

PLANNING COMMISSION AGENDA AUGUST 25, 2016



Commission Members

Tim D'Alessandro
David Culbertson
Joe Foley
Bill Mansfield
David McFadden
Mark McKechnie
Patrick Miranda
Jared Pulver

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

City of Medford

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



Planning Commission

Agenda

Public Hearing

August 25, 2016

5:30 PM

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

-
10. Roll Call
20. Consent Calendar/Written Communications (voice vote)
- 20.1 ZC-16-066 Final Order of a request for change of zone on 0.42 acres from I-L (Light Industrial) to I-G (General Industrial) and change of zone on 0.42 acres from G-I to I-L within the Stewart Meadows Village Planned Unit Development (PUD). Applicant also request modifications to existing conditions of approval for the PUD development pertaining to traffic mitigation requirements. The Stewart Meadow Village PUD is 87.1 gross acres generally bounded by Stewart Avenue, Highway 99, Garfield Street and Myers Lane. (KOGAP Enterprises, Inc. Applicant; Maize & Associates, Inc., Agent)
- 20.2 LDS-16-016 Final Order of a proposed tentative plat for Larson Creek Professional Center, a, 4-lot commercial subdivision within a 1.74 acre parcel, generally located on the west side of Black Oak Drive and approximately 250 feet south of Barnett Road, within a C-C (Community Commercial) zoning district. (Capital Income Properties, LLC, Applicant; Herbert A. Farber, Agent)
30. Minutes
- 30.1 Consideration for approval of minutes from the August 11, 2016, hearing.
40. Oral and Written Requests and Communications
Comments will be limited to 3 minutes per individual or 5 minutes if representing an organization. **PLEASE SIGN IN.**
50. Public Hearings
Comments are limited to a total of 10 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. All others will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**
- Continuance Request**
- 50.1 LDP-16-055 Consideration of a request to create two lots on a 19.83 acre parcel located northeast of the intersection of Biddle Road and East Jackson Street, within a C-R (Regional Commercial) zoning district. (LBG Medford, LLC; Applicant; Neathamer Surveying, Inc., Agent). **Applicant requests a continuance to the September 8, 2016 Planning Commission meeting.**
- New Business**
- 50.2 LDS-16-070 Consideration of King Arthur Village, a 34 lot residential subdivision on 5.31 gross acres located north of Diamond Street and east of Lillian Street, within the SFR-10 (Single Family Residential, ten dwelling units per gross acre) and

the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning districts. (Dennis Sullivan, Applicant; Scott Sinner Consulting, Inc., Agent)

- 60. Reports**
- 60.1 Site Plan and Architectural Commission
- 60.2 Joint Transportation Subcommittee
- 60.3 Planning Department
- 70. Messages and Papers from the Chair**
- 80. Remarks from the City Attorney**
- 90. Propositions and Remarks from the Commission**
- 100. Adjournment**

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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-16-066 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY KOGAP ENTERPRISES INC.) **ORDER**

ORDER granting approval of a request for changing the zoning as follows:

Zone change on 0.42 acres from I-L (Light Industrial) to I-G (General Industrial) and change of zone on 0.42 acres from G-I to I-L within the Stewart Meadows Village Planned Unit Development (PUD). Applicant also request modifications to existing conditions of approval for the PUD development pertaining to traffic mitigation requirements. The Stewart Meadow Village PUD is 87.1 gross acres generally bounded by Stewart Avenue, Highway 99, Garfield Street and Myers Lane.

WHEREAS, the City Planning Commission in the public interest has given consideration to the zone change described above; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Staff Report dated August 4, 2016, and the Findings contained therein – Exhibit “A,” and Legal Description – Exhibit “B” attached hereto and hereby incorporated by reference; now, therefore,

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

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

37 1W 31A Tax Lots 2100, 2190, 2200, 2300, 2802

is hereby changed as described above.

Accepted and approved this 25th day of August, 2016.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

RECEIVED

MAY 19 2016

PLANNING DEPT.

EXHIBIT B

ZONE CHANGE FROM I-L TO I-G

Commencing at a point on the westerly line of the Southern Pacific Railroad right of way being the Southeast corner of that tract described in Instrument Number 74-04337 of the Official Records of Jackson County, Oregon, said point bearing North 89°59'22" West (record South 89°59' West), a distance of 840.08 feet (record 840.05 feet) and South 35°06'39" East (record South 35°07' East), a distance of 746.09 feet from the Northeast corner of donation Land Claim Number 45 in Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon and the POINT OF BEGINNING; thence 89°59'22" West (record South 89°59' West) along the South line of said tract, a distance of 200.00 feet, to the Southwest corner of said tract; thence North 42°50'31" West (record North 42°51' West), along the West line of said tract, a distance of 82.30 feet; thence South 0°01'49" West, leaving said West line, A distance of 24.29 feet; thence North 89°58'30" West, a distance of 35.59 feet; thence South 0°02'51" West, a distance of 140.49 feet; thence North 70°18'33" East, a distance of 309.80 feet, to the POINT OF BEGINNING.

Prepared by: Terrasurvey, Inc.
 247 Fourth Street
 Ashland, Oregon 97520

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Fred A. Frantz

OREGON
 JULY 12, 2006
 FRED A. FRANTZ
 No. 50077

Renewal 12-31-17

CITY OF MEDFORD

EXHIBIT _____
 FILE # ZC-16-066

APPLICANT'S

EXHIBIT

"1 1/2"

RECEIVED

MAY 19 2016

PLANNING DEPT.

EXHIBIT B

ZONE CHANGE FROM I-G TO I-L

Commencing at a point on the westerly line of the Southern Pacific Railroad right of way being the northeast corner of that tract described in Volume 276 at Page 94 of the Deed Records of Jackson County, Oregon, said point bearing North 89°59'22" West (record South 89°59' West), a distance of 840.08 feet (record 840.05 feet) and South 35°06'39" East (record South 35°07' East), a distance of 430.00 feet from the Northeast corner of Donation Land Claim Number 45 in Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence North 89°59'22" West (record North 89°59" West), along the North line of said tract, a distance of 14.60 feet, to the POINT OF BEGINNING; thence North 89°59'22" West (record North 89°59" West), along said North line, a distance of 243.40 feet, to the Northeast corner of said tract; thence along the west line of said tract South 42°50'31" (record South 42°51" East), a distance of 241.16 feet (record 241.08 feet) , to the Southwest corner of said tract; thence along the South line of said tract, South 89°59'22" East (record North 89°59' East), a distance of 19.87 feet; thence North 0°01'49" East, leaving said South line, a distance of 67.91 feet; thence North 35°04'30" West, a distance of 54.90 feet; thence North 54°55'30" East, a distance of 111.27 feet to the POINT OF BEGINNING.

Prepared by: Terrasurvey, Inc.
 247 Fourth Street
 Ashland, Oregon 97520

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Fred A. Frantz

OREGON
 JULY 12, 2005
 FRED A. FRANTZ
 No. 50077

Renewal 12-31-17

CITY OF MEDFORD

EXHIBIT _____
 FILE # ZC-16-066

APPLICANT'S
 EXHIBIT
 "11 2/2"

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF FOR)
)
LARSON CREEK PROFESSIONAL CENTER [LDS-16-016]) ORDER

ORDER granting approval of a request for tentative plat approval for the following:

Tentative Plat approval for Larson Creek Professional Center, a, 4-lot commercial subdivision within a 1.74 acre parcel, generally located on the west side of Black Oak Drive and approximately 250 feet south of Barnett Road, within a C-C (Community Commercial) zoning district.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and
2. The Medford Planning Commission has duly held a public hearing on the request as described above, with the public hearing a matter of record of the Planning Commission on August 11, 2016.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat on the request as described above and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat as describe above stands approved per the Staff Report dated August 4, 2016, 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 Staff Report dated August 4, 2016.

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

Accepted and approved this 25th day of August, 2016.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



Planning Commission

Minutes

From Public Hearing on August 11, 2016

The regular meeting of the Planning Commission was called to order at 5:33 PM in the City Hall Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present

Patrick Miranda, Chair
David McFadden, Vice Chair
David Culbertson
Joe Foley
Bill Mansfield
Jared Pulver

Staff Present

Jim Huber, Planning Director
Kelly Akin, Principal Planner
Kevin McConnell, Deputy City Attorney
Alex Georgevitch, City Engineer
Terri Rozzana, Recording Secretary
Desmond McGeough, Planner III

Commissioners Absent

Tim D'Alessandro, Excused Absence
Mark McKechnie, Excused Absence

10. Roll Call

20. Consent Calendar/Written Communications.

20.1 PUD-16-065 Final Order for a PUD Revision to the Delta Center Planned Unit Development to allow for the reallocation of unutilized commercial use square footage permitted and located within Phase 1 of the currently approved PUD Plan. Applicant proposes that commercial square footage permitted for the development be allowed to be sited anywhere within the boundary of the PUD as needed. Proposed PUD Revision also summarizes previously approved de minimus revisions made to the PUD project. Delta Center PUD currently consists of 22.33 net acres, generally located west and north the intersection of Crater Lake Highway (OR 62) and Delta Waters Road, and located within an I-L/PUD (Light Industrial/Planned Unit Development Overlay) zoning district. (Crater Lake Ventures LLC., Applicant; Richard Stevens & Associates, Inc., Agent)

20.2 LDS-14-112 Consideration of a request for a one-year time extension of the approval of Orchard Court Subdivision, a 7-lot residential subdivision on a 1.29 acre parcel located on the north side of Orchard Home Court, approximately 620 feet east of Orchard Home Drive within a SFR-6 (Single-Family Residential – 6 dwelling units per gross acre) zoning district. (Suncrest Homes, LLC, Applicant; Scott Sinner Consulting, Inc., Agent)

Motion: Adopt the consent calendar as submitted.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Culbertson

Voice Vote: Motion passed, 6–0.

30. Minutes

30.1. The minutes for July 28, 2016, were approved as submitted.

40. Oral and Written Requests and Communications. None.

Kevin McConnell, Deputy City Attorney, read the Quasi-Judicial Statement.

50. Public Hearings – New Business

50.1 ZC-16-066 Consideration of a request for change of zone on 0.42 acres from I-L (Light Industrial) to I-G (General Industrial) and change of zone on 0.42 acres from G-I to I-L within the Stewart Meadows Village Planned Unit Development (PUD). Applicant also request modifications to existing conditions of approval for the PUD development pertaining to traffic mitigation requirements. The Stewart Meadow Village PUD is 87.1 gross acres generally bounded by Stewart Avenue, Highway 99, Garfield Street and Myers Lane. (KOGAP Enterprises, Inc. Applicant; Maize & Associates, Inc., Agent)

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

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

Desmond McGeough, Planner III, read the zone change approval criteria and gave a staff report.

The public hearing was opened.

a. Jim Maize, Maize and Associates, Inc., P. O. Box 628, Medford, Oregon, 97501. Mr. Maize reported that he was present this evening representing KOGAP Enterprises, Inc. This application is two-fold; to move zoning and to adjust mitigation. The zone change will switch a half acre portion from I-G to I-L and I-L to I-G. Originally the conditions required mitigation at Garfield and Meyers as a four-way stop. There is a condition for signalization if Anton Drive is not connected. The applicant anticipates connection of Anton Drive. Plans have been submitted to Engineering for construction for those improvements. The reason for the zone change is that the Providence Medical Office building is going to be constructed on the corner of Stewart Avenue and Highway 99. They want to be able to lease and create a future lot. The proposed lot crosses a zoning boundary which the Medford Land Development Code does not allow.

Vice Chair McFadden asked whether KOGAP Enterprises Inc. or Hayes Oil has approached each other in terms of providing access to their property from the north

portion of Anton Drive. Mr. Maize stated that he believes they have discussed the access issue.

Commissioner Pulver asked Alex Georgevitch, City Engineer, if he could help him understand the traffic matter. When the Planned Unit Development was approved a lot of improvements to various intersections were identified based on the on-site uses as well as future traffic counts. Is that an accurate generalization? Mr. Georgevitch reported that when this project moved forward they were probably at the height of the economy prior to the crash that also led to the higher traffic counts in the City. They have not recovered to date the same traffic volumes. Also, there were several improvements made that probably have created reroutes of trips now that Holly Street is open and the south Medford interchange. It takes sometimes one to two years before people fully reroute after a major change. Anytime an applicant does a traffic analysis and down the road if something changes that they feel they can benefit from they have the right to reassess the conditions. If things have changed favorably they can request a modification to the original conditions which in this case has happened. All those conditions per their original traffic study were required based on the traffic counts at the time. Today, they are obviously much less in this area.

Commissioner Pulver asked if the on-site uses exceed the peak hour trips are they required to do a new traffic study to evaluate the impacts? Mr. Georgevitch stated yes. With a Planned Unit Development Public Works locks in the uses proposed at that time. The traffic analysis is based on those uses and trips. As things evolve and change and the change stays within the original trips of the Planned Unit Development, Public Works usually has no issue. In this case if they decide to exceed that number they would have to start from scratch.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of ZC-16-066 per the staff report dated August 4, 2016, including Exhibits A through G.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Culbertson

Voice Vote: Motion passed, 6-0.

50.2 LDS-16-016 Consideration of a proposed tentative plat for Larson Creek Professional Center, a, 4-lot commercial subdivision within a 1.74 acre parcel, generally located on the west side of Black Oak Drive and approximately 250 feet south of Barnett Road, within a C-C (Community Commercial) zoning district. (Capital Income Properties, LLC, Applicant; Herbert A. Farber, Agent)

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

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

Desmond McGeough, Planner III, read the land division criteria and gave a staff report.

Commissioner Foley stated that there are two tax lots now and the plan is to have four. Does he know where the property lines will be? Mr. McGeough reported that the exterior is the same as the two tax lots that exist today. There will be three pad lot parcels within those two tax lots.

The public hearing was opened.

a. Herbert A. Farber, 431 Oak Street, Central Point, Oregon, 97502. Mr. Farber reported that the staff report was very well done. The primary purpose of this process is to have the common area serve all three pad lots. That would allow the sale of the three business offices independently. Everything is fully developed. They are changing the lines on the map.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of LDS-16-016 per the staff report dated August 4, 2016, including Exhibits A through E.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Foley

Voice Vote: Motion passed, 6-0.

60. Reports

60.1 Site Plan and Architectural Commission.

Kelly Akin, Principal Planner reported that the Site Plan and Architectural Commission met on Friday, August 5, 2016. They considered plans for the construction of a 1,200 square foot mechanic shop, along with a 360 square foot office/bathroom accessory structure, on a 0.7 acre lot located at 1112 Bens Lane within the General Industrial zoning district. They continued the item to the next Site Plan and Architectural Commission meeting.

60.2 Report of the Joint Transportation Subcommittee.

Commissioner Pulver reported that the Joint Transportation Subcommittee has not met.

60.3 Planning Department

Kelly Akin, Principal Planner, reported that the next Planning Commission study session is scheduled for Monday, August 22, 2016. The meeting will be held in the Medford Room of City Hall. Discussions will be on National Hazards Mitigation Plan and, time permitting, Wetland regulations.

There is business scheduled for the Planning Commission on Thursday, August 25, 2016, Thursday, September 8, 2016 and Thursday, September 22, 2016.

Planning staff had no business to present to the City Council on Thursday, August 4, 2016.

Next week the City Council will hear the Urban Growth Boundary amendment for a final vote. The Planning Department received an appeal on a Site Plan and Architectural Commission decision on the JDT Trucking application. It is located on the northern end of the Urban Growth Boundary and City limit line east of Table Rock Road. The issues are similar to the 2 White Oak partition; right-of-way issues and can they do a Deferred Improvement Agreement without the deposit. The City Council will also hear this appeal next week.

70. Messages and Papers from the Chair. None.

80. Remarks from the City Attorney. None.

90. Propositions and Remarks from the Commission.

100. Adjournment

The meeting was adjourned at 6:22 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Rozzana
Recording Secretary

Patrick Miranda
Planning Commission Chair

Approved: August 25, 2016



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT – CONTINUANCE REQUEST

for a Type-C quasi-judicial decision: Land Division - Partition

PROJECT Medford Center Partition
Applicant: LBG Medford, LLC; Agent: Neathamer Surveying, Inc.

FILE NO. LDP-16-055

TO Planning Commission *for August 25, 2016 hearing*

FROM Kelly Akin, Principal Planner *ka*

DATE August 18, 2016

BACKGROUND

Proposal

Proposed tentative plat to create two lots on a 19.83 acre parcel located northeast of the intersection of Biddle Road and East Jackson Street, within a C-R (Regional Commercial) zoning district.

Request

The applicant has requested that the item be continued to September 8, 2016. The Applicant is working on a property line adjustment in lieu of this partition application. Pending the outcome of the property line adjustment application, the subject application may be withdrawn.

EXHIBITS

- A Continuance request received August 17, 2016
Vicinity map

PLANNING COMMISSION AGENDA:

AUGUST 25, 2016



NEATHAMER SURVEYING, INC.

RECEIVED

KA
AUG 17 2016

PLANNING DEPT.

August 17, 2016

Sent Via Email Only: kelly.akin@cityofmedford.org

Ms. Kelly Akin, Principal Planner
City of Medford Planning Department
Lausmann Annex, 200 South Ivy Street
Medford, Oregon 97501

Re: Continuance Request
Tentative Partition Plat
City of Medford File Number LDP-16-055

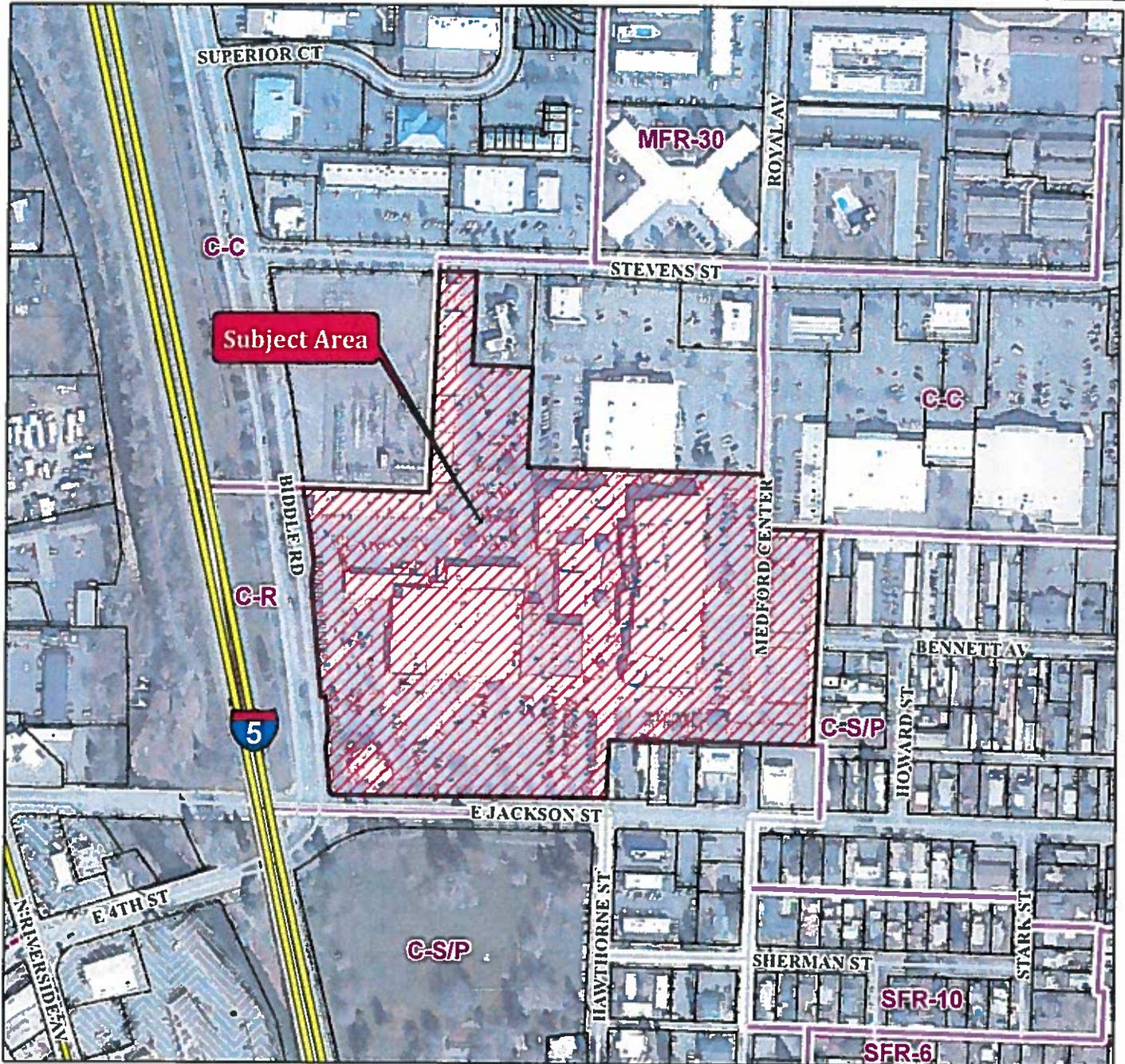
Dear Kelly:

On behalf of our clients, LBG Medford, LLC, owner and applicant, and as agent for the referenced project, this office respectfully requests a continuance to the September 8, 2016 City of Medford Planning Commission meeting.

This office would like to coordinate with you and your staff to ensure that the necessary steps are taken. If you have any questions or comments, or if additional information is necessary, please feel free to contact this office.

Sincerely,
NEATHAMER SURVEYING, INC.

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



Project Name:

Medford Center Partition

Map/Taxlot:

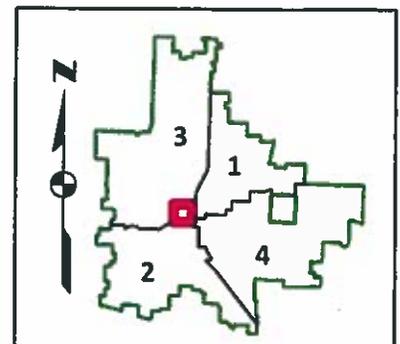
371W19CD TL 1200



04/25/2016

Legend

-  Tax Lots selection
-  Medford Zoning
-  Tax Lots
-  Streets





City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT

for a Type-C quasi-judicial decision: Land Division

PROJECT King Arthur Village
 Applicant: Dennis Sullivan; Agent: Scott Sinner Consulting, Inc.

FILE NO. LDS-16-070

TO Planning Commission *for August 25, 2016 hearing*

FROM Dustin Severs, Planner II

REVIEWER Kelly Akin, Principal Planner *KA.*

DATE August 18, 2016

BACKGROUND

Proposal

Consideration of King Arthur Village, a 34 lot residential subdivision on 5.31 gross acres located north of Diamond Street and east of Lillian Street, within the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) and the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning districts (372W36DD TL 1100, 1200, 1201, 200).

Subject Site Characteristics

Zoning: SFR-10 and SFR-6

GLUP: UR (Urban Residential)

Use: TL 1100: Single-family home and accessory structures
 TL 1200: Vacant
 TL 1201: Vacant
 TL 200: Vacant

Surrounding Site Characteristics

North Single-family residential housing, SFR-00 and SFR-6

South Single-family residential housing, SFR-00 and SFR-10

East Single-family residential housing, SFR-00 and SFR-6

West Single-family residential housing, SFR-00

Related Projects

A-02-225	Annexation
ZC-06-15	Zone Change
ZC-15-85	Zone Change

Applicable Criteria

Medford Land Development Code (MLDC) 10.270 – Land Division Criteria

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

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

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

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

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

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

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

ISSUES AND ANALYSIS

Background

The subject site is composed of four lots totaling 5.31 gross acres located within the SFR-10 zoning district, with the exception of lot 200, which is located within the SFR-6 zoning district. The subject site consists of vacant land, with the exception of lot 1100, which contains a single-family home which is planned to remain with the development.

The applicant is proposing to subdivide the property within three of the four tax lots, with tax lot 200, consisting of a 35 foot wide strip of land connecting the proposed subdivision to Garfield Street, being used solely as a stormwater detention and treatment facility to be constructed and dedicated to the City of Medford.

The applicant is requesting to develop the site as a 34 lot residential subdivision in two phases. Phase 1 will consist of lots 1-21, and Phase 2 will consist of lots 22-34. Consistent with MLDC Section 10.269 (2), the applicant is requesting the five year expiration for the phased development.

Though the submitted Tentative Plat identifies a Phase 1 and Phase 2, it is explained in the applicant's submitted Findings that the site may develop either phase or both at the same time. The applicant further explains that services will be extended within the phases as necessary; however, the stormwater detention facility identified on lot 200 will be constructed with the first phase of development.

The Tentative Plat includes several platted, yet completely unimproved rights-of-way, and is an infill development with the applicant proposing the development of three public streets within the existing platted rights-of-way, along with two proposed minimum access easements which will provide access to six lots not fronting a public street.

Proposed Streets

As identified on the submitted Tentative Plat Plan, the applicant is proposing the construction of three improved public streets as part of the development; Prospect Street, Penn Street, and Powhattan Avenue.

With the exception of the south section of Powhattan Street, the Tentative Plat shows the development of the proposed streets within the 40 foot wide rights-of-way of the original plat. All three streets will be constructed and improved to minor residential street standards in accordance with MLDC 10.430, with the exception of the section of Powhattan Avenue south of Penn Street, which will be improved to residential lane standards and is shown in the Tentative Plat to be stubbed at the easterly property line of lot 27.

Pursuant to MLDC Section 10.443, Powhattan Avenue south of Penn Street is proposed to be developed and improved as a half street.

The submitted plat shows the proposed Powhattan Avenue south of Penn Street with 27 feet of the 33 foot residential lane improved, consistent with the half street requirements.

The remainder of the street will be improved by the adjacent property owners at the time they develop.

Southwest Medford Circulation Plan

The subject site is located within the adopted Southwest Medford Circulation Plan which identifies the functional classification and location of existing and planned streets and alleys within the southwest region of the City. The applicant's Findings explain that a modification to the Southwest Circulation Plan is not requested, and that it can be found that the proposed street system will enhance circulation and connectivity, and extend urban facilities consistent with the Southwest Circulation Plan.

Minimum Access Easements

The submitted Tentative Plat includes two separate minimum access easements providing access to lots 14, 15, and 16 in the area identified as Phase 1, and lots 28, 29, and 30 in the area identified as Phase 2.

MLDC Section 10.450 reads as follows:

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

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

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

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

The applicant's Findings state the following:

The existing development and the historical platting of the original streets were created prior to the existing MLDC. The spacing between intersections and lot dimensional requirements result in the need to use the Minimum Access Easements for the subdivision.

Staff concurs with the applicant's conclusion that MLDC requirements for both intersection and dimensional standards preclude the developer's ability to subdivide the property without utilizing minimum access easements to provide access to interior lots, which is often the case for infill projects developing on older plats with grid patterns significantly larger than modern land division standards seeking to promote higher density; it is staff's view that the applicant's request to create two minimum access easements is consistent with MLDC 10.450 (b).

Public Improvements

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

Committee Comments

No comments were received from committees such as BPAC.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit E) and recommends the Commission adopt the findings as submitted.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-16-70 per the staff report dated August 18, 2016, including Exhibits A through N.

EXHIBITS

- A Conditions of Approval drafted August 18, 2016.
- B Tentative Subdivision Plat received June 29, 2016.
- C Conceptual Grading and Drainage Plan received June 29, 2016.
- D Conceptual Sewer and Water Plan received June 29, 2016.
- E Applicant's Narrative, Questionnaire, and Findings of Fact received June 29, 2016.
- F Public Works Staff Report received August 8, 2016.
- G Medford Water Commission Staff Memo received June 8, 2016.
- H Medford Fire Department Report received August 3, 2016
- I Engineering Department (Address Technician) Memo received August 3, 2016.
- J Rogue Valley Sewer Services Memo received July 22, 2016.
- K Jackson County Engineering (Roads) Memo received July 21, 2016.
- L Jackson County Assessor's Plat received June 29, 2016.
- M Adopted Southwest Medford Circulation Plan received June 29, 2016.
- N Medford Building Department Memo received August 3, 2016.
Vicinity map

PLANNING COMMISSION AGENDA:

August 25, 2016

EXHIBIT A

King Arthur Village
LDS-16-070
Conditions of Approval
August 18, 2016

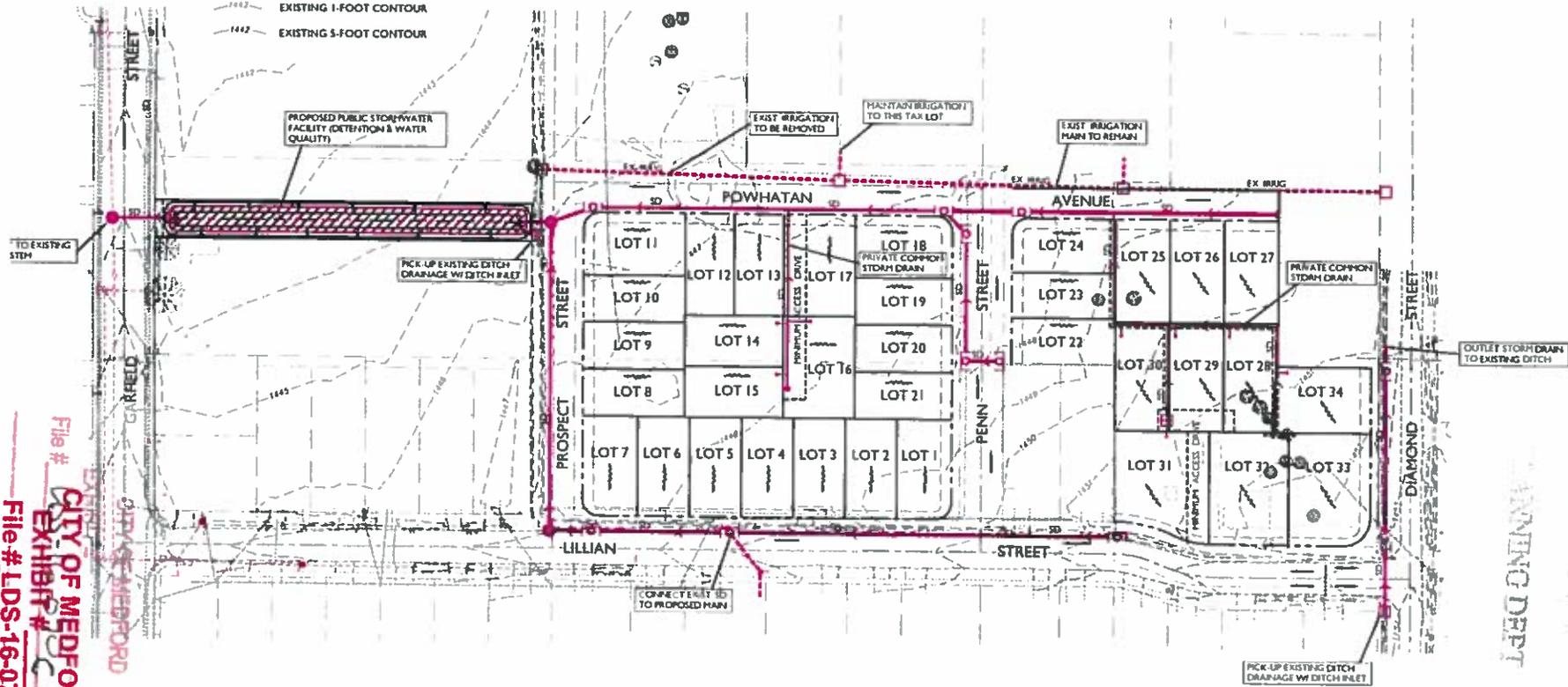
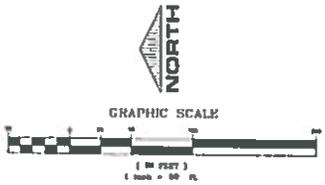
CODE REQUIRED CONDITIONS

Prior to the approval of the Final Plat, the applicant shall:

1. Comply with all conditions stipulated by Medford Public Works Department (Exhibit F).
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit G).
3. Comply with all requirements of the Medford Fire Department (Exhibit H).
4. Comply with all requirements of the Engineering and Development Section of Public Works concerning addressing (Exhibit I).
5. Comply with all conditions stipulated by the Rogue Valley Sewer Services (Exhibit J).
6. Comply with all requirements of the Jackson County Engineering Department (Exhibit K).

LEGEND

- PROPOSED STORM MANHOLE OR CLEANOUT
- ☐ PROPOSED CURB INLET
- ☐ PROPOSED CATCH BASIN
- ☐ PROPOSED DITCH INLET
- PROPOSED STORM MAIN
- - - EXISTING STORM MAIN
- DRAINAGE DIRECTION
- STREET DRAINAGE
- - - EXISTING 1-FOOT CONTOUR
- - - EXISTING 5-FOOT CONTOUR



Page 23

File # **EXHIBIT C**
CITY OF MEDFORD
 File # **LDS-16-070**

RECEIVED
 JUN 20 2014
 PLANNING DEPT

EXHIBIT C.1



P.O. BOX 3781 - MEDFORD, OREGON 97501
 PH: (541) 779-5004 - FAX: (541) 779-5130

DRAWN BY: JLS	DATE: 06/16
CHECKED BY: MTR, AMB	DATE: 06/16
	DATE:
	DATE:
	DATE:
	DATE:

NO.	REVISION	DATE	BY



CITY OF MEDFORD

KING ARTHUR VILLAGE

CONCEPTUAL GRADING & DRAINAGE PLAN

PROJECT NO. _____

DATE: 06/16/14

DRAWING MADE BY: JLS - DATE: 06/16/14 - PROJECT NO. 16-30 - SHEET 24 OF 25

23

LEGEND

- EXISTING WATER MAIN
- EXISTING FIRE HYDRANT
- PROPOSED WATER MAIN
- PROPOSED FIRE HYDRANT
- PROPOSED SEWER MANHOLE OR CLEANOUT
- PROPOSED SANITARY SEWER MAIN
- EXISTING SANITARY SEWER MAIN
- EXISTING POWER LINE
- EXISTING GAS LINE

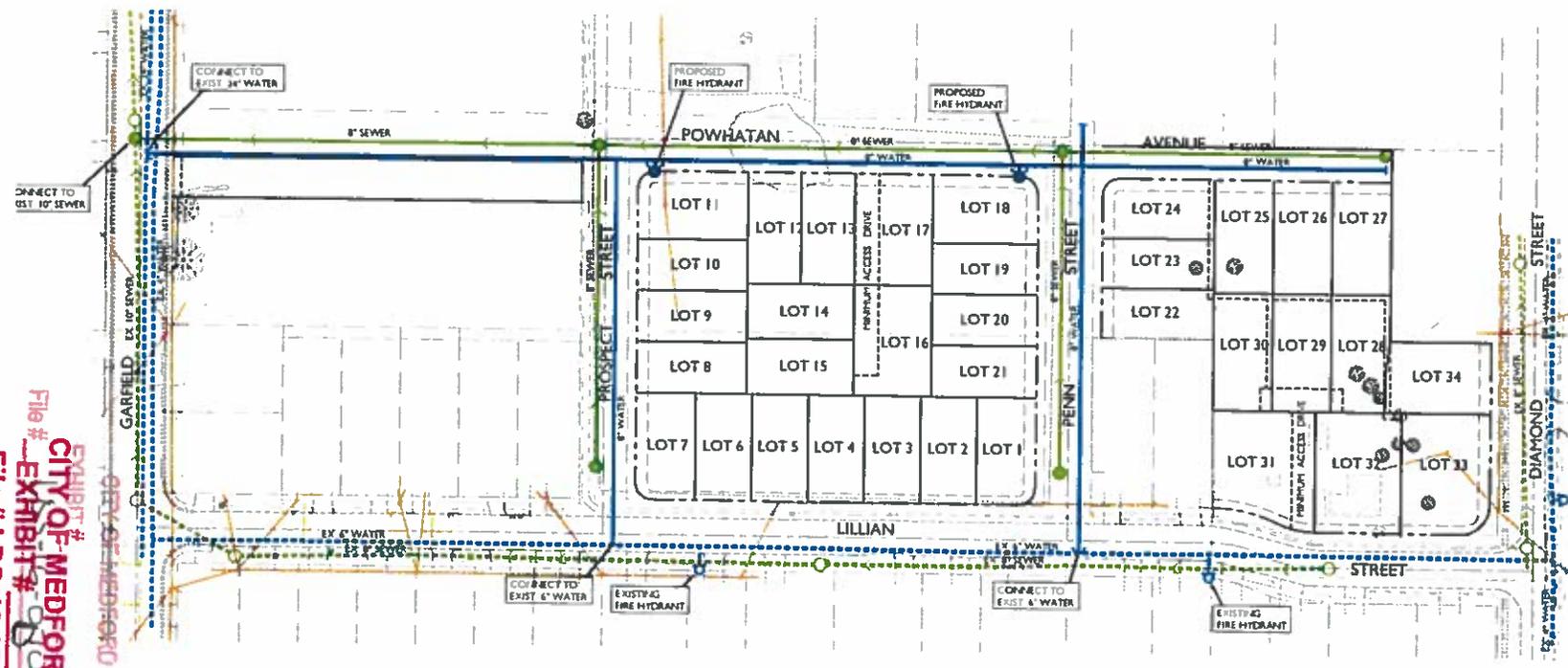


GRAPHIC SCALE:



Page 24

EXHIBIT # MEDFORD
 File # _____
 EXHIBIT # _____
 File # LDS-16-070



RECEIVED
 JUN 29 2014
 RECEIVED
 PLANNING DEPT

EXHIBIT C2



P.O. BOX 1724 - MEDFORD, OREGON 97501
 PH. (541) 779-0880 - FAX (541) 779-1130

DRAWN BY: OLC	DATE: 06/16
CHECKED BY: WMC, AMB	DATE: 06/16
	DATE:
	DATE:
	DATE:
	DATE:

NO.	REVISION	DATE	BY



CITY OF MEDFORD
 KING ARTHUR VILLAGE
 CONCEPTUAL
 SEWER & WATER PLAN

DRAWING NAME: KING ARTHUR VILLAGE PROJECT NO.: 14-34 PLOT DATE: 06/22/14

MT

FINDINGS OF FACT

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

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

IN THE MATTER OF AN APPLICATION FOR)	
LAND DIVISION OF PROPERTY IDENTIFIED AS)	FINDINGS OF FACT
T37-R2W-36DD-TL 1100, 1200, 1201)	AND
DENNIS SULLIVAN OWNER / APPLICANT)	CONCLUSIONS
<u>SCOTT SINNER CONSULTING, INC. AGENT</u>)	OF LAW

RECEIVED
 JUN 29 2015
 PLANNING DEPT

I. BACKGROUND INFORMATION

Applicant:

Dennis Sullivan
 1895 Rossanley Drive
 Medford, OR 97501
 ddsulli7@gmail.com

Agent:

Scott Sinner Consulting, Inc.
 4401 San Juan Dr. Suite G
 Medford, OR 97504
 scottsinner@yahoo.com

Property 1:

37 2W36 DD TL 1100
 Dennis and Diane Sullivan
 734 Diamond Street
 Medford, OR 97501
 SFR-10 current zoning
 1.90 Net acreage

Property 2:

37 2W36 DD TL 1200
 Dennis and Diane Sullivan
 Powhatan Street
 Medford, OR 97501
 SFR-10 current zoning
 1.19 Net acreage

CITY OF MEDFORD
 EXHIBIT # _____
~~CITY OF MEDFORD~~
 EXHIBIT # E
 File # LDS-16-070

Property 3:

37 2W36 DD TL 1201
Dennis and Diane Sullivan
Lillian Street
Medford, OR 97501
SFR-10 current zoning
1.19 Net acreage

Property 4:

37 2W36 DD TL 200
Dennis and Diane Sullivan
Garfield Street
Medford, OR 97501
SFR-6 current zoning
.28 Net acreage

Project Summary:

Properties 1, 2 and 3 are currently zoned SFR-10 units per acre and the applicant seeks approval for this application for a phased land division containing 34 lots conforming to the standards of the Medford Land Development Code (MLDC). Property 4 is within the SFR-6 zoning district and will be used for a stormwater detention and treatment facility to be constructed and dedicated to the City of Medford. The net acreage of the subject properties totals 4.28 acres and the gross acreage is 5.31 acres.

The subject properties are undeveloped with the exception of a dwelling on TL 1100, which will remain. The Tentative Plat submitted with this application includes several platted, yet completely unimproved rights of way. The plat was developed to utilize these platted rights of way and develop a street circulation pattern consistent with the current MLDC and the adopted Southwest Circulation Plan.

When the properties proposed in this plat are developed, plus all of the existing development and the remaining redevelopable properties in the vicinity are developed to the densities provided in the MLDC the total number of dwelling units will be less than 100 units which is within the capacities for the minor residential street classification for Lillian Street, Powhatan Avenue, Penn Street, and Prospect Street. Powhatan Avenue south of Penn street is proposed as a residential lane.

The original platted street patterns and the existing development in this area have resulted in infill development for these properties. All proposed lots confirm to the Lot design standards provided in the MLDC. Two Minimum Access Easements (MAE) are proposed to provide access for three lots per MAE as allowed by the MLDC.

The tentative plat proposed the development of Lillian Street as a minor residential street with a 55 foot right of way. The existing right of way is 60 feet. The tentative Plat submitted includes a street section suitable for the existing 60 foot right of way.

Approval Criteria

The Medford Land Development Code (MLDC) Section 10.270 contains the approval criteria for land divisions:

10.270 Land Division Criteria

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

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

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

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

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

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

FINDINGS OF FACT

(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

(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;

This application is submitted to comply with the Land Division Criteria contained within the City of Medford Land Development Code (MLDC). The net acreage of the four properties is 4.56 acres. Properties 1, 2, and 3 are within the SFR-10 zoning district, Property 4 is within the SFR-6 zoning district. Property 4 will be developed with a stormwater detention and treatment facility and dedicated to the City.

The application contains a tentative plat for a 34 lot subdivision in two phases. MLDC section 10.269 (2) provides for a 5 year expiration of a phased development upon request by the applicant and the Applicant does request the 5 year expiration. The Tentative Plat is labeled Phase 1 and Phase 2 and the applicant may develop either phase or both at the same time. Appropriate services will be extended within the phases as necessary. The stormwater facility on Property 4 will be developed with the first phase developed.

The Council has adopted the TSP and the Southwest Circulation Plan. The proposed plat is consistent with the Southwest Circulation plan and the existing street pattern in the area. The public streets that will be improved with this subdivision will provide for the extension on urban services to other parcels in the vicinity.

The TSP provides standards for the classification of public streets. Lilian Street is currently partially improved within a 60 foot right of way (ROW). The TSP describes a minor residential street with a 55 foot ROW and a capacity to serve less than 100 dwelling units. The Applicant reviewed the Lillian Street Classification with the City Engineer and it was determined the minor residential street classification is appropriate.

The lots proposed with the tentative plat are consistent with the design standards for the SFR-10 zoning district as described in Chapter 10 of the MLDC.

The properties are not within an area of high slope and are not subject to the requirements of the Hillside Ordinance within the MLDC.

Conclusions of Law

FINDINGS OF FACT

The Approving Authority can conclude the application is consistent with the Comprehensive plan, the Transportation System Plan, the Medford Land Development Code and all other adopted plans within the City of Medford.

(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;

The subject property is 4.56 acres and contains an existing dwelling and several accessory buildings which are identified on the plat to remain or be removed. The entire area of the subject properties are proposed for urban development with this application.

The existing development on surrounding properties is a mixture of single family development on small lots developed at or near current MLDC densities and several larger parcels with somewhat rural development patters established more than 60 years ago.

The approval of this application will develop several existing 40 foot rights of way to current minor residential street standards. These public streets will provide access for adjoining parcels as well as extending of urban Category A facilities including storm drainage, sanitary sewer and domestic water facilities to be developed to the current standards for each. Streets will be stubbed and or developed with ½ street improvements which will allow adjoining properties to have access to urban facilities

Conclusions of Law

The Approving Authority can conclude the application develops the entire subject property and does not prevent the development of any adjoining properties.

(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;

The Tentative Plat submitted with this application bears the name King Arthur Village and is a unique name within the City of Medford.

Conclusions of Law

FINDINGS OF FACT

The Approving Authority can conclude the subdivision is proposed with a unique name for subdivisions within the City of Medford.

(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 City Council has adopted the Southwest Circulation Plan and this plat is consistent with the adopted plan. The plat provides circulation, connectivity and the extension of urban facilities consistent with the Southwest Circulation Plan and the MLDC.

This application does not seek a modification to the adopted Southwest Circulation Plan.

Conclusions of Law

The Approving Authority can conclude the Tentative Plat submitted with this application is consistent with existing and planned street patterns in the vicinity.

(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 Tentative Plat submitted with this application proposes the development, or partial development of Diamond Street, Lillian Street, Penn Street, Prospect Street and Powhatan Street as public streets. Powhatan Avenue south of Penn Street is proposed as a residential lane. The approval of this application will develop 27 feet of the 33 foot residential lane with the remainder of the improvement to be improved by the adjacent property owners at the time they develop.

The Plat includes two Minimum Access Easements, which are not public streets. The existing development and the historical platting of the original streets were created prior to the existing MLDC. The spacing between intersections and lot dimensional requirements result in the need to use the Minimum Access Easements for the subdivision.

Conclusions of Law

The Approving Authority can conclude Minimum Access Easement identified on the Tentative Plat is appropriately notated to be consistent with the MLDC.

(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 property is not adjoining any agricultural lands within the Exclusive Farm Use zoning district and there will be no land use conflicts with any adjoining agricultural lands as a result of the approval and development of the proposed subdivision.

Conclusions of Law

The Approving Authority can conclude the approval of this application will not cause an unmitigated land use conflict with any adjoining agricultural lands.

Additional Criteria

MLDC 10.450

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.

Findings of Fact

The tentative plat submitted with this application includes a Minimum Access Easement (MAE) to provide access to lot 14, 15, and 16 and another MAE to provide access to lots 28, 29, and 30.

The Proposed Plat develops the streets in the location of the original platted streets. The original grid pattern of the streets was significantly larger than the grid patterns typically proposed with today's MLDC standards.

The MAE providing access to Lots 14, 15, and 16 is necessary to serve the interior area of the original large block. Full circulation and connectivity is provided, however doing so requires a MAE for interior lot access. The MAE also will collect and convey the storm drainage for these lots.

FINDINGS OF FACT

The MAE providing access for Lots 28, 29, and 30 is constrained by existing development. The MLDC standards for intersection spacing preclude development of a suitable dedicated street pattern to serve these lots, leaving a MAE as the available option to provide access for these lots.

Conclusions of Law

The Approving Authority can conclude the application is consistent with 10.450 (1) (b) as the existing development of adjacent properties precludes street connections and it is not possible to create a street pattern which meets the design requirements for streets.

Block Length Ordinance

The City of Medford has amended the MLDC to include 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*
- 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.*

FINDINGS OF FACT

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.*

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

FINDINGS OF FACT

- 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.*
 - 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

FINDINGS OF FACT

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

The approval of this application will improve several platted yet undeveloped rights of way including segments of Prospect Street, Penn Street and Powhattan Avenue.

The subject properties are located within a large block between Kings Highway, Garfield Street, Diamond Street and Lillian Avenue.

As stated above, the approval of this plat will develop several platted rights of way to the standards of the current MLDC. These streets will allow adjacent properties to be developed to fully comply with the block length standards of the Code.

There are multiple taxlots east of the area of the proposed plat, which typically increases the difficulty of creating circulation pattern in areas of existing development. In this instance, there are three tracts of land with multiple tax lots under common ownership. This ownership pattern greatly facilitates future development at urban densities.

The plat submitted with this application proposes the extension of Powhatan as a residential lane. This extension could be extended as either a residential lane or a minor residential street by the property to the east for connectivity and frontage for future development. The future extension on Penn Street to Kings Highway would provide access for future development of the two tracts north and south of the potential future right of way.

The image above clearly demonstrates the potential to create a street pattern for the vicinity in conformance with the Block Length Ordinance. The combination of existing improved rights of way, existing unimproved rights of way and the new right of way



proposed with this plat will allow adjoining property owners to complete full circulation patterns with future development.

Conclusions of Law

The Planning Commission can conclude the block length proposed with this application complies with the block length standards of the MLDC.

10.454 Neighborhood Circulation Plan, Adoption

Neighborhood circulation plans developed for areas of the City and urbanizable area shall be adopted as amendments to the Medford Comprehensive Plan and Medford Street Functional Classification Plan Map. Such neighborhood circulation plans shall identify the functional classification and location of existing and planned streets and alleys and applicable objectives and policies, if any, as well as planned circulation for pedestrians, bicyclists, and transit users. Transportation system design standards shall be applied as per this code, unless alternative standards are provided by the adopted neighborhood circulation plan.

Findings of Fact

The approval of this application will develop and improve 3 platted streets, Prospect Avenue, Penn Street and Powhatan Avenue. The pattern is consistent with the adopted Southwest Circulation Plan

Conclusions of Law

The Planning Commission can conclude the application is consistent with the adopted Southwest Circulation plan and is consistent with MLDC section 10.454.

Application Summary and Conclusions

This application for a land division is consistent with all approval criteria established by the MLDC.

The proposed street circulation pattern is consistent with the adopted Southwest Circulation plan and the Transportation System Plan and all other adopted plans.

The construction of the proposed land division will allow for the extension urban services to the site and provide adjoining property owners with development opportunities.

FINDINGS OF FACT

The lot dimensions and design standards are consistent with the requirements of the SFR-10 zoning district and the application has demonstrated compliance with the standards for urban development. The development proposed with this application will have no impact on areas utilized for farm use.

On behalf of the applicant, I respectfully request the approval of the application for Tentative Plat approval of the King Arthur Subdivision.

Regards,

Scott Sinner, President
Scott Sinner Consulting, Inc.



Continuous Improvement Customer Service

CITY OF MEDFORD

Revised Date: 8/08/2016
File Numbers: LDS-16-070

PUBLIC WORKS DEPARTMENT STAFF REPORT **King Arthur Village Subdivision**

- Project:** Consideration of King Arthur Village, a 34 lot residential subdivision on 5.31 gross acres.
- Location:** Located north of Diamond Street and east of Lillian Street, within the SFR-10 (Single Family Residential, ten dwelling units per gross acre) and the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning districts (372W36DD TL 1100, 1200, 1201).
- Applicant:** Dennis Sullivan, Applicant (Scott Sinner Consulting, Inc. Agent). Dustin Severs, Planner.

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

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

Garfield Street is classified as a Minor Arterial street, and has recently been improved as part of the City of Medford's Capital Improvement Project (P1665D). **Therefore, no additional right-of-way is required.**

Diamond Street is classified as a Major Collector street within the MLDC, Section 10.428(3).

The developer shall dedicate for public right-of-way, sufficient width of land along the Diamond Street frontage of this proposed subdivision to comply with the half width of right-of-way for a Major Collector Street, which is 37-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

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

Lillian Street is classified as a Minor Residential street within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this proposed subdivision to comply with the half width of right-of-way, which is 27.5-feet. Based upon the tentative plat, there is currently 60-feet of existing right-of-way. **Therefore, no additional right-of-way is required.**

Penn Street is proposed as a Minor Residential street with a right-of-way width of 55-feet, consistent with the standard prescribed by MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this proposed subdivision (north side, opposite Tax Lot 1101) to comply with the half width of right-of-way, which is 27.5-feet. From the easterly edge of Tax Lot 1101 and heading east to the intersection of Powhatan Avenue, the Developer shall dedicate the full 55-foot width of right-of-way. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

Prospect Street is proposed as a Minor Residential street with a right-of-way width of 55-feet, consistent with the standard prescribed by MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this proposed subdivision 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.**

Powhatan Avenue (north of Penn St.) is proposed as a Minor Residential street with a right-of-way width of 55-feet, consistent with the standard prescribed by MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this proposed subdivision 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.**

Powhatan Avenue (south of Penn St.) is proposed as a Residential Lane with a right-of-way width of 33-feet, consistent with the standard prescribed by MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this proposed subdivision to provide for half of the street improvements including curb, gutter and sidewalk on the west side plus 9-feet east of the centerline of the paved street. The amount of right-of-way needed appears to be 28-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

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

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

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

Garfield Street is currently improved in partial conformance to Minor Arterial street standards, which were recently completed as part of the City of Medford's Capital Improvement Project (P1665D). Therefore, no additional improvements are required along the frontage of this development.

Diamond Street shall be improved to Major Collector street standards with a 44-foot wide paved section, complete with curbs, gutters, 10-foot wide planter strip and 5-foot wide sidewalks and street lights in accordance with MLDC 10.428. The Developer shall improve the north half plus 12-foot south of centerline, or to the far edge of the existing pavement, whichever is greater, along the frontage of this development.

Lillian Street shall be improved to Minor Residential street standards with a 28-foot wide paved section, complete with curbs, gutters, 5-foot wide sidewalks, 8-foot wide planter strip and street lights in accordance with MLDC 10.430. The Developer shall improve the east half plus 12-foot west of the centerline, or to the far edge of the existing pavement, whichever is greater, along the frontage of this development.

Penn Street shall be improved to Minor Residential street standards, along the frontage of this development, in accordance with MLDC 10.430. The Developer shall improve the north half (opposite tax lot 1101) plus 12-foot south of centerline for the westerly portion and the entire full width or section from the easterly edge of Tax Lot 1101 to the intersection of Powhatan Avenue (easterly portion).

Prospect Street shall be improved to Minor Residential street standards in accordance with MLDC 10.430. The Developer shall improve the south half plus 12-foot north of centerline, along the frontage of this development.

Powhatan Avenue (north of Penn St.) shall be improved to Minor Residential street standards in accordance with MLDC 10.430, from Garfield Street south to Penn Street. The Developer shall improve the west half plus 12-feet east of center line, along the frontage of this development.

Powhatan Avenue (south of Penn St.) shall be improved to Residential Lane standards in accordance with MLDC 10.430, from Penn Street south to north boundary of Tax Lot 1000. The Developer shall improve the west half, including curb, gutter and sidewalk plus 8-feet east of center line, along the frontage of this development.

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

b. Street Lights and Signing

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

Street Lighting & Signage - Developer Provided & Installed

- A. 2 – 200W HPS Street Lights over Diamond Street (Overhead power modification to accommodate street light clearance)
 - a. 1 – Base Mounted Cabinet (BMC) for Diamond Street lights
- B. 14 – 100W HPS Street Lights
- C. 6 – Street Name Signs
- D. 3 – Barricades
- E. 2 – Stop Signs
- F. 2 – Speed Limit Signs
- G. 1 – Dead End Sign

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

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

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

c. Pavement Moratoriums

There is a pavement cutting moratorium currently in effect along the frontage to Garfield Street, which is set to expire October 9th, 2017. No other moratoriums are in effect along the remaining frontage of this development.

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.

e. Access to Public Street System

Diamond Street is classified as a Major Collector Street, therefore lot 33 may not take direct vehicular access from Diamond Street, per MLDC Section 10.383. Lot 34 may take direct vehicular access but must place driveway along the edge of tax lot 1000.

In accordance with MLDC 10.450 and 10.430A(1), lots 14, 15 and 16 and lots 28, 29 and 30 shall take access via a 20-foot wide minimum access easement. The Developer shall record a shared access maintenance agreement for the mutual benefit and responsibility of all the respective parcels, including the maintenance of stormwater run-off from the asphalt.

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.

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.

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.

Diamond Street is classified as a Major Collector street per the adopted Circulation Plan. It is the primary connector between Kings Highway and S Columbus Avenue. As a Major Collector, Diamond Street will have one travel lane in each direction, a center-turn median, bike lanes in each direction, and sidewalks. It will provide safe travel for vehicles, bicycles, and pedestrians. As a higher order street, it is eligible for street SDC credits for both the right-of-way and roadway improvements, per MMC, Section 3.815 (5). Street SDC’s 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.

Lillian Street, Penn Street, Prospect Street and Powhatan Avenue: In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square foot of right-of-way per dwelling unit for dedications. It

should be noted that Diamond is not part of the calculations because it is a collector street and subject to Street SDC credits for construction and right-of-way dedications. The proposed development has 34 dwelling units and will improve approximately 2,436 lineal feet of roadway which equates to 72 lineal feet per dwelling unit. Also the development will dedicate approximately 17,622 square feet of right-of-way which equates to approximately 518 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Orchard Court Subdivision just west of this development between Diamond St. and Orchard Home Court and consisted of 7 dwelling units. The previous development improved approximately 430 lineal feet of roadway and dedicated approximately 10,800 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 61 lineal feet of road per dwelling unit and approximately 1,543 square feet of right-of-way per dwelling unit.

- a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 34 Lots within the City of Medford and increase vehicular traffic by approximately 324 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. Each Lot in this development will have direct access to a public street with facilities that will allow for safe travel for vehicles, bicycles and pedestrians. There is also sufficient space for on-street parking. 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 connecting streets will decrease emergency response times and provide emergency vehicles alternate choices in getting to an incident and reducing miles traveled.
- e. 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.
- f. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated and improved for this development is necessary and roughly proportional to that required in previous adjacent developments to provide a transportation system that meets the needs for urban level services.

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

B. SANITARY SEWERS

This site lies within the Rogue Valley Sanitary Sewer (RVSS) service area. Contact RVSS for availability and connection. A separate individual sanitary sewer lateral shall be constructed to each lot prior to approval of the Final Plat.

C. STORM DRAINAGE

1. Hydrology

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

2. Stormwater Detention and Water Quality Treatment

This development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual per MLDC, Section 10.481.

Upon completion of the project, the developer's design engineer shall provide written certification to the Engineering Division that the construction of the controlled storm water release drainage system was constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to certificate of occupancy of the new building.

3. Grading

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

4. Mains and Laterals

The Developer shall show all existing and proposed Storm Drain mains, channels, culverts,

outfalls and easements on the Conceptual Grading and Drainage Plan and the final Construction Plans.

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

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

All public storm drain mains shall be located in paved public streets or within easements. All manholes shall be accessible by paved, all-weather roads. All easements shall be shown on the Final Plat and the public improvement plans.

5. Erosion Control

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

6. Irrigation

Irrigation facilities are located throughout this development, running parallel to Lillian Street, Diamond Street and Powhatan Avenue. These facilities shall be piped and covered as part of the improvements along this frontage or it shall be relocated out of the public right-of-way. The Developer's engineer shall determine adequate sizing for the pipe and will need to coordinate and obtain approval from the governing irrigation district and the City of Medford Engineering Department prior to installing.

D. SURVEY MONUMENTATION

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

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

All public improvements shall be constructed in accordance with the "Engineering Design Standards for Public Improvements", adopted by the Medford City Council. Copies of this document are available in the Public Works Engineering 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 Tentative Plat shows that this subdivision will be developed in phases. Any public improvements needed to serve a particular phase shall be improved at the time each corresponding phase is being developed. Public improvements not necessarily included within the geometric boundaries of any given phase, but are needed to serve that phase shall be constructed at the same time. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase.

4. Draft of Final Plat

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

5. 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 (SDC)

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

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

7. Construction and Inspection

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

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

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

Prepared by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

King Arthur Village Subdivision

LDS-16-070

A. Streets

1. Street Dedications to the Public:

- No additional right-of-way is required on **Garfield Street**.
- Dedicate additional right-of-way on **Diamond Street**.
- No additional right-of-way is required on **Lillian Street**.
- Dedicate additional right-of-way on **Penn Street**.
- Dedicate additional right-of-way on **Prospect Street**.
- Dedicate additional right-of-way on **Powhatan Avenue**.
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- No additional improvements are required on **Garfield Street**.
- Improve **Diamond Street** half plus 12-feet, to Major Collector street standards.
- Improve **Lillian Street** half plus 12-feet, to Minor Residential street standards.
- Improve **Penn Street** half plus 12-feet on the westerly portion and full width on the easterly portion, to Minor Residential street standards.
- Improve **Prospect Street** half plus 12-feet, to Minor Residential street standards.
- Improve **Powhatan Avenue** half plus 12-feet, to Minor Residential street standards north of Penn St. and to Residential Lane standards from Penn Street south.

Lighting and Signing

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

Other

- Provide pavement moratorium letters.
- Provide soil testing.
- No direct access to Lot 33 from Diamond Street.

B. Sanitary Sewer:

- Provide private laterals to each lot. Located in RVSS District.

C. Storm Drainage:

- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide Erosion Control Permit from DEQ.
- Pipe irrigation canal and drainage ditches or relocate out of right-of-way.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

- Provide public improvement plans and drafts of the final plat.

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-16-070

PARCEL ID: 372W36DD TL's 1100, 1200, 1201

PROJECT: Consideration of King Arthur Village, a 34 lot residential subdivision on 5.31 gross acres located north of Diamond Street and east of Lillian Street, within the SFR-10 (Single Family Residential, ten dwelling units per gross acre) and the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning districts. (372W36DD TL 1100, 1200, 1201); Dennis Sullivan, Applicant (Scott Sinner Consulting, Inc. Agent). Dustin Severs, Planner.

DATE: August 3, 3016

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 Powhatan Avenue between Garfield Street (connect to 24" water line) and shall terminate at the south property line of Lot 27.
4. Installation of an 8-inch water line is required in Prospect Street (between Lillian St and Powhatan Ave); and also in Penn Street (between Lillian St and Powhatan Ave).
5. Proposed Lots that are accessed via a minimum access easement (MAE) are required to have the water meters installed in the public right-of-way adjacent to the entrance to the MAE.
6. Applicants' civil engineer shall coordinate with Medford Fire Department for fire hydrant locations.

COMMENTS

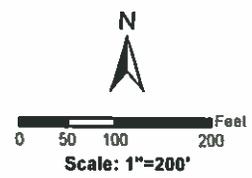
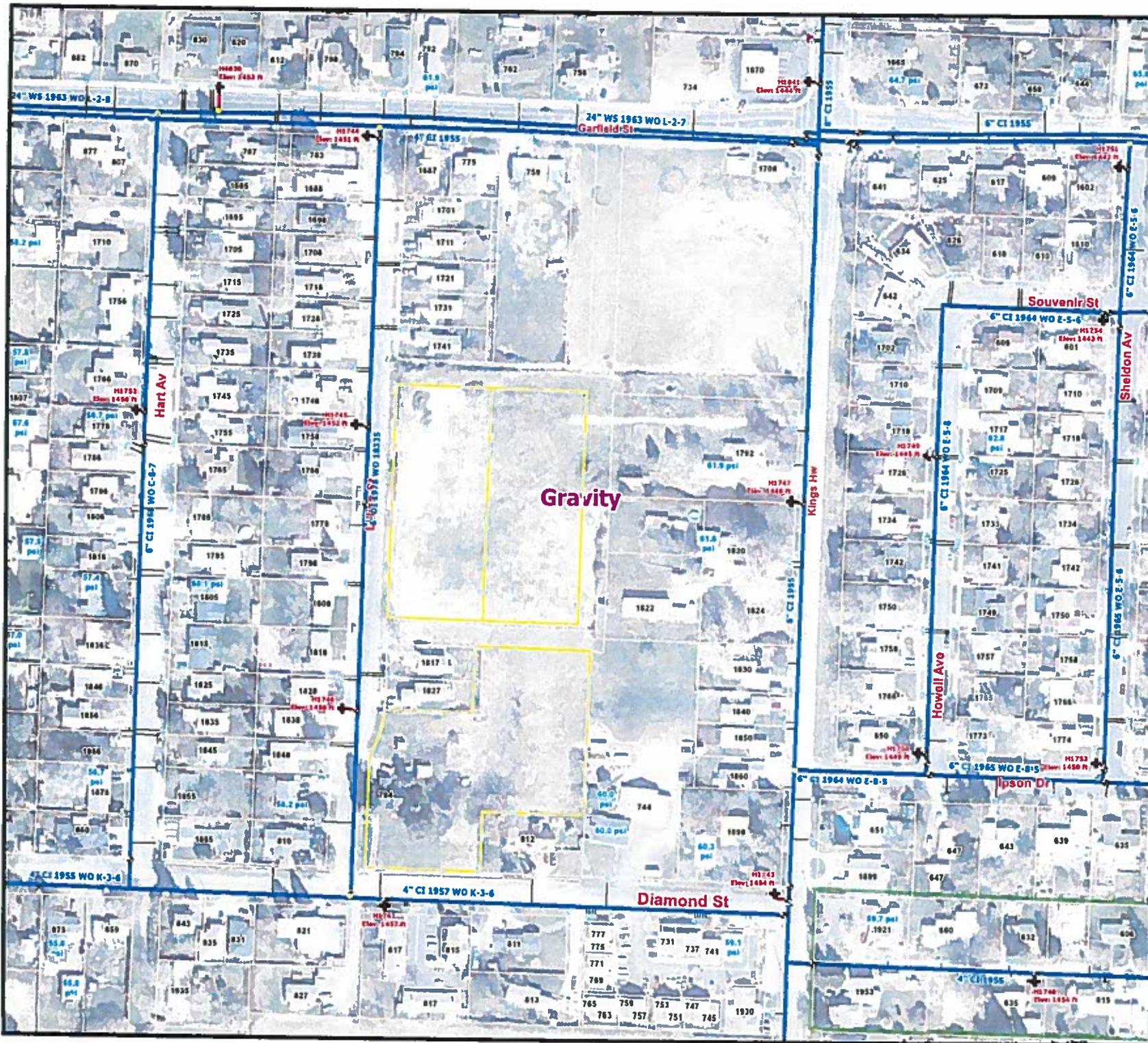
1. Off-site water line installation is required between Prospect Street and Garfield Street.
2. On-site water facility construction is required. (See Condition 3 & 4)
3. MWC-metered water service does not exist to these properties at this time.



BOARD OF WATER COMMISSIONERS

Staff Memo

4. Static water pressure is approximately 60 psi.
5. Access to MWC water lines is available. There is an existing 24-inch water transmission line and an existing 4-inch water line in Garfield Street. There is an existing 6-inch water line in Lillian Street, and there is an existing 4-inch water line in Diamond Street.



Water Facility Map for LDS-16-070

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 orthorectified satellite image. Medford Water Commission is not responsible for errors or omissions in published drawings. Users are advised to verify all information against ground truth.



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

LAND DEVELOPMENT REPORT - PLANNING

To: City of Medford Public Works

LD Meeting Date: 08/03/2016

From: Greg Kleinberg

Report Prepared: 07/25/2016

Applicant: Dennis Sullivan, Applicant (Scott Sinner Consulting, Inc. Agent)

File #: LDS - 16 - 70

Site Name/Description: King Arthur Village

Consideration of King Arthur Village, a 34 lot residential subdivision on 5.31 gross acres located north of Diamond Street and east of Lillian Street, within the SFR-10 (Single Family Residential, ten dwelling units per gross acre) and the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning districts. (372W36DD TL 1100, 1200, 1201); Dennis Sullivan, Applicant (Scott Sinner Consulting, Inc. Agent). Dustin Severs, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
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Requirement MINIMUM ACCESS ADDRESS SIGN

OFC

505

For Lot #'s 14-16 and 28-30:

The developer must provide a minimum access address sign. A pre-approved address sign can also be utilized. A brochure is available on our website or you can pick up one at our headquarters.

Requirement "NO PARKING-FIRE LANE" SIGNS REQUIRED

OFC

503.3

Parking shall be posted as prohibited along the unfinished sides of Powhatan Ave. and Prospect St. until the streets are fully built out. Parking shall be posted as prohibited along the south side of Penn St. where driveways cannot be clustered and offset. Parking shall be posted as prohibited along both sides of the minimum access drives.

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 TOW AWAY ZONE ORS 98.810 to 98.812" (See handout).

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 or you can pick up one at our headquarters.

Requirement FIRE HYDRANTS

OFC

508.5

Fire hydrants with reflectors will be required for this project.

CITY OF MEDFORD
EXHIBIT # H
File # LDS-16-070
Page 1



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Applicant: Dennis Sullivan, Applicant (Scott Sinner Consulting, Inc. Agent)

File #: LDS - 16 - 70

Site Name/Description: King Arthur Village

Fire hydrant locations shall be as follows: Three (3) new fire hydrants are required for this project: One near the corner of Prospect/Powhattan near lot #11; One near the corner of Powhattan/Penn in front of lot #18; One on Powhattan in front of lots 26/27.

The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Plans and specifications for fire hydrant system shall be submitted to Medford Fire Department for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).

Requirement MEDFORD CODE STREET DESIGN OPTIONS

MEDFORD

10.430

Section 10.430 of the Medford Code states the following:

In order to ensure that there is at least twenty (20) feet of unobstructed clearance for fire apparatus, the developer shall choose from one of the following design options:

- (a) Clustered, offset (staggered) driveways (see example) (design approved by Fire Department), and fire hydrants located at intersections with the maximum fire hydrant spacing along the street of 250-feet.
- (b) All dwellings that front and take access from minor residential streets to be equipped with a residential (NFPA 13D) fire sprinkler system, and fire hydrants located at intersection with the maximum fire hydrant spacing along the street of 500-feet.
- (c) Total paved width of 33-feet with five-and-a-half (5 ½) foot planter strips.

The Oregon Fire Code requires: "Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches" (OFC 503.2.1). "The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established in Section 503.2.1, shall be maintained at all times." (OFC 503.4).

When the clustered-offset driveway option is chosen, a note indicating driveway locations shall be included on the final plat. In areas where the clustered-offset option cannot be utilized because of lot layout, parking restrictions may apply in certain areas and No Parking - Fire Lane signs may be required.



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LAND DEVELOPMENT REPORT - PLANNING

To: City of Medford Public Works

LD Meeting Date: 08/03/2016

From: Greg Kleinberg

Report Prepared: 07/25/2016

Applicant: Dennis Sullivan, Applicant (Scott Sinner Consulting, Inc. Agent)

File #: LDS - 16 - 70

Site Name/Description: King Arthur Village

Minor residential streets have a 28 foot paved surface. When vehicles are parked on both sides of the street there is 14 feet for fire department access, which is considerably less than the 20 foot requirement. Fire department pumper are approximately 9 feet wide, this leaves approximately 2.5 feet on each side to remove equipment, drag hose, etc. We normally dispatch 3 fire engines and the ladder truck to all reported structure fires. The 14 feet becomes so congested that fire engines and or ambulances are required to back-up to leave the fire scene. Sometimes the on scene equipment is dispatched to another alarm. This backing up slows response times. The citizens of the City of Medford have certain expectations that when they require our assistance we will arrive in a timely manner. With a 20 foot clear and unobstructed width engines are able to pass on the side when necessary to respond to another incident or clear to return to their assigned area.

Requirement FD APPARATUS ACCESS ROAD DESIGN

OFC

503.2.1

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under section 503.2.1, shall be maintained at all times. The fire apparatus access road shall be constructed as asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 60,000 pounds.

(See also OFC 503.4; D102.1)

The turning radius on fire department access roads shall meet Medford Fire Department requirements (OFC 503.2.4).

Development shall comply with access and water supply requirements in accordance with the 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 (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 the information provided only.

Design and installation shall meet the Oregon requirements of the IBC, IFB, IMC and NFPA standards.

STAFF MEMO

To: Dustin Severs
From: Jennifer Ingram, Address Technician
Date: 7/28/2016
Subject: LDS-16-070

1. A minimum access drive address sign will be required for lots 14-16 and 28-30.
2. As lot 32 will front only Lillian Street, the address will need to be changed from 794 Diamond Street to a Lillian Street address at the time of final plat.



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

July 22, 2016

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

Re: King Arthur Village, LDS-16-070 (Map 37 2W 36DD, Tax Lots 1100, 1200, 1201)

ATTN: Dustin,

There is an existing 10" sewer main on Kings Highway and 8 inch mainlines to the south along Diamond Street and to the west on Lillian Street. Our records indicate the service to the existing house on TL 1100 runs along the frontage of Lillian Street south to the sewer main on Diamond.

Sewer service to the subdivision will require main line extension from Lillian Street as well as service taps on Diamond Street to serve lots 33 and 34. It may be advantageous to extend mainline from Kings Highway, as the sewer along Lillian Street appears to be shallow.

Rogue Valley Sewer Services requests that approval of this project be subject to the following conditions:

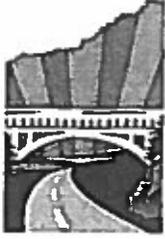
1. This sewer main must be designed and constructed in accordance with RVSS standards.
2. The existing sewer service to TL 1100 must be located. If the service is shown to be within the Lillian Street right-of-way, the service must be relocated and the old service abandoned within five feet of the property line.
3. The sanitary sewer system must be accepted as a public system by RVSS prior to the issuance of any building permits.

Feel free to call if you have any questions regarding this project.

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, PE
District Engineer



JACKSON COUNTY

Roads

**Roads
Engineering**

Kevin Christiansen
Construction Manager

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

www.jacksoncounty.org

July 21, 2016

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

RE: Subdivision off Diamond Street and Lillian Street – county maintained roads.
Planning File: LDS-16-070.

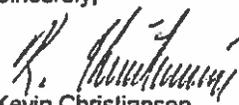
Dear Dustin:

Thank you for the opportunity to comment on the request for consideration of King Arthur Village, a 34 lot residential subdivision on 5.31 acres located between Diamond Street and Lillian Street within the SFR-10 (Single Family Residential – ten dwelling units per gross acre) and SFR-6 (Single-Family Residential – 6 dwelling units per gross acre) zoning districts, (37-2W-36DD Tax lots 1100, 1200, and 1201). Jackson County Roads has the following comments:

1. If frontage improvements are required off Diamond Street, or Lillian Street, they shall be permitted and inspected by the City of Medford.
2. Future construction plans shall be submitted to Jackson County Roads, so we may determine if county permits will be required.
3. Diamond Street and Lillian Street are County Local Roads and are county-maintained.
4. Jackson County's General Administration Policy #1-45 sets forth the County's position as it relates to the management of County roads located within existing or proposed city limits or Urban Growth Boundaries (UGB). The County has no current plans for improvements to Diamond Street and Lillian Street. Jackson County Roads recommends that the city request jurisdiction of these roads.
5. According to our records, Prospect Street, Penn Street and Powhatan Avenue at the subject properties are City of Medford roads within the City Limits of Medford and not under the jurisdiction of Jackson County.

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

Sincerely,


Kevin Christiansen
Construction Manager

CITY OF MEDFORD
EXHIBIT # K
File # LDS-16-070

S.E.1/4, S.E.1/4, SEC.36, T.37S., R.2W., W.M.
 JACKSON COUNTY
 1" = 100'

37 2W 36DD
 MEDFORD

FOR ASSESSMENT AND
 TAXATION ONLY

SEE MAP 17 2W 010A



- CANCELLED TAX
 LOT NUMBERS
- 1700
 - 2000-2001
 - 2006-2008 REMAPPED TO 372W36CC
 - 2107-2309-2310
 - 2400 REMAPPED TO 372W36CC
 - 1900, 1400 REMAPPED TO 372W36CC
 - 400 REMAPPED TO 372W36AC
 - 603-607
 - 608-615 REMAPPED TO 372W36AC
 - 614
 - 616 REMAPPED TO 372W36AC
 - 617 ADJ'D TO 616
 - 618-620 REMAPPED TO 372W36AC
 - 621 ADJ'D TO 620
 - 623 REMAPPED TO 372W36AC
 - 624 ADJ'D TO 623
 - 625
 - 626-629 REMAPPED TO 372W36AC
 - 630 ADJ'D TO 629
 - 631 REMAPPED TO 372W36AC
 - 700 ADJ'D TO 711
 - 701-703
 - 704-711 REMAPPED TO 372W36AC
 - 800 REMAPPED TO 372W36AC
 - 801
 - 802-808 REMAPPED TO 372W36AC
 - 809
 - 810, 811 REMAPPED TO 372W36AC
 - 812-814
 - 815-822 REMAPPED TO 372W36AC
 - 823-826
 - 829

RECEIVED
 JUN 20 2016
 PLANNING DEPT

37 2W 36DD
 MEDFORD
 NEW MAP APRIL 14, 2008
 REV. JANUARY 10, 2013

SUBJECT
 PARCELS

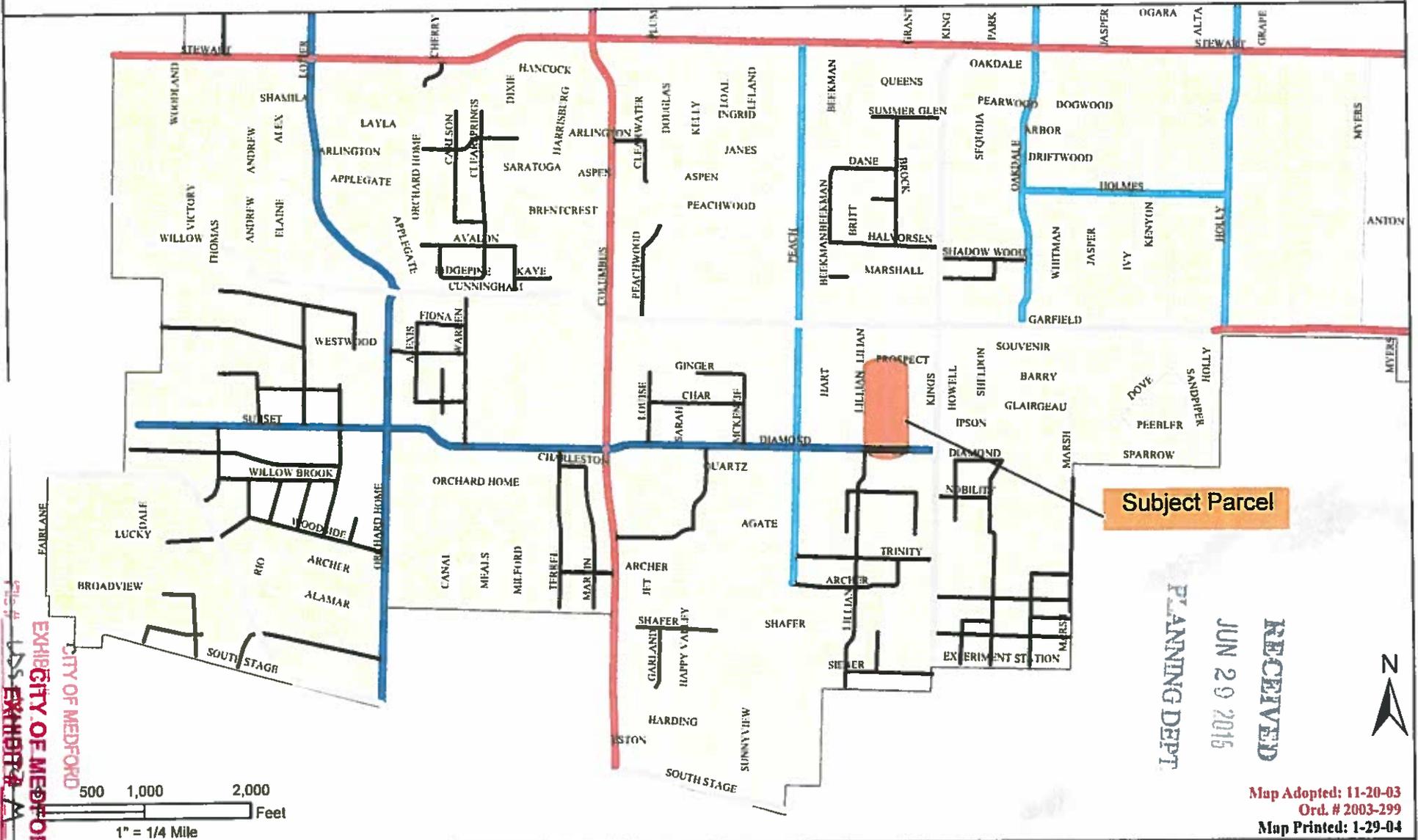
Page 60

EXHIBIT # CITY OF MEDFORD
 CITY OF MEDFORD
 File # LDS-16-070
 File # LDS-16-070

SOUTH RIDGE ESTATES A.P.C.

GIS DATA
 10/01/2012 09:12 AM

Adopted Southwest Medford Circulation Plan



Subject Parcel

RECEIVED
JUN 29 2015
PLANNING DEPT



Map Adopted: 11-20-03
Ord. # 2003-299
Map Printed: 1-29-04

Street Classifications

- Major Arterial
- Major Collector
- Residential
- Minor Arterial
- Minor Collector
- Other Streets

- UGB
- Adopted Circulation Plan Area



The Geographic Information System (GIS) data made available on this map are developed and maintained by the City of Medford and Jackson County. GIS data is not the official representation of any of the information included. The maps and data are made available to the public solely for informational purposes.

THERE MAY BE ERRORS IN THE MAPS OR DATA. THE MAPS OR DATA MAY BE OUTDATED, INACCURATE, AND MAY OMIT IMPORTANT INFORMATION. THIS INFORMATION IS BEING PROVIDED "AS IS" OR "WITH ALL FAULTS." THE ENTIRE RISK AS TO THE QUALITY OR PERFORMANCE IS WITH THE BUYER AND IF INFORMATION IS DEFECTIVE, THE BUYER ASSUMES THE ENTIRE COST OF ANY NECESSARY CORRECTIONS OR SERVICING.



Memo

To: Dustin Severs, Planning Department
From: Mary Montague, Building Department
CC: Dennis Sullivan; *Scott Sinner*
Date: 08/03/2016
Re: King Arthur Village; LDS-16-0707;
Ref: A-2002-225, ZC-06-15, ZC-15-085

Building Department:

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

1. Applicable Building Codes are 2014 ORSC with additional Oregon amendments to the 2011 ORSC; 2014 OPSC; and 2014 OMSC. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Go to "City Departments" at top of screen; click on "Building"; click on "ELECTRONIC PLAN REVIEW (ePlans)" for information.
3. Site Excavation permit required to develop, install utilities.
4. Demo Permit is required for any buildings being demolished.
5. Minimum access signs for lots per addressing and fire department.



City of Medford
Planning Department

Vicinity
 Map

File Number:
LDS-16-070



Project Name:

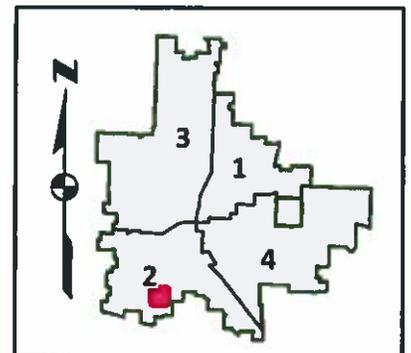
King Arthur Village

Map/Taxlot:

**372W36DD
 TL 1100, 1200, 1201**

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  Streets
-  PUD



06/17/2016

