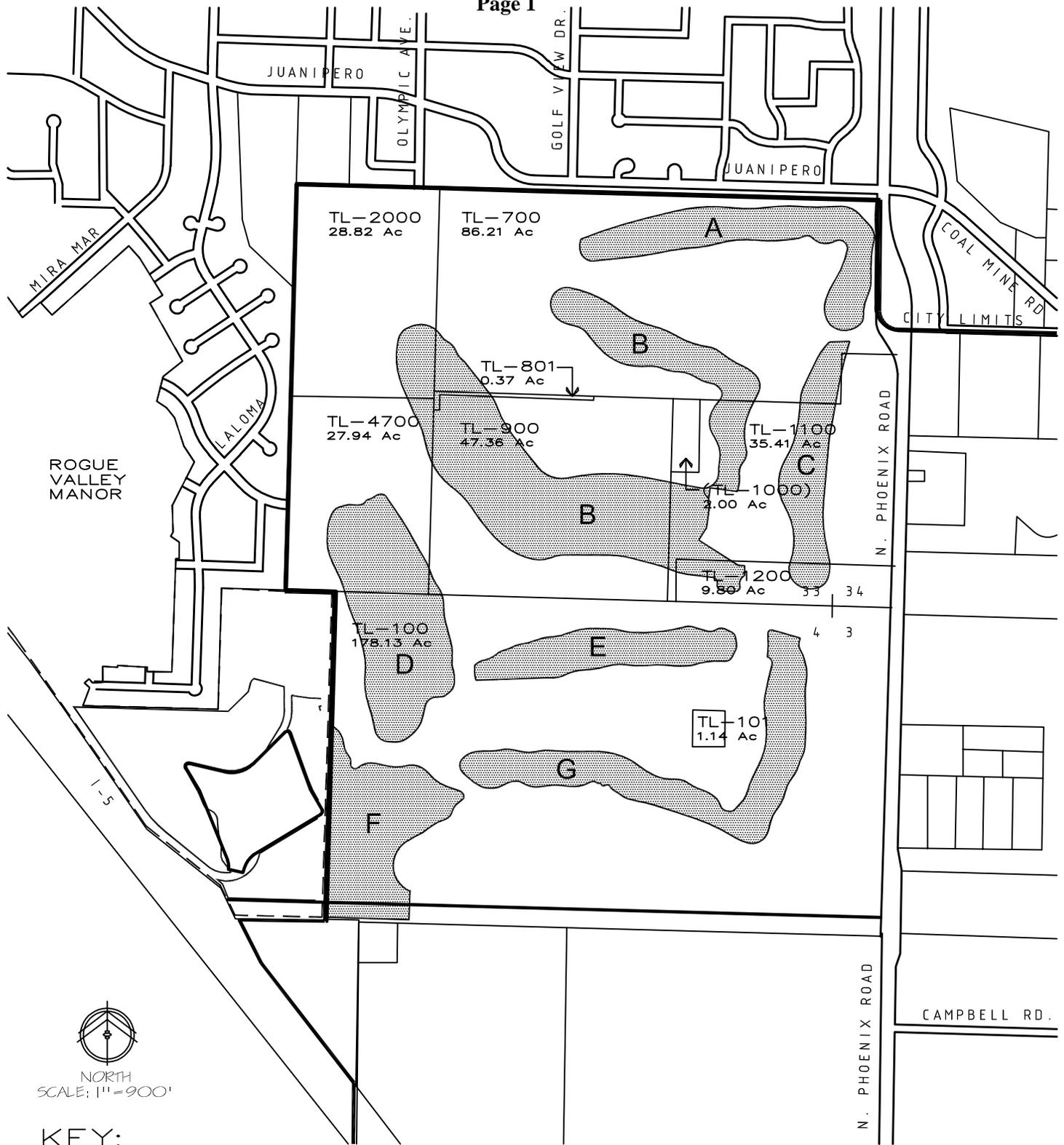


Darrell L. Huck
L.S. 2023 – Oregon
Expires 6/30/2021
Hoffbuhr & Associates, Inc

Exhibit B

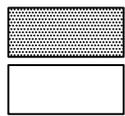
Open Space Lands

(See attached pages 1 and 2)



NORTH
SCALE: 1" = 900'

KEY:



OPEN SPACE LANDS (OS - Golf Course) 120.00 acres

DEVELOPABLE LANDS (DL's) 297.18 acres

TOTAL SITE 417.18 acres

Centennial Golf Course Lands

Centennial Golf Course UGB Ammendment

3/9/2020

Summery of Open Space (OS) - (tees, greens, and fairways) and Developable Land (DL's) for the Golf Course properties by Assessor's Taxlot Maps.

	OS Acres	DL's Acres	Total Acres
TL-100 (38 1W 04-100)	50.25	127.88	178.13
TL-101 (38 1W 04-101)	0.00	1.14	1.14
TL-700 (37 1W 33-700)	23.64	63.07	86.71
TL-801 (37 1W 33-801)	0.27	0.1	0.37
TL-900 (37 1W 33-900)	21.53	24.17	45.7
TL-1000 (37 1W 33-1000)	0	2	2
TL-1100 (37 1W 33-1100)	11.44	25.01	36.45
TL-1200 (37 1W 33-1200)	2.19	7.81	10
TL-2000 (37 1W 33CA-2000)	2.49	26.33	28.82
TL-4700 (37 1W 33CD-4700)	8.19	19.75	27.94
Totals	120	297.26	417.26 Acres

Summery of Open Space (Areas - A, B, C, D, E, F, & G) for the Golf Course properties.

	Acres
A - TL-700	12.24
B - TL-700, 801, 900, 1100, 1200, 2000, 4700	41.55
C - TL-700, 1100, 1200	8.60
D - TL-100, 900, 4700	18.35
E - TL-100	8.75
F - TL-100	14.21
G - TL-100	16.30
Total	120 Acres

Centennial Golf Course Lands

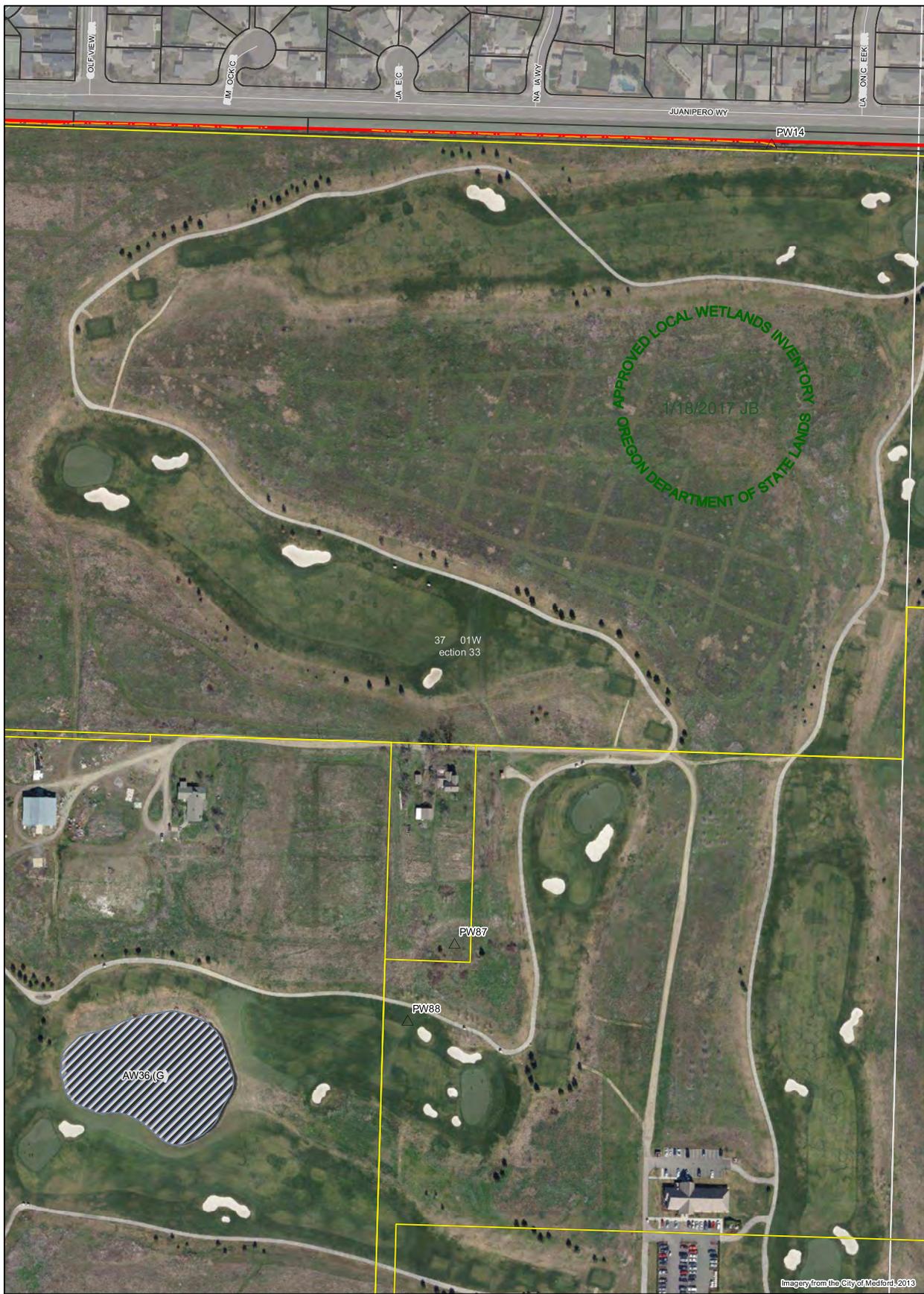


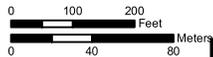
Figure F-70 – LWI Map

SWCA LWI Data

- SWCA Sample Plot
- △ Probable Wetland ("PW", <0.5 acre)
- ▭ Wetland ("W")
- ▭ Waterbody ("WA")
- ▭ Stream
- ▭ Ditch
- ▭ Pond/Water ("AW")

- ▭ Study Area
- ▭ Tax Lot, Accessed
- ▭ Tax Lot, Not Accessed
- ▭ Street
- ▭ Section

Artificial Waters Purpose Key:
G- Golf course watering/water management



City of Medford Urban Reserve
Local Wetlands Inventory
Jackson County, OR
July 2016



Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.

SWCA
ENVIRONMENTAL CONSULTANTS
1220 SW Morrison, Suite 700
Portland, OR 97205-2235
www.swca.com
503.224.0333
Project: 31802



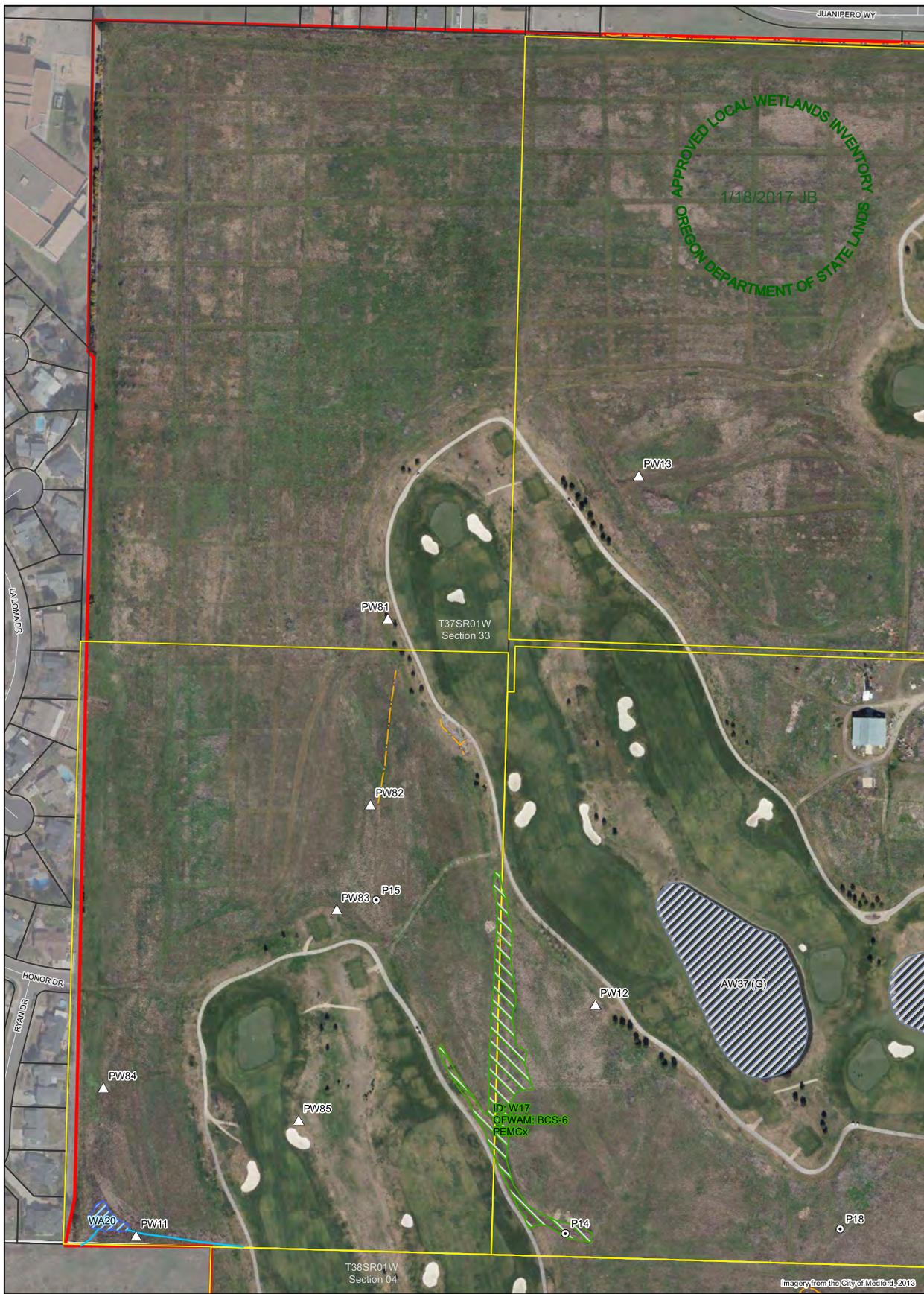


Figure F-71 – LWI Map

SWCA LWI Data

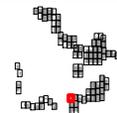
- SWCA Sample Plot
- △ Probable Wetland ("PW", <0.5 acre)
- ▨ Wetland ("W")
- ▨ Waterbody ("WA")
- ▬ Stream
- - - Ditch
- ▨ Pond/Water ("AW")

- ▭ Study Area
- ▭ Tax Lot, Accessed
- ▭ Tax Lot, Not Accessed
- ▬ Street
- ▭ Section

Artificial Waters Purpose Key:
G- Golf course watering/water management



City of Medford Urban Reserve
Local Wetlands Inventory
Jackson County, OR
July 2016



Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.

SWCA
ENVIRONMENTAL CONSULTANTS
1220 SW Morrison, Suite 700
Portland, OR 97205-2235
www.swca.com
503.224.0333
Project: 31802



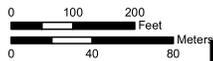
Figure F-72 – LWI Map

SWCA LWI Data

- SWCA Sample Plot
- △ Probable Wetland ("PW", <0.5 acre)
- ▭ Wetland ("W")
- ▨ Waterbody ("WA")
- ▬ Stream
- - - Ditch
- ▨ Pond/Water ("AW")

- ▭ Study Area
- ▭ Tax Lot, Accessed
- ▭ Tax Lot, Not Accessed
- ▭ Section

Artificial Waters Purpose Key:
G- Golf course watering/water management



City of Medford Urban Reserve
Local Wetlands Inventory
Jackson County, OR
October 2016



Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.

SWCA
ENVIRONMENTAL CONSULTANTS
1220 SW Morrison, Suite 700
Portland, OR 97205-2235
www.swca.com
503.224.0333
Project 31802

Imagery from the City of Medford, 2013

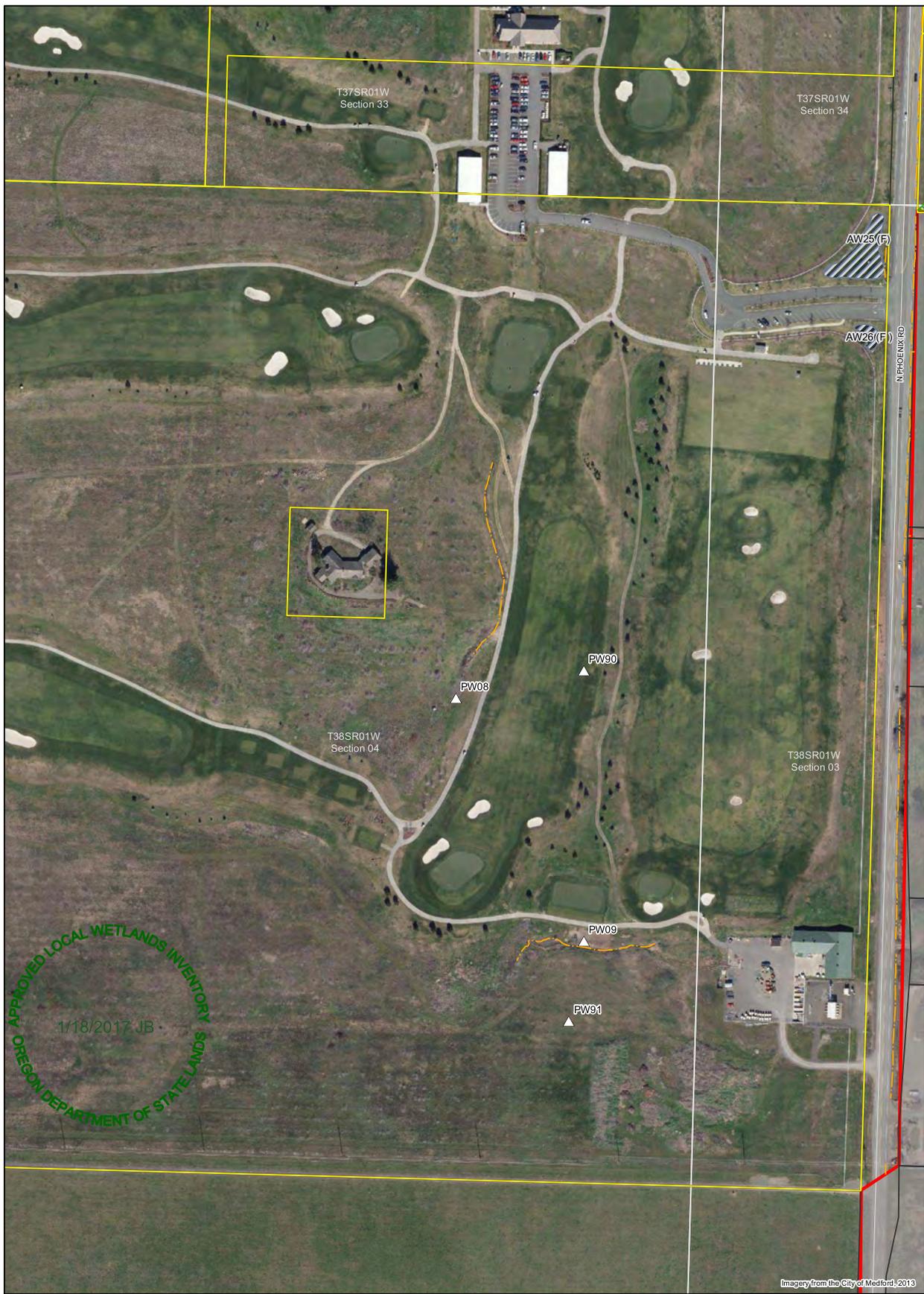
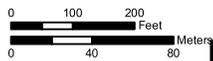


Figure F-73 – LWI Map

- SWCA LWI Data**
- SWCA Sample Plot
 - △ Probable Wetland ("PW", <0.5 acre)
 - ▭ Wetland ("W")
 - ▭ Waterbody ("WA")
 - ▭ Stream
 - ▭ Ditch
 - ▭ Pond/Water ("AW")

- ▭ Study Area
- ▭ Tax Lot, Accessed
- ▭ Tax Lot, Not Accessed
- ▭ Street
- ▭ Section

Artificial Waters Purpose Key:
F- Landscaping feature



City of Medford Urban Reserve
Local Wetlands Inventory
Jackson County, OR
July 2016



Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.

SWCA
ENVIRONMENTAL CONSULTANTS
1220 SW Morrison, Suite 700
Portland, OR 97205-2235
www.swca.com
503.224.0333
Project: 31802



PUBLIC WORKS DEPARTMENT STAFF REPORT

Rogue Valley Manor Urbanization Plan for MD-5f North Phoenix Road/Juanipero Way (Multiple Tax Lots)

Project: A Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for ten tax lots totaling 417.18 acres located west of North Phoenix Road and south of Juanipero Way. (371W33 TL 700, 801, 900, 1000, 1100 & 1200; 381W04 TL 100 & 101; 371W33CA TL 2000; 371W33CD TL 4700).

Applicant: Rogue Valley Manor, Agent: Clark Stevens

Planner: Carla Paladino, Principal Planner – Long Range Division

The Urbanization Plan is filed in conjunction with an annexation request of the above properties plus adjacent right-of-way along North Phoenix Road. The County zoning designation of Exclusive Farm Use (EFU) and Rural Residential 2.5 will be changed to the City Single Family Residential- 1unit/acre (SFR-00) holding zoning district. The property will be removed from Medford Rural Fire Protection District #2.

A. STREETS

North Phoenix Road is classified as a Regional Arterial street and is maintained by Jackson County. North Phoenix Road is paved without curb and gutter, street lights or sidewalk. In accordance with the City's Urban Reserve Management Agreement, the County will surrender jurisdiction and the City will assume jurisdiction at the time of annexation.

Future South Stage Road (from North Phoenix Road west to future connection with existing South Stage Road) is classified as a Minor Arterial street and will be maintained by the City of Medford.

Future Golf View (from Juanipero Way south to future intersection with future South Stage Road) is classified as a Minor Collector street and will be maintained by the City of Medford.



Future Honor Drive (heading east toward Olympic Avenue) is classified as a Standard Residential street and will be maintained by the City of Medford.

Future Olympic Avenue (heading south and then east to connection with North Phoenix Road) is classified as a Standard Residential street and will be maintained by the City of Medford.

B. SANITARY SEWERS

There are capacity constraints in the sanitary sewer system that will need to be addressed prior to acceptance of a zone change on any of the properties.

C. STORM DRAINAGE

There are capacity constraints in the storm drainage system that will need to be addressed prior to acceptance of a zone change on any of the properties.

Future development on this parcel will require stormwater detention and stormwater quality facilities, which shall comply with Medford Land Development Code (MLDC) Sections 10.486 and 10.729 and the Rogue Valley Stormwater Quality Design Manual.

D. TRANSPORTATION SYSTEM

Exhibit E, Conceptual Circulation Plan, shall be modified to indicate the locations of gated accesses to the community and the proposed emergency vehicle access. These need to be shown on the map.

Public Works recommends that the applicant show a pedestrian connection from the cul-de-sac near holes 16 and 17 to the intersection of Larson Creek Drive and Juanipero Way to provide a more direct route for future residents of the Active Adult Retirement Community to access the Larson Creek Shopping Center using active transportation modes.

E. SYSTEM DEVELOPMENT CHARGES

Future development/buildings within this parcel will be subject to System Development Charges (SDC). These SDC fees shall be assessed at the time individual building permits are reviewed.

This development is also subject to Storm Drain System Development Charges. A portion of the storm drain system development charge shall be collected at the time of the approval of a final plat, as applicable.

F. UTILITY FEES

Upon annexation, this parcel will be subject to City of Medford monthly utility fees as applicable.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs



JACKSON COUNTY

Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

March 30, 2020

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

RE: Expanded Urban Growth Boundary (MD-5f) located
South of Juanipero Way - a City maintained road.
West of North Phoenix Road - a County maintained road at this location
Planning File: UP-19-004 & ANNX-19-003

Dear Carla:

Thank you for the opportunity to comment on this Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for ten lots totaling 417.18 acres located West of North Phoenix Road and South of Juanipero Way. (37-1W-33 TLs 700,801, 900, 1000, 1100 & 1200; 38-104 TLs 100 & 101; 37-1W-33CA TL 2000; 37-1W-33CD TL 4700). Jackson County Roads has the following comments:

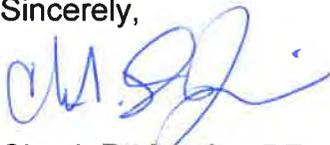
1. As provided in the Urban Reserve Management Agreement (URMA) between City and County, please expand the annexation to include North Phoenix Road right-of-way. Then, following annexation, City is required to request jurisdiction of this portion of North Phoenix Road. As provided in the URMA, the request for jurisdiction shall conform to ORS 373.270, except that conditions and compensation allowed by ORS 373.270(6) are not allowed.
2. Without a jurisdictional transfer of North Phoenix Road to the City of Medford, Jackson County will require the following:
 - a. Upon development, all existing road approaches from the property to North Phoenix Road will be closed. New approaches to North Phoenix Road will only be allowed if a traffic impact study, as required below, can demonstrate that new or replacement approaches will operate safely and effectively. Additional access to the site should be considered from Juanipero Way or the proposed extension of South Stage Road.
 - b. Prepare a traffic impact study to be reviewed and approved by the County. This study shall address the safety aspects of new or altered road approaches to North Phoenix Road and impacts to North Phoenix Road including stopping

sight distance, traffic queuing, storage lengths, need for dedicated turn lanes or a median turn lane, and impacts to the North Phoenix Road and Juanipero Way intersection. The study shall also address impacts to Coal Mine Road and Campbell Road or other lesser order public roads if access is provided to these facilities. Mitigation measures for each identified issue should be provided and will be reviewed and approved by Jackson County.

- c. As provided in the URMA, storm drain management within the annexed areas (including road right-of-way) become the responsibility of the City upon annexation.
3. Any new or improved roads inside the Urban Grow Boundary or expanded Urban Growth Boundary shall be permitted, inspected and become the sole jurisdiction of the City of Medford.
4. If county storm drain facilities are to be utilized, the applicant's registered Engineer shall provide a hydraulic report and plans for review and approval by Jackson County Roads. Storm drainage runoff is limited to that area currently draining to the County storm drainage system. Upon completion of the project the developer's Engineer shall certify that the construction of the drainage system was constructed per the approved plan. A copy of the certification shall be sent to Chuck DeJanvier at Jackson County Roads.
5. North Phoenix Road is a County Minor Arterial road and is maintained by the County. The Average Daily Traffic count was 10,529 on September 5, 2018, 225' south of Coal Mine Road.
6. ADA curb ramps must be located wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, including any intersection where it is legal for a pedestrian to cross the street, whether or not there is any designated crosswalk.
7. The applicant shall submit construction plans to Jackson County Roads, so we may determine if county permits will be required.
8. We would like to be notified of future development proposals, as county permits may be required.

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

Sincerely,



Chuck DeJanvier, PE
Construction Engineer



ROGUE VALLEY SEWER SERVICES

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

April 8, 2020

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

Re: ANNEX-19-003 & UP-19-004, Rogue Valley Manor Urbanization Plan, 371W33 TL 700, 801, 900, 1000, 1100 & 1200; 381W04 TL 100 & 101; 37 1W33CA TL 2000; 371W33CD TL 4700

ATTN: Carla,

The identified properties are within the RVSS sewer service boundary. However, RVSS sewer facilities are not located near the subject property. There are two obvious connection options, each comes with various obstacles. One option is to connect directly to the RVSS Upper Bear Creek Interceptor located west of Interstate 5 and Bear Creek. The other option is to extend sewer north from the existing 18 inch main which crosses Interstate 5 just north of Home Depot. GIS maps are available on our website for reference. The City of Medford sewer system is located north and west of the area along Juanipero Way and La Loma Drive respectively. However, the City of Medford system is largely unsuitable for standard gravity sewer service to the area. The portion of the area along Juaipero Way that is acceptable for standard gravity sewer may connect to the City of Medford system via a service boundary revision. The conditions of the Medford system connection will be determined by RVSS and the City of Medford.

Rogue Valley Sewer Services requests that the urbanization plan be subject to the following conditions:

1. The developer must provide a conceptual plan of the proposed sewer connection, and extension to and into the property. This conceptual plan must include and account for the extension of South Stage Road showing sewer extensions and/or crossing locations along the South Stage Road corridor.

Rogue Valley Sewer Services requests that the future development be subject to the following conditions:

2. All sewer facilities must be sized for a full 'build-out' condition accounting for contributing up stream sewer shed areas. Sewer system sizing must be performed per RVSS standards.
3. Masterplan drawings of the proposed sewer system and development phasing must be submitted to RVSS.

K:\DATA\AGENCIES\MEDFORD\PLANNING\ANNEXATION\2019\A-19-003 & UP-19-004_ROGUE VALLEY MANOR URBANIZATION PLAN.DOC



4. All sewer design and construction must be performed per RVSS standards.
5. Sewer construction drawings must be submitted to RVSS for review and approval.

Please feel free contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Bakke", with a long horizontal flourish extending to the right.

Nicholas R. Bakke, P.E.
District Engineer



MEMORANDUM

To: Carla Angeli Paladino, Planning Department
From: Mary Montague, Building Department
CC: Rogue Valley Manor, Applicant; Clark Stevens, Richard Stevens & Associates, Inc., Agent
Date: April 27, 2020
Subject: UP-19-004/ANNX-19-003_UrbanizationPlan and Annexation Rogue Valley Manor

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.

General Comments:

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

Comments:

5. Provide a letter to the building official per Section R401.4 indicating if expansive soils are present or not. If expansive soils are present then a site specific soils geotech report is required by a Geotech Engineer prior to foundation inspections. The report must contain information per Section 403.1.10 and on how you will prepare the lot for building and a report confirming the lot was prepared per their recommendations.



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: UP-19-004 and ANN-19-003

PARCEL ID: 371W33 TL'S 700, 801, 900, 1000, 1100 & 1200; 381W04 TL 100 & 101;
371W33CA TL 2000; 371W33CD TL 4700

PROJECT: A Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for ten tax lots totaling 417.18 acres located west of North Phoenix Road and south of Juanipero Way. (371W33 TL 700, 801, 900, 1000, 1100 & 1200; 381W04 TL 100 & 101; 371W33CA TL 2000; 371W33CD TL 4700).

The Urbanization Plan is filed in conjunction with an annexation request of the above properties plus adjacent right-of-way along North Phoenix Road. The County zoning designation of Exclusive Farm Use (EFU) and Rural Residential 2.5 will be changed to the City Single Family Residential- 1unit/acre (SFR-00) holding zoning district. The property will be removed from Medford Rural Fire Protection District #2. Applicant: Rogue Valley Manor, Agent: Clark Stevens, Planner: Carla Paladino.

DATE: April 29, 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. The applicant's Civil Engineer shall coordinate with MWC engineering Staff for approved Water Facility Master Plan.
3. This development will be served from two (2) pressure zones (Pressure Zone 1A, and Gravity Pressure Zone) which will serve both domestic and fire protection water to this development.
4. Installation of an "off-site" 16-inch water line is required to be installed in N Phoenix Road in the south bound travel lane from the existing 16-inch water line stub located at the south side of Juanipero Way. This water line is required to be extended to the south property line of this development along N Phoenix Road. (Approximate length 4825 feet). MWC will participate in upsizing costs for pipe diameters above our standard 8-inch water line.

Continued to Next Page



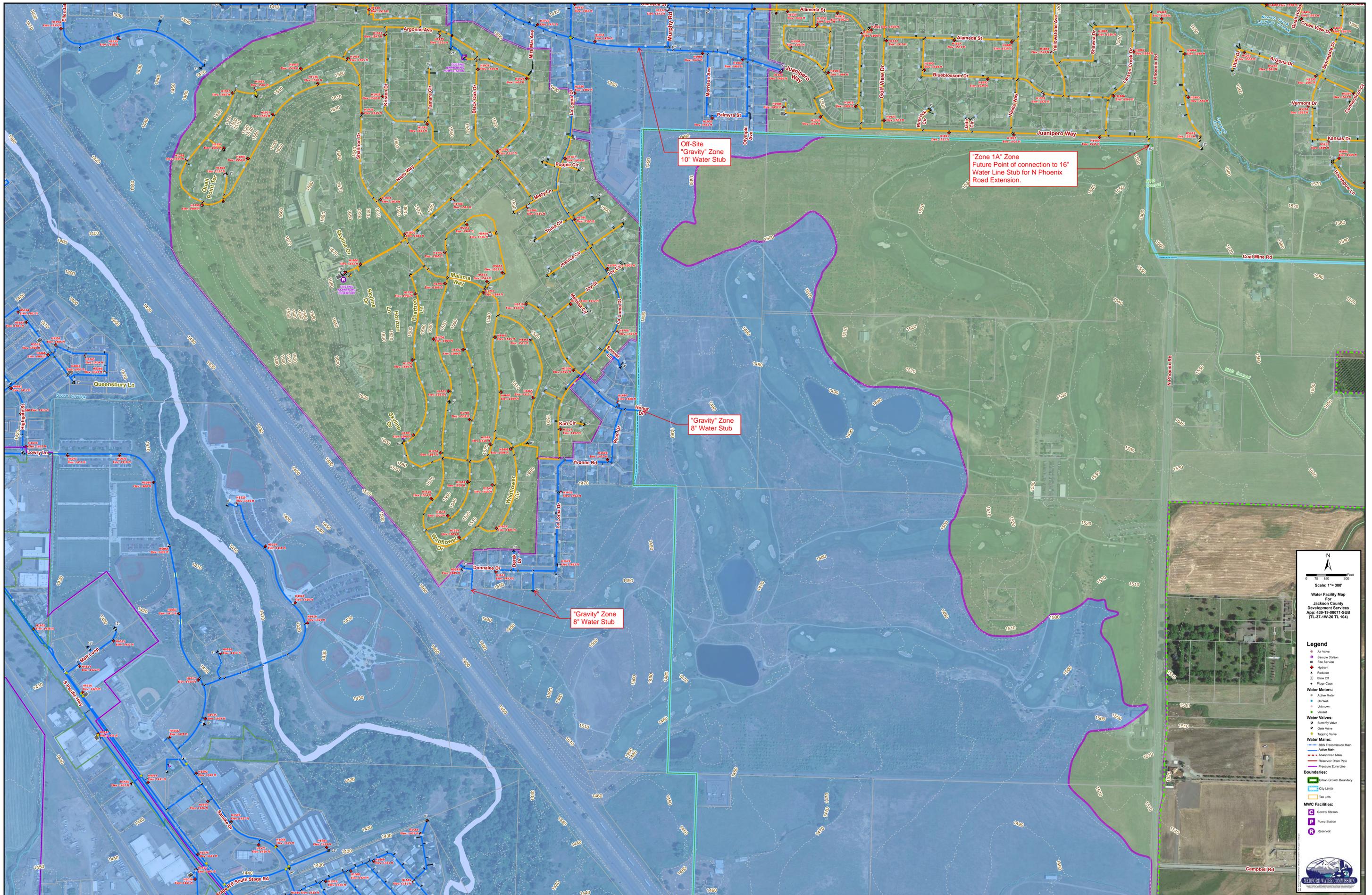


Continued from Previous Page

5. Installation of “on-site” 4” or 6” water lines (Cul-de-sac), 8-inch water lines (Minor Street), and 12-inch water lines (Major Streets) are required. Applicants’ civil engineer shall coordinate with MWC engineering department for on-site water facility layout. Water lines are required to be installed in paved travel lanes. These water lines shall not be installed through landscape islands, parking islands, nor through proposed parking stalls.
6. “Dead-End” waterlines are not allowed to maintain water quality. All proposed water lines are required to be looped. If a water line cannot be looped, then the installation of a “Fire Hydrant” or “Auto Flusher” will be required on “dead end” water lines
7. The applicants Civil Engineer shall coordinate with Medford Fire Department for “approved” fire hydrant locations.
8. Applicants Civil Engineer shall coordinate with Medford Water Commission, along with our Hydraulic Modeling Consultant to have this proposed development “Modeled” within our existing hydraulic model, This modeling effort will confirm adequate pressure, water quality, and that adequate looping of water lines is also provided.

COMMENTS

1. Adequate water facility capacity exists to this proposed development.
2. On-site water facility construction is required. (See Condition 47
3. Off-site water line installation is required. (See Condition 4 above)
4. MWC-metered water service does NOT exist to this property.
5. Static water pressure is expected to be between 35 and 100 psi. See attached document from the City of Medford Building Department on “Policy on Installation of Pressure Reducing Valves”.
6. Access to MWC water lines is available.
 - a. There is an existing 16-inch water line (Zone 1A) located near the intersection of N Phoenix Road and Juanipero Way.
 - b. There is an existing 6-inch water line (Gravity) at the intersection of Olympic Avenue and Palmyra Street.
 - c. There is an existing 10-inch water line (Gravity) in Juanipero Way at the north entrance to Orchard Hill Elementary School.
 - d. There is an existing 8-inch water line (Gravity) stubbed for extension at the south east property corner of the parcel at 381W04BB TL 1100. (South of Donnalee Drive.)
 - e. There is an existing 8-inch water line (Gravity) stubbed for extension at the east end of Honor Drive.



MEDFORD PARKS & RECREATION FACILITIES MANAGEMENT

HEALTHY LIVES | HAPPY PEOPLE | STRONG COMMUNITY

TO: Carla Paladino - Planning Department
FROM: Haley Cox – Parks Planner
SUBJECT: MD-5f Urbanization Plan
DATE: May 29, 2020

The Parks Department has reviewed the application for urbanization of the MD-5f parcels and has the following comments:

1. According to the Regional Plan Element and as noted in the application, this urbanization area is required to allocate 19% of the total acreage to Open Space uses. The applicant has shown significant open space allocated to golf course fairways, which would remain privately owned and maintained. The Parks Department does not have specific plans to acquire and develop parkland here, however, this area is within a park walkshed gap, and as such the Department remains open to identifying strategic opportunities.

The Parks Department prefers to acquire park parcels greater than 3 acres, as there are limited recreational opportunities and relatively high levels of maintenance needed to keep smaller open spaces safe and clean. Neighborhood parks that serve residents within ½ mile are ideally 3-15 acres, and community parks serving residents within a 2 mile radius are ideally greater than 15 acres.

2. The Leisure Services Plan does indicate a shared-use pathway along North Phoenix Road, as well as along South Stage Road. The City standard for shared-use pathways is 10-foot asphalt in a dedicated greenway corridor, or within the street ROW. Since these are both higher-order streets, the applicant is encouraged to implement ROW cross sections that include separated, off-street bike and pedestrian facilities. This would satisfy the LSP pathway requirement- no additional pathway would be needed if the preferred arterial cross sections are implemented as shown in the TSP.
3. The Parks Department can advise the applicant on irrigation design and tree species selection for higher-order ROW planter strips. More information can be found on the City's website: Information for Architects, Approved Street Tree List, and City Tree Planting Detail.



CONTINUOUS IMPROVEMENT | CUSTOMER SERVICE

701 N. COLUMBUS AVE. | MEDFORD, OR 97501 | 541.774.2400
WWW.PLAYMEDFORD.COM | PARKS@CITYOFMEDFORD.ORG



THEODORE R KREMPA
SUSAN H KREMPA

May 31, 2020

To: Medford Planning Commission
c/o: Carla.paladino@cityofmedford.org

RE: File No.: UP-19-004/CP-20-134

Dear Commissioners:

I remain in opposition to this project and the annexation by the City.

First, the PRS plan calls for over 900 multi-story apartment units to be built along the south side of Juanipero and curving southward along the fence line behind Orchard Hill Elementary to Honor Drive. Secondly, Golf View Drive would be extended south to a new South Stage Road, and in effect be a short cut for traffic from Pacific Highway. The 'new' Golf View would also be opened to Honor Drive, creating a direct path to La Loma Drive, which is all residential area. The road design alone would create an impact on the neighborhoods around La Loma, and especially traffic in and out of Orchard Hill Elementary, which is already a nightmare at the start/end school times. Juanipero cannot be widened and cannot support any additional traffic from the new apartment units, or the new traffic on Golf View. Orchard Hill Elementary cannot absorb new elementary students from the apartments, and there is no middle school or high school in the Talent school district within 10 miles. The sheer number of apartment units in this residential area simply cannot be supported by existing infrastructure.

However, this does not matter to PRS CEO McLemore who revealed at a public meeting on November 5, 2019, that the 'apartment' component of the PRS plan would neither be owned nor managed by PRS. The units would be sold for profit and could be 'low income housing' units, depending on the buyer.

It is clear that PRS is using the 'apartment' component of their plan as a bargaining chip to gain approval of the project with the City of Medford Planning Department. PRS is only interested in profits from the sale of the \$600k golf course units to rich retirees from out of state. As stated in the story, McLemore said, "We're anticipating it will create a feeder for the Manor." PRS has a big enough presence in the area. They don't need to expand on the backs of local homeowners and residents. As for McLemore's wish that Medford be more like Bend, that's rich. Medford is many things, but at the end of the day, Medford is a



'blue collar' community. No one I know is yearning to live in a crowded and overpriced place like Bend. If PRS wants to court rich Californians to fill its towers, have at it, but not by ruining the ambiance of local neighborhoods.

The long term residents and homeowners in the area deserve better treatment from PRS and realistic consideration from the Planning Department and Medford City Councilmembers. If we don't stand up to PRS, we can kiss our neighborhoods goodbye.

Sincerely,

Ted Krempa

2856 Tonia Cir

Medford, OR 97504

541-282-2468

THEODORE R KREMPA
SUSAN H KREMPA

May 31, 2020

To: Medford Planning Commission
c/o: Carla.paladino@cityofmedford.org

RE: File No.: UP-19-004/CP-20-134

Dear Commissioners:

I remain in opposition to this project and the annexation by the City.

First, the PRS plan calls for over 900 multi-story apartment units to be built along the south side of Juanipero and curving southward along the fence line behind Orchard Hill Elementary to Honor Drive. Secondly, Golf View Drive would be extended south to a new South Stage Road, and in effect be a short cut for traffic from Pacific Highway. The 'new' Golf View would also be opened to Honor Drive, creating a direct path to La Loma Drive, which is all residential area. The road design alone would create an impact on the neighborhoods around La Loma, and especially traffic in and out of Orchard Hill Elementary, which is already a nightmare at the start/end school times. Juanipero cannot be widened and cannot support any additional traffic from the new apartment units, or the new traffic on Golf View. Orchard Hill Elementary cannot absorb new elementary students from the apartments, and there is no middle school or high school in the Talent school district within 10 miles. The sheer number of apartment units in this residential area simply cannot be supported by existing infrastructure.

However, this does not matter to PRS CEO McLemore who revealed at a public meeting on November 5, 2019, that the 'apartment' component of the PRS plan would neither be owned nor managed by PRS. The units would be sold for profit and could be 'low income housing' units, depending on the buyer.

It is clear that PRS is using the 'apartment' component of their plan as a bargaining chip to gain approval of the project with the City of Medford Planning Department. PRS is only interested in profits from the sale of the \$600k golf course units to rich retirees from out of state. As stated in the story, McLemore said, "We're anticipating it will create a feeder for the Manor." PRS has a big enough presence in the area. They don't need to expand on the backs of local homeowners and residents. As for McLemore's wish that Medford be more like Bend, that's rich. Medford is many things, but at the end of the day, Medford is a

'blue collar' community. No one I know is yearning to live in a crowded and overpriced place like Bend. If PRS wants to court rich Californians to fill its towers, have at it, but not by ruining the ambiance of local neighborhoods.

The long term residents and homeowners in the area deserve better treatment from PRS and realistic consideration from the Planning Department and Medford City Councilmembers. If we don't stand up to PRS, we can kiss our neighborhoods goodbye.

Sincerely,

Susan Hoppe Krempa

2856 Tonia Cir

Medford, OR 97504

541-282-2468

City of Medford
Planning

Notice of Public Hearing-Planning Commission

Hearing Date: Thursday June 11, 2020

Hearing Time: 5:30 pm

File No: UP19-004 / CP-20-134

Attn: Carla Angeli Paladino

We bought our house on Ryan Drive in 1991 and this is not the first time that Brian McLemore, the CEO of Pacific Retirement Services has been instrumental in attempting to destroy the livability of our local neighborhood. Apparently, he does not live in this neighborhood; we that do are collateral damage in his search for profit.

We understood that at some point PRS would surround their golf course with expensive single family dwellings however the plans now have become grossly overbuilt directly affecting the Phoenix Talent school system with 900 multi-story new apartment units. (Which McLemore has already announced will not be owned by PRS but sold) Orchard Hill is a neighborhood school which will not be able to manage the explosion of growth. The Phoenix Talent School district will be looking for tax payers to build a new grade school and eventually an additional middle school and high school.

The road infrastructure will not be not be able to accommodate the increased traffic in the neighborhoods and making the neighborhood intimate streets into laterals will destroy the ambience of a once lovely area.

PRS is in it for the money, but as residents of this area we are appealing to the planning commission to not allow this to be approved as it has been presented.

Bradley R & Glenda Y Allen
1311 Ryan Dr
Medford, OR 97504
541-821-0730 (GYA Cell)



Tue 6/2/2020 3:45 PM
Ed Nicholson ednich2102@gmail.com
Rogue Valley Manor item on June 11 agenda

I am writing in support of Rogue Valley Manor's request for development in SE Medford in and around Centennial Golf Course. I agree totally with the provisions of the request.

Ed Nicholson
2102 Quail Point Circle
Medford, OR 97504



Thu 6/4/2020 2:00 AM
Suzanna Davis suzannadavi@gmx.com
UP-19-004/CP20-134

I am writing to express my concern over the development of so many retirement facilities in our area while development of low cost housing is completely ignored. Also, I have lived in this valley for 40 years and have seen no good plan for water management in these new buildings. This area, while having a good water supply at this time, has known long periods of drought. Any decisions about future building should include well thought out commitments in legalese that require xeriscape as part of the plan not more and more green lawns taxing the water available to our valley in general, as well as alternative electrical such as solar panels or wind generators...truly we must be forward thinking in our development of our valley and not become a desert of old people in massive warehouses using all our resources and limiting the housing for our working middle and lower class.

Suzanna Davis RN
1220 Woodrow LN
Medford, OR 97504
541 941 3490





June 5, 2020

Medford Planning Commission
c/o: Carla Angeli Paladino, Principal Planner
City of Medford, Oregon – Planning Department
200 S. Ivy Street, Medford, OR 97501
carla.paladino@cityofmedford.org

RE: File No.: UP-19-004/CP-20-134

Dear City of Medford Planning Commission Members,

As the Board of Directors for Rogue Valley Manor (RVM) and its governing body, we enthusiastically recommend and support the proposed development around Centennial Golf Club.

Centennial opened in 2006 and is owned by RVM, with golf course operations managed by the Manor's parent company, Pacific Retirement Services (PRS). As you know, RVM is proposing to develop the property around Centennial with a multi-phase Planned Unit Development and a mix of residential and commercial uses. The proposal includes a gated Active Adult Retirement Community surrounding the golf course – and an entire development designed to be a mixed-used, pedestrian friendly environment that will provide for connectivity and a multitude of recreation and shopping opportunities for residents to enjoy. Centennial Golf Club is the only public 18-hole golf course in Medford, and we are committed to keeping the golf course open and available to the public if this project is approved in order to continue offering recreational opportunities for the greater Medford community.

A gated Active Adult Retirement Community like the one being proposed is unlike anything that currently exists in the City of Medford or the region. In addition to ensuring the preservation of open space and picturesque green fairways throughout, it will offer amenities to attract current Medford residents, business owners, and those who may consider relocating to the Rogue Valley – spawning economic development for southern Oregon. RVM and PRS have a proven track record of attracting retirees to relocate to the Rogue Valley. Moreover, we have ensured that in addition to retirees, this project will offer much needed multi-family housing for Medford. Additionally, it would be inclusive of commercial enhancements in an area of the City where they are currently not offered.



We encourage you to accept the proposed plan, and would absolutely welcome its addition to our community. Thank you for your consideration, and please feel free to reach out to Board Chair April Sevcik at 541-857-7219 should you have any questions.

Sincerely,

Rogue Valley Manor's Board of Directors

1200 Mira Mar Avenue
Medford, OR 97504
541-857-7219

April Sevcik
Kumar Bhasin

Carol Christlieb
Don Hildebrand

Bob Mayers
Sue Kupillas

Ray Heysell
Bill Jacobs

Sun 6/7/2020 12:46 PM

Jane cecweav@charter.net

PRS Plan for Building on the Centennial Golf Course

I understand there is a Planning Commission hearing scheduled for June 11th that the public cannot attend. Consequently, this is to make my concerns known as I am a home owner who will definitely be impacted by the development planned on the Centennial Golf Course.

I live at 2828 Honor Drive, less than a block from the gate into the golf course. When we bought this house, we were told that eventually the Honor Drive gate would be opened to the golf course, but the development would be higher end, single family homes around the course. There was no mention of apartments. We had been living in the country, first Upper Applegate and then off Dark Hollow, so we wanted an area with larger lots and a quiet atmosphere. This area was fine as there is very little traffic on Honor Drive. We knew realistically, when they developed the area, traffic would increase on Honor Drive, but probably minimally as there would be little reason for residents to come up this way to get to their homes if they could enter from Golf View. Now we are told that the proposal includes over 900 multi-story apartments, right on the golf course side of the fence off Honor Drive. This would be the easiest way for apartment dwellers to get to their homes, would seriously increase traffic and have a huge impact on the peace and quiet of the neighborhood. Additionally, although my view would not be impacted, many of my neighbors and friends will have their beautiful views erased by several story buildings. The extra traffic and the blockage of view will definitely impact the value of our homes, as well.

I am asking you to please take this severe impact on our neighborhood into consideration when you are making any decisions regarding the use of the land on Centennial Golf Course.

Thank you. Jane E. Weaver, 2828 Honor Drive, Medford, OR 97504 541-608-1696

Sent from [Mail](#) for Windows 10

Sun 6/7/2020 4:08 PM

Gerry Stanley gstanley@mac.com

Public Hearing - Medford Planning Commission

I have received notification that the Planning Commission has a hearing scheduled for June 11, and that the public cannot attend due to corona virus constraints. I am a homeowner that will be impacted by this development planned on PRS owned land (Centennial Golf Course).

I believe that holding a meeting without the public in attendance is not right, citizens cannot represent themselves in an open forum. Furthermore, the narrowly defined requirement that only those homeowners within 200 feet of the project are entitled to be notified denies input from property owners outside this arbitrary boundary who will be directly impacted by the actions of the developer and the Planning Commission.

I live at 2827 Honor Drive, two properties from the gate to the golf course. This street as well as La Loma and Juanipero will be heavily impacted by this development if 900 multi-family dwellings are built along this edge of the property. These narrow streets are already impacted by traffic particularly around Orchard Hill Elementary School.

Since the plan put forth by Mr. McLemore and others would call for sale of the land where multi-family housing would be built, the original developers are only concerned about the gated community of 55 and older purchasers who would be future candidates for occupancy at Rogue Vally Manor. Apparently, the Planning Commission has set density per acre requirements that mandate the extraordinarily high number of units on the perimeter of the gated community. It would seem these units could be distributed throughout the development in order to diminish the density impact on the infrastructure of this particular area. These dwellings would impact, property values, transportation, the peace and quiet, as well as block the views of the golf course and the beautiful rural quality that originally drew citizens to this neighborhood.

We ask that you consider the severe impact this will have on our neighborhood when you are making decisions regarding the use of the land at Centennial Golf Course.

Thank you for your consideration,

Gerald and Patricia Stanley
2827 Honor Drive
Medford, OR 97504

Sun 6/7/2020 9:20 PM

Ronald L Constable rconstable@aol.com

Re. Council Bill 2020-59 (ANNX-19-003) -- Centennial Golf Course Development Annexation

Dear Council and Planning Commission officers,

I have one particular question regarding the subject annexation. Given that Southwestern Oregon is in a severe drought, there are at least casual discussions of needing water rationing this Summer and Fall, and climate change is likely to continue exacerbating the water issue, just how will the water for approximately 3,000 new residents and a golf course included in this annexation be provided and ensured?

It seems prudent that planning for this annexation include at least serious consideration of this issue.

Thank you for your consideration.

Sincerely,

Ronald L Constable
2115 Quail Point Circle
Medford OR 97504
541-857-6198

Sun 6/7/2020 3:23 PM
katie yasui lambieka@gmail.com
Pacific Retirement Services project

Greetings,

I am in opposition of the Pacific Retirement Services project of a 900 multi-story apartment unit to be built along the south side of Juanipero. The impact of changing the traffic patterns in a residential area is unacceptable. Does the city of Medford continue to build retirement services and units that downgrade the quality of living in our area? Looking ahead to the economic impacts of such a development would be to see that in the long term, it will make neighborhoods unlivable and at the same time, make terrible traffic choices for the local area.

A good example of bad planning such as this is how the interstate cut Medford in half and was built over the only body of water in Medford, therefore degrading what could have been a beautiful part of town. Smart planning is critical to the future of Medford. I live on South Stage Road and will be impacted also. The roads in Medford are too busy in neighborhoods. Take the initiative to add additional on-ramp and off-ramps off the Interstate that reduce traffic to help with crosstown traffic.

Thank you,

Katie Yasui
5418908113

June 9, 2020

To: Medford Planning Commission

From: Renae Rogers

Dear Commissioners,

I urge you to reject PRS's request for the 900 unit housing request. As a resident who has lived in this wonderful neighborhood for 20 years and someone will be directly (and very negatively) impacted with this plan, I hope their plans will be rejected. This is a quiet, safe neighborhood with older residents and also young families who find their first homes to raise their children in. It's a well maintained area and off the beaten path, which is what all residents find appealing. The one drawback to this area is PRS and their attitude that they own this entire swath of land. Their bullying behavior towards any residents in this area who aren't paying them to live here are irritating to say the least, and quite offensive. We all pay our mortgages and taxes and deserve to be treated fairly by them and the city. Bringing this much housing and traffic to this area will have many negative impacts on this area. Gone will be the quiet streets that are safe for kids riding bikes and skateboards, residents walking dogs and taking long walks in this neighborhood. Bringing more traffic and housing will make this area more open to traffic that can invite problems that we currently don't have issues with.

The fact that residents were not notified of this plan is upsetting, but not surprising. It would be appreciated to feel like normal residents and their opinions and insights were welcomed and considered. It feels as though the only driving force is the money the city stands to gain and the bullies at PRS getting what they want as they always do. To say this is disappointing and infuriating is an understatement, and I doubt that our voices will be heard over the roar of the voices of PRS, but I sincerely hope you will think just a little about how many lives this will impact and the loss of safety, security and property values all residents will have to deal with.

Sincerely,

Renae Rogers
2731 Joy St.
Medford, OR 97504

June 10, 2020

Medford Planning Commission
c/o: Carla Angeli Paladino, Principal Planner
City of Medford, Oregon – Planning Department
200 S. Ivy Street, Medford, OR 97501
carla.paladino@cityofmedford.org

RE: File No.: UP-19-004/CP-20-134

Dear City of Medford Planning Commission Members,

We are golfers and supporters of Centennial Golf Club, and are pleased to submit to you this letter of recommendation in support of the proposed development around the existing golf course.

The proposal includes a gated Active Adult Retirement Community surrounding the golf course – and an entire development designed to be a mixed-used, pedestrian friendly environment that will provide for connectivity and a multitude of recreation and shopping opportunities for residents to enjoy. Centennial Golf Club is the only public 18-hole golf course in Medford, and will remain open to the public if this project is approved in order to continue offering recreational opportunities for the greater Medford community.

A developed neighborhood such as the proposed is unlike anything that currently exists in the City of Medford or the region. In addition to ensuring the preservation of open space and picturesque green fairways throughout, it will offer amenities to attract current Medford residents, business owners, and those who may consider relocating to the Rogue Valley – spawning economic development for southern Oregon. Additionally, the project would be inclusive of commercial enhancements in an area of the City where they are currently not offered.

We would absolutely welcome the addition of the proposed Centennial development to our community, and enthusiastically support the project. Thank you for your consideration.

Sincerely,

Centennial Golf Club Golfers and Supporters
(Please see attached list for names and contact information.)

Centennial Development Golfer Contact Information

Name	Address	City	State	Phone
Ben Running	2695 Montgo Pl	Medford	OR	(541) 890-3650
Math Preston	3442 Lone Pine RD	Medford	OR	541-261-1339
Dobby Jones	3726 ARIZONA DR	MEDFORD	OR	541-261-5709
Kazuy, Sato	3285 Blackthorn Dr	Medford	OR	541-993-5483
Christian Inveley	533 maple street Medford OR	Medford	OR	541 941 2334
Justin Witz	930 East Altan	East Point	OR	608 334 0615
John KANDARIS	228 Talant Ave	Talent	OR	541-531-1651
Kenny RASNOWAN	3255 MILWAUKEE	MFR	OR	541 840.9840
DAVID SCHROEDER	2693 E McANDREWS	MFR	OR	541 601 1102
Jeff Durie	1201 Paulita Dr	Medford	OR	(541) 414-7589
Dan Casender	987 Wilowdale Ave	Medford	OR	541 890 1795
Steve Terry	1016 Aspen	Medford	OR	541 778 0387
Kos Ruz	1314 Utah DR	Med	OR	541 324-4344
LARRY DUNGLAS	2416 N. Keene Way ^{DR}	Med	OR	541-778-4695
Michael Clark	431 Silver Creek Drive	MFR	OR	541-890-4898
Monty Tomsh	108 Dunn Circle	Ashland	OR	323601000

Centennial Development Golfer Contact Information

Name	Address	City	State	Phone
Marie Kester	130 Jackson Cr Dr	J'ville	OR	
Judy Tomm	1916 Old Military	CP	OR	541-739
Judy Law	463 Crystal Dr.	Eagle Pt	OR	
Beverly Quimby	1524 Cambridge Cir	Medford	OR	541-944-5020
Karen Curtis	571 St. Augustine Dr	Medford	OR	916-768-3491
Collen Helbert	567 St Augustine Dr	Medford	OR	541-944-7359
Deanna Smith	2600 Skunkway	Medford	OR	503 706-5334
Jinda Wade	12690 Duggan	Central Point	OR	541-855-1612
Susan Hutton	225 Grandview	Ashland	OR	713-306-3107
Tracy Mewster	1250 Park St	Ashland	OR	541-941-4000
Judy Koryak	2637 Aldersgate	Medford		541-601-0109
Lawel Kiichi	650 Forest St.	Ashland	OR	541-708-0635
Marne Rickards	3130 Alameda St	Medford	OR	907-388-8458
Mike Proctor	1471 Foxwood Dr.	Medford	OR	541 301 3975
Ryan Sandoval	312 August Ct	Eagle Point	OR	541-282-4008

Centennial Development Supporter Contact Information

Name	Address	City	State	Phone
Brian Sackett	931 Hopkins Rd.	Central Pt.	Or	(458) 226-0507
Wendy Cooper	1213 Wedgewood Dr.	Central Point	OR	541-951-5343
Taylor Klemm	1224 N Madoc Ave.	Medford Or.	OR.	541-941-0138
Jessica Young	124 Vernada Pl	Medford OR	OR	541-698-7953
Ryan Kukula	124 Vernada Pl	Medford,	OR	360-751-8772
Paul Fink	605 Chantal Ct	"	"	541 499 2253
Alex Jacobberger	1443 Ridgepine Way	Medford	OR	541-210-2681
Marsha Howard	575 Primrose Dr.	Central Point	OR	541-621-3468
Tyler Dean	892 Pennsylvania Ave	Medford	OR	541-331-4225
Victor Redos	9020 Hillcrest Ave	Medford	OR	727-2219
GARY WARNER	1155 ASHLAND MOUNTAIN	ASHLAND	OR	541 488 9388
Don DeWitt	320 Jackson Ct. Jacksonville	Jacksonville	OR	541-702-2110
FRANK ECKERT	1541 CYPRESS POINT DRIVE	MEDFORD	OR	502-931-4721
Kevin Williams	3022 COLONIAL AVE. MEDFORD 97504	MEDFORD	OR	541-778-2918
Leslie Gavey	625 NOTTINGHAM	EP	OR	541-951-3289
Sandy Spalund	3461 HERREDOX WAY	MEDFORD	OR	603-738-9631

Centennial Development Golfer Contact Information

Name	Address	City	State	Phone
CHRIS DATHIIT	806 GARDENWAY AVE	MEDFORD	OR	541 778 1026
Jeremy Tyler	916 ASPEN ST	medford	OR	541 778-1012
RON WALLACE	2402 SENATE WAY	MEDFORD	OR	541-941-9938
Mike Davis	1100 201 Glenn Way	CP	OR	541-301-0556
Nancy Dicus	PO Box 1408	Jacksonville	OR	425-801-0511
Elijah Kattka	439 Helman	Ashland	OR	541.499.5470
Jeremy Ross	380 Golf View DR	medford	OR	541-531-0212
GREG LATHROP	3384 CADET DR	MED	OR	541-601-9808
VERNON ROBINSON	2524 LAURE LANE UNIONTON	MED	OR	541-326167
Chris Wood	3383 Alameda St	Med	OR	541-613-2035
Patrick Reynolds	2109 Dellwood Ave	Med	OR	541-941-3794
Dexter Dawn	1402 N. Madoc	Med	OR	775-530-3077
Greg LeVily	3073 Capital Mall Ave	Med	OR	541 971-5267
Steven Renfro	1238 Looking Glass way	CP	OR	541-227 9504
JALINE BRIGTON	2744 N. KEENE MED OR	MED	OR	541-890- 1100 ⁴⁶⁸⁸
NAN RECK	6005 PINEHURST DR.	MED	OR	541-778-4323

Centennial Development Golfer Contact Information

Name	Address	City	State	Phone
David Stiemert	6394 Adams Rd.	Talent	OR	541-301-7578
Anthony Ullora	1452 Angel Crest Dr	Medford	OR	541-821-6635
Aidan Jones	76 Dewey St. Ashland	Ashland	OR	541-326-2518
Reese Fisher	605 Chantal Court	Medford	OR	541-499-2248
Joey Walker	5295 Dark Hollow rd	Medford	OR	541-951-2822
Phil Carolin	3855 Dover Rd #26	Medford	OR	541-326-2631
Robert Capsey	1103 Queen Anne	Medford	OR	541-779-8752
Ryan Whittaker	35 Ashley PL	Central point	OR	541-301-6201
Al Baham	1211-Lahona	Medford	OR	541-941-0942
DEUNSH MILLER	317 NEWTOWN ST	MEDFORD	OR	541-227-3092
JAY MILLER	7674 WAGNER CR RD	MILWAUKEE	OR	708-837-7013



Phoenix-Talent Schools

Excellence For Everyone

RECEIVED

JUN 10 2020

PLANNING DEPT.

June 5, 2020

City of Medford Planning Dept.
Lausmann Annex
200 South Ivy
Medford, OR 97501

Dear Planning Department,

Phoenix-Talent School District would like to respond to the recent notice and request for comment regarding Rogue Valley Manor's Urbanization Plan and Annexation applications in Planning Unit MD-5f. Though we are neither in favor nor against the proposed plan, our district has planned for growth in SE Medford.

Over the last several years, we have studied, examined and planned facility upgrades across our entire district in anticipation for future growth. We currently have a long-range facility plan working through each jurisdiction in our boundary area, which highlights growth projections, current condition of our facilities and the facility needs in the future. In November 2017, we were fortunate that our patrons voted in favor of a \$68 million dollar bond measure. This allows us to improve our facilities to meet this anticipated growth.

Specifically, the district is prepared for additional growth at Orchard Hill Elementary School (OHES) over the next ten years. The addition of a large cafeteria and improvements to mechanical and HVAC systems, prepares this facility for additional students. The optimum capacity for OHES, with the improvements, is 600 students, according to our long-range facility plan. Current enrollment at OHES is 401 students. The district is also evaluating elementary school boundaries and has an opportunity to adjust Orchard Hill Elementary and Phoenix Elementary boundaries to accommodate growth in SE Medford. Upon community and family outreach, a recommendation will be made to the board during the 2020-21 school year.

The long-range facility plan projects capacity issues may arise at OHES during or after the 10 to 20 year planning timeframe. The long-term capacity issues at OHES are projected to arise from development in the Southeast Neighborhood Plan area. The Rogue Valley Manor's urbanization plan proposal may shape the district's future facility planning in this area, but it is not expected to create unanticipated facility capacity issues.

Thank you for allowing this comment to be entered into the record. If there are any questions, please do not hesitate to contact our office.

Sincerely,

Brent Barry
Superintendent

Phoenix-Talent Schools
PO Box 698/401 W. 4th St. Phoenix, OR 97535
Phone: (541) 535-1511 / Fax: (541) 535-3928

Wed 6/10/2020 1:19 PM
bruce bauer bbauer1942@yahoo.com
Rogue Valley Manor Project

Matt Brinkley, Director of the Planning Commission Medford Oregon.

About 15 years ago I was on the Citizens Advisory Group to the Planning Commission. I had to quite because I was physically threatened. A lot of people feel very passionate about but there is no room for threatening people and I have experiences with you have been very understanding! Thank You.

On the planned project for the 417 acres located on North Phoenix Road, I have some concerns. I have a storm drain that goes on my property and a neighbors property that drains into the marsh area. What are the plans for this area? Another potential water problem is a spring that comes up about 100 yards northeast of my property. What are the plans for this spring? There were about a dozen fruit trees that grew in that area and irrigated by the spring. I may be wrong, but I think the city of Medford has an ordinance about removing trees?

I am very concerned about climate change, so is there going to be a requirement for solar panels on these new housing units? What other climate adjustments have been made to this development? What about water? The city of Ashland was told they had enough water for years and about 2 years ago they had to construct a water main to Ashland. The entire world needs to be thinking about this problem and this might be a start.

I have many concerns about traffic. Has there been a traffic study? The widening of North Phoenix Road will definitely help, but my street (La Loma) will have a lot more traffic as well. Also, I have heard that Gold View Drive would be widened which would help. Can Barnett handle any more traffic?

There are usual rules about construction hours. I have had many problems with the code enforcement department with city and they respond they are not required! What are my alternatives? The project has really started yet and all ready I getting a lot more rats, voles, squirrels and snakes I have had in years past. What can be done about this problem? What dirt in the air, who pays for extra cleaning of the exterior of my house?

The recent Avista project of painting marks on my street and our yards is a perfect example of the city of Medford not informing residents of what is going on!

Lastly, our Governor Brown has issued new rules about development, but it would be nice if some of these rules (BCD EO 20-04 3 report) would be incorporated into the project, but the city would not be required until 2022.

Thank You for reading my concerns.

Bruce Bauer 541-821-1823



June 10, 2020

To: City of Medford Planning Commission Members

Subject: Centennial Property Annexation
File No. UP-19-004/CP-20-134

We are writing in support of Rogue Valley Manor's application for annexation of the Centennial property into the City of Medford.

Medford's population is projected to increase by 20 percent in the next 15 years--from about 84,000 today to more than 100,000 in 2035. Therefore, in 2018 the City of Medford wisely expanded its Urban Growth Boundary and added more than 4,000 acres to the City to comply with State law and to provide a 20-year land supply to accommodate this additional population's need for housing and employment.

The proposed Centennial development will add more than 1,500 single- and multi-family residences, along with commercial space for new businesses.

The 20 percent growth in Medford's population will occur whether it is planned for or not. Neighbors need only look from their homes west to Rogue Valley Manor to see the kind of thoughtfully planned development that can be expected around the existing golf course as a result of the Manor's application for annexation.

Respectfully,

Kumar Bhasin

Kumar Bhasin

Roberta Bhasin

Roberta Bhasin

1714 Lake Village Drive
Medford, OR 97504



June 10, 2020

City of Medford Planning Commission
200 South Ivy Street,
Medford, Oregon 97501

RE: UP-19-004

Comprehensive Plan Amendment to adopt an Urbanization Plan into the Neighborhood Element for ten tax lots totaling 417.18 acres located west of North Phoenix Road (planning unit MD-5f- Rogue Valley Manor).

Dear Commissioners:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians.

Both HLA and FHCO are supportive of UP-19-004, the adoption of an Urbanization Plan into the Neighborhood Element for ten tax lots located west of North Phoenix Road. Furthermore, the Goal 10 portion of the staff report is excellent and we hope to use it as a model to help other jurisdictions. Good luck with the continuation of this project!

Thank you for your consideration of our comments.

Sincerely,

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

Louise Dix
AFFH Specialist
Fair Housing Council of Oregon

Cc: Gordon Howard, DLCD



Thu 6/11/2020 11:29 AM
sleeper1428@charter.net

Comment on planning/execution of development around Centennial Golf Course by Rogue Valley Manor

From: Dr. and Mrs. Gaither B. Everett
1428 Larson Creek Drive
Medford, OR 97504
Tel No - 543-776-1237

To whom it may concern:

We had our home built on the west corner of Juanipero Way and Larson Creek Drive in 1996 and we've lived there since that time. At that time we were only the second home on Juanipero Way, the first having been built on the corner of Juanipero Way and North Phoenix Rd. Since that time homes have been built the entire length of Juanipero Way, each home necessitating the use of double trailer rock and gravel trucks in the preparation of each building site with these trucks using Juanipero Way as a temporary parking area. The next development in this area was across North Phoenix Rd. between Juanipero Way and Creek View Drive on the east side, this development once again seeing double trailer rock and gravel trucks using Juanipero Way as a temporary parking area. While temporarily parked, these trucks entirely block the bike lanes and extend partially into one of the auto lanes, forcing traffic to veer into the oncoming traffic lane in a rather unsafe manner in order to pass these trucks and/or their trailers which are dropped while the truck is dropping its load.

We have had to put up with the noise and unsafe traffic conditions related to these trucks for nearly 25 years and now we are faced with yet another development, this one much larger and more extensive than anything we've faced to date. We realize that we have little or no hope of blocking or altering in any significant way the planned development - those with the money have the power and make the rules - we would appreciate some consideration for the home owners on Juanipero Way who, if things are done as usual, will be faced with multiple double trailer rock and gravel trucks parking up and down Juanipero Way until each and every building site is prepared. To be quite specific, since the plan appears to be to cut Golf View Drive through the west end of the new development area, we would appreciate it if this could be done as a first priority. Once Golf View Drive has been extended through this area, we would appreciate it if the trucking companies working to prepare building sites in the new development be required to use the newly extended Golf View Drive to park their double trailer rock and gravel trucks. This would significantly reduce the noise and dust creation factors, the wear and tear on Juanipero Way and would make that street far safer for bicycle riders as well as automobile drivers.

We would very much appreciate your bringing our concerns and suggestions regarding this development to the attention of the Planning Commission. As I mentioned, we see little if any chance of blocking or significantly changing the plan as presented but we would like to do what we can to lessen the impact of the construction of this development on the home owners living on Juanipero Way.

Sincerely,
Dr. and Mrs. Gaither B. Everett
1428 Larson Creek Drive
Medford, OR 97504
541-776-1237

June 11, 2020

To: City of Medford Planning Commission Members

Subject: Centennial Property Annexation
File No. UP-19-004/CP-20-134

We are writing in support of Rogue Valley Manor's application for annexation of the Centennial property into the City of Medford.

Medford's population is projected to increase by 20 percent in the next 15 years--from about 84,000 today to more than 100,000 in 2035. Therefore, in 2018 the City of Medford wisely expanded its Urban Growth Boundary and added more than 4,000 acres to the City to comply with State law and to provide a 20-year land supply to accommodate this additional population's need for housing and employment.

The proposed Centennial development will add more than 1,500 single- and multi-family residences, along with commercial space for new businesses.

The 20 percent growth in Medford's population will occur whether it is planned for or not. Neighbors need only look from their homes west to Rogue Valley Manor to see the kind of thoughtfully planned development that can be expected around the existing golf course as a result of the Manor's application for annexation.

Respectfully,



Larry Shirk



Carolyn Shirk

1905 Wildflower Circle,

Medford, OR 97504

Thu 6/11/2020 2:47 PM

Carolyn And Paul Turner oceanwise@aol.com

Annexation of Centennial property

Dear Ms. Paladino,

As interested Medford residents we respectfully submit that the Centennial properties should be annexed into the city: UP-19-004/CP-20-134.

Given our projected 20% growth we anticipate that new and well developed housing will be of utmost importance to keep our community prospering and beautiful.

Please consider annexing this valuable property to the city of Medford.

Respectfully,

Dr. Paul Turner and Carolyn Turner

541-857-6620

Thu 6/11/2020 3:38 PM

Bob Karcich brokerbob45@yahoo.com

RPS 900 units

to: Medford Planning Department and City Council,

I believe the extent of the plan to build 900 rental units for the general public to purchase, is enough to destroy the LaLoma & surrounding neighborhood. RPS is always about the money and they proved that by the density of the condos they eventually got approved and built on the hillside over the years and the amount of other commercial development in that area.

Infrastructure alone cannot handle the extent of that kind of development. LaLoma is already a disaster to travel when school children and parents are present.

The homeowners in the area will be severely impacted by the negative results of such a huge development.

I am a Realtor and have already had 2 clients make it very clear that they do not want to live in the LaLoma area due to what they have heard about the massive development plans of RPS. I have been selling homes in that area since early 1980 and have never heard that kind of statement made about the LaLoma location.

The City and all you folks work for the public at large not just the developers. You have a duty to all parties concerned. You should not align yourselves with development only. Take into consideration the homeowners and the impact such a development will have on their homes and investments these folks have made. Also, think of the children's safety and how difficult it will be to control traffic in the area of Orchard Hill Elementary.

Thank you,

Bob Karcich, Broker

brokerbob45@yahoo.com

Fri 6/12/2020 8:25 AM

Barbara FIELD barbandsidfield@msn.com

centennial annexation

To Carla

I am writing in support of the Centennial property to be annexed to the City Of Medford. I live at the Rogue Valley Manor and am in strong favor of this annexation which has been discussed for years. This will be a wonderful addition to the City of Medford.

The file number of this case is UP-19-004/CP-20-134

Thank you

Barbara Field

1701 Lake Village Drive

Medford, Or 97504

Fri 6/12/2020 2:30 PM

Fred Willms fredwillms11@gmail.com

Centennial Property Annexation, File No.

For the attention of the City of Medford Planning Commission Members

My wife and I have lived at Rogue Valley Manor for 21 years. Three years ago I wrote a letter to the Jackson County Planning Commission urging that the Centennial Golf Course and surrounding property (about 424 acres) be included in the expansion of the Urban Growth Boundary. This property has now been included in the expanded Urban Growth Boundary and an application for annexation of this property into the City of Medford has been submitted.

In that letter, I mentioned that residents of Rogue Valley Manor might have a shorter term outlook than the general population about projects that might carry on for many years. In the case of the acquisition of the land and the subsequent development of the Centennial Golf Course, it was clear to the residents that the project would evolve over time in a way that would be to the long-term benefit to both the City of Medford and the Rogue Valley Manor. Significant investment has been made in the construction of the Centennial Golf Course and its operation as a popular championship level course. This provides a major building block to make possible the construction of an over 55 community that will attract residents of the Rogue Valley and other communities. The addition of multi-family homes will help satisfy the need for housing caused by the projected 20 percent growth in Medford's population over the next several years.

The satisfaction of the long sought goal of the residents of Rogue Valley Manor needs the approval of this application for the annexation of this property. We urge the Commission to grant its approval. Respectfully,

Lee and Fred Willms
1 Skyline Drive, #3412
Medford, OR 97504



James D. Stocker
1506 Village Center Drive
Medford, OR 97504

To: City of Medford Planning Commission Members
Attn: Ms. Carla Paladino, Medford City Principal Planner

Subject: Centennial Property Annexation
File No. UP-19-004/CP-20-134

I am writing to you to support the application of Rogue Valley Manor for annexation of the Centennial property into the City of Medford. This property when developed will add more than 1,500 single and multi-family residences along with ample provision for commercial space for new businesses in West Medford.

We are aware of the projected 20% growth in Medford's residents in the next 15-20 years, and applaud the vision of Medford's leaders in expanding the Urban Growth Boundary to facilitate planning for fruitful expansion to meet the needs of this expanded population..

As I mentioned in several recent presentations to Medford and Jackson County officials, Rogue Valley Manor is very conscious of its important role in the future of this valley. We are dedicated to ensuring that development of this property will meet the high standards which we have maintained since our founding over 65 years ago.

Respectfully,

James D. Stocker



June 10, 2020

Wayne Thomas; whthomas_0923@yahoo.com

Re. Council Bill 2020-59 (ANNX-19-003) -- Centennial Golf Course Development Annexation

Dear Planning Commissioners and Staff:

I support Rogue Valley Manor's well-designed and vetted proposal for bringing the 424-acre Centennial Golf Course and surrounding land into the City of Medford. The Planning Commission considered RVM's proposal for the development of the property when determining which portions of the city's surrounding rural area would be brought into the urban growth boundary (UGB). The Planning Commission found RVM's proposed development with a mixture of multifamily, commercial, and single-family homes, all surrounding the beautiful golf course, would be a desirable addition to the City of Medford. The City Council agreed, and the Centennial property is now within the expanded UGB.

Medford's population will reach nearly 100,000 by 2035 (Coordinated Population Forecast for Jackson County...2015-2065, by the Population Research Center, Portland State University), about 18,000 more than in 2018 (US Census Bureau). In 2018, the City Council added 4,046 acres to the city's UGB to permit the construction of residential, commercial, and industrial properties to accommodate the forecast growth. The expansion included the Centennial property, now designed to include 824 (not 900) multifamily housing units to achieve minimum population density requirements.

Centennial's neighbors, especially those near the north side of the Centennial development, will bear much of the brunt of the new development, especially as caused by increased traffic. Their concerns are understandable, but I hope they can appreciate adding thousands of new residents to Medford will require some squeezing in wherever homes and businesses are built within the UGB to accommodate them, not just the area near Centennial.

While the City has to find a way to rationally provide for expected growth, part of the planning process must include ways to mitigate the impact of the growth, especially in creating adequate ways to move the increased numbers of people. This may include widening streets and taking other measures to keep traffic issues at a minimum. In other words, allowing for growth requires not only the construction of homes and businesses but also addressing the need to provide for smoother traffic flows.

I recommend the Planning Commission approve the Centennial development proposal as a very desirable way to allow for the city's growth to come. The development planners have designed a comprehensive project that will be a beautiful addition to the city while making a substantial increase to the city's economy. I think this can be done while also including planning for ways to address the concerns of the neighbors of the project.

Wayne Thomas
1 Skyline Drive, Apt. 3314
Medford OR 97504
541 847 6914



June 12, 2020

To: City of Medford Planning Commission Members

Subject: Centennial Property Annexation

File: UP-19-004/CP-20-134

Dear Planning Commissioners and Staff:

I firmly support the Rogue Valley Manor proposal to incorporate the annexation of over 400 acres, including the Centennial Golf Course and surrounding lands, into the City of Medford. This very attractive and well-located property is contiguous to residential areas within the City, as well as Rogue Valley Manor, and close to important traffic routes. It provides an excellent opportunity for Medford's expansion within the Urban Growth Boundary as decided by the City Council in 2018.

The population of the City is expected to grow approximately 20 percent in the next 15 years. Important organizations such as Asante Rogue Regional Medical Center are planning major expansions of their facilities. The location of Rogue Valley Manor's proposed development in proximity to Asante will be a positive factor for prospective residents and businesses who consider locating to the Centennial property.

Having been there myself, I very much appreciate the concerns of local residents whose properties are close to the proposed development and related expansions of traffic and infrastructure capacity. Medford does need residential and commercial capacity to meet predicted demand, and this property presents an excellent opportunity. There are important criteria for zoning and housing density, and traffic loads which benefit all of us. The proposed development plan has been well prepared.

I recommend the Commission approve Rogue Valley Manor's proposal as an excellent means of providing for Medford's growth into the future, and as an attractive and cohesive addition to the City.

Thank you.

Dan Wagner

Ernest D. Wagner Jr.
1907 Wildflower Circle
Medford, OR, 97504
541-857-6414

Sun 6/14/2020 11:00 AM
Pb canada9668@gmail.com
Thoughts on Centennial project

1601 Meadow View Drive
Medford OR 97504
June 14, 2020

Carla Paladino
Medford City Principal Planner

Dear Ms. Paladino,

We know there have been some comments in the newspaper from people opposed to development of the Centennial golf course property. Change is always difficult, and there will always be those who oppose it. But change and growth are desirable and, we would say, inevitable. With the current good solid planning behind this project, the proposed changes around Centennial will bring huge benefits to our city.

We understand this issue is coming up for official discussion, so we write to support UP-19-004/CP-20-134.

We do believe that there are many, many more supporters of this project than there are critics.

Sincerely,

Patricia Berglund

Paul R. Berglund



June 14, 2020

TO: City of Medford Planning Commission Members

Subject: Centennial Property Annexation
File No: UP-19-004/CP-20-134

We are writing in support of Rogue Valley Manor's application for annexation of Centennial property into the City of Medford.

The City of Medford wisely expanded its Urban Growth Boundary by adding more than 4000 acres to the City of Medford to comply with State law. This action by the City will provide for a planned growth over many years in anticipation of the expected 20% increase in population and resulting needs for additional housing and employment.

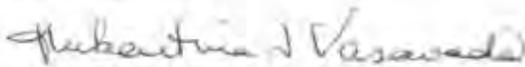
The proposed Centennial development around the existing golf course is consistent with the spirit and substance of the City of Medford's Plan and we whole heartedly support it. It will add more than 1500 single- and multi-family residences, along with commercial space for new businesses.

Medford's population has been growing steadily over the years and even as the Covid-19 pandemic continues to impact our economy. We believe that thoughtfully planned future growth will benefit the City immensely and ensure that the Rogue Valley Manor continues to be an attractive place.

Respectfully,



Ravindra C Vasavada



Hubertina J Vasavada

1622 Meadow View Drive
Medford, OR 97504



Mon 6/15/2020 6:45 PM

russey4100@gmail.com

Centennial Property Annexation - File No. UP-19-004/CP-20-134

Dear Ms. Paladino:

This refers to the above-mention File application for annexation of Centennial property to the City of Medford. Having considered various pros and cons of the issue I have come to the conclusion that such annexation will prove to be in the long-term interest of both the current and future residents of Medford. Medford environment provides a unique opportunity for socio-economic growth sorely needed and the potential exists for a win-win future for all concerned. I am assuming that the Planning Commission will take into consideration the net impact on the lives of current residents and remain optimistic that the overall result would be positive for all.

Very truly yours,

Russy D. Sumariwalla

1 Skyline Drive, Apt. 3615

Medford, OR 97504-2506

russey4100@gmail.com Please use ONLY THIS E-mail address.

541.857.6606

Humankind and Planet Earth FIRST



RECEIVED

JUN 15 2020

PLANNING DEPT.

2107 Quail Pont Cir

Medford, OR 97504-4523

June 12, 2020

Medford Planning Commission

200 S Ivy St

Medford, OR 97501

Subject: Annexation of Centennial Property.

File # UP19-004/CP-20-134

We encourage your support for the annexation of the Centennial Property.

Sincerely,



James C Ellis



Joyce B Ellis

