

PLANNING COMMISSION AGENDA SEPTEMBER 13, 2018



Commission Members

David Culbertson

Joe Foley

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Patrick Miranda

Alex Poythress

Jared Pulver

Regular Planning Commission meetings

are held on the second and fourth

Thursdays of every month

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380



Planning Commission

Agenda

Public Hearing
September 13, 2018

5:30 PM

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

-
10. **Roll Call**
 20. **Consent Calendar/Written Communications (voice vote)**
 - 20.1 **ZC-18-087** Final Order for request of approval for a zone change on a 0.69 acre parcel zoned C-C (Community Commercial) to C-H (Heavy Commercial) located at 111 N Fir Street between West Fifth Street and West Sixth Street with in the Downtown Historic District and Central Business District (372W25AD TL 100). Applicant: Rosebud Media LLC; Agent: Ausland Group; Planner: Liz Conner.
 30. **Minutes**
 - 30.1 Consideration for approval of minutes from the August 23, 2018, hearing.
 40. **Oral and Written Requests and Communications**
Comments will be limited to 3 minutes per individual or 5 minutes if representing an organization. **PLEASE SIGN IN.**
 50. **Public Hearings**
Comments are limited to a total of 10 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. All others will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**
 - New Business**
 - 50.1 **LDS-18-085 / E-18-086** Consideration of a tentative plat for an 11-lot subdivision on approximately 2.1 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district, located on the east side of Orchard Home Drive at 1945 & 1965 Orchard Home Drive (382W02AA TL200 & 300). The project includes an Exception request to the right-of-way dimensions and reduced sidewalks width (382W02AA TL200 & 300). Applicants: Joshua and Shawna Wallace & Michael and Heather Johnson; Agent: Scott Sinner Consulting, Inc.; Planner: Steffen Roennfeldt
 60. **Reports**
 - 60.1 Site Plan and Architectural Commission
 - 60.2 Joint Transportation Subcommittee

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

- 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-18-087 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY ROSEBUD MEDIA LLC) **ORDER**

ORDER granting approval of a request for a zone change for *Rosebud Media, LLC*, described as follows:

A zone change on a 0.69 acre parcel zoned C-C (Community Commercial) to C-H (Heavy Commercial) located at 111 N Fir Street between West Fifth Street and West Sixth Street with in the Downtown Historic District and Central Business District.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning for *Rosebud Media, LLC*, as describe 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 16, 2018, 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 area within the City of Medford, Oregon:

37 2W 25AD Tax Lot 100

is hereby changed as described above.

Accepted and approved this 13th day of September, 2018.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

84-12854

EXHIBIT "B"

TRACT A

Lots one (1), two (2) and three (3) in block forty-three (43) of the town (now city) of Medford, Jackson county, Oregon according to the official plat thereof, now of record.

TRACT B

Lots four (4), five (5), six (6), seven (7) and eight (8) in block forty-three (43) of the town (now city) of Medford, Jackson county, Oregon according to the official plat thereof, now of record.

TRACT C

Lots nine (9), ten (10), eleven (11) and twelve (12) in block forty-three (43) of the town (now city) of Medford, Jackson county, Oregon according to the official plat thereof, now of record.

SUBJECT TO:

1. 1984-85 taxes.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

9:01 AUG 7 1984 P.M.

KATHLEEN S. BECKETT
CLERK and RECORDER

By *[Signature]*, Deputy

EXHIBIT "A"



Planning Commission

Minutes

From Public Hearing on **August 23, 2018**

The regular meeting of the Planning Commission was called to order at 5:30 PM in the City Hall Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present

Patrick Miranda, Chair
David McFadden, Vice Chair
David Culbertson (Face Time)
Joe Foley
E.J. McManus

Staff Present

Kelly Akin, Assistant Planning Director
Eric Mitton, Deputy City Attorney
Terri Richards, Recording Secretary

Commissioners Absent

Bill Mansfield, Excused Absence
Mark McKechnie, Excused Absence
Alex Poythress, Excused Absence
Jared Pulver, Excused Absence

10. Roll Call

20. Consent Calendar/Written Communications.

20.1 CUP-18-076 Final Order of a modification to an existing Conditional Use Permit for a private recreation facility to add parking and to allow for new construction and site modifications to the former tennis and swim club facility located on the east side of North Phoenix Road, approximately 325 feet south of Calle Vista Drive (709 N Phoenix Road, 371W27 TL 701). Applicant: North Phoenix Properties Holdings, LLC; Agent: CSA Planning; Planner: Liz Conner.

20.2 LDS-18-077 Final Order of a tentative plat for a 20 lot subdivision on approximately 3 acres within the SFR-10 (Single Family Residential – 10 dwelling units per gross acre) zoning district, located on the north side of Sweet Road approximately 270 feet east of North Ross Lane (372W26AA TL 800, 900, 1000). Applicant: Edward Fleming; Agent: Scott Sinner Consulting, Inc.; Planner: Liz Conner.

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

Moved by: Vice Chair McFadden

Seconded by: Commissioner Foley

Voice Vote: Motion passed, 5-0.

30. Minutes

30.1. The minutes for August 9, 2018, were approved as submitted.

40. Oral and Written Requests and Communications. None.

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

50. Public Hearings – New Business

50.1 ZC-18-087 Consideration for request of approval for a zone change on a 0.69 acre parcel zoned C-C (Community Commercial) to C-H (Heavy Commercial) located at 111 N Fir Street between West Fifth Street and West Sixth Street with in the Downtown Historic District and Central Business District (372W25AD TL 100). Applicant: Rosebud Media LLC; Agent: Ausland Group; Planner: Liz Conner.

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.

Kelly Akin, Assistant Planning Director, stated that the Zone Change approval criteria can be found in the Medford Land Development Code Section 10.227 which is now Section 10.204. The applicable criteria were addressed in the staff report, property owner notices and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Akin gave a staff report.

The public hearing was opened.

a. Alan Harper, 130 A Street #6, Ashland, Oregon, 97520. Mr. Harper reported that the project is in the midst of development and design.

Mr. Harper reserved rebuttal time.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of ZC-18-087 per the staff report dated August 16, 2018, including Exhibits A through H.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Foley

Roll Call Vote: Motion passed, 5-0.

60. Reports**60.1 Site Plan and Architectural Commission.**

Commissioner Culbertson reported that the Site Plan and Architectural Commission met on Friday, August 17, 2018. He was unable to attend. On their agenda was a 5000 square foot addition to an existing trucking facility. Mr. Culbertson deferred what went on in the meeting to Ms. Akin.

Ms. Akin reported that the Site Plan and Architectural Commission discussed Heartland Express located on Sage Road between McAndrews and Ehrman Way. It was formerly Gordon Trucking. The discussion was on access. They have three access points on Sage Road. The Commission allowed those three access points to continue because of how the site functions. There was also discussion on whether or not the frontage landscaping should be updated. The Commission required it be updated.

60.2 Report of the Joint Transportation Subcommittee.

Chair Miranda reported that the Joint Transportation Subcommittee has not met since July. They plan to meet in September.

60.3 Planning Department

Ms. Akin, reported that the Planning Commission study session scheduled for Monday, August 27, 2018 has been canceled.

The City Council has requested a study session with the Planning Commission to discuss upcoming code amendments related to housing and accessory dwelling units. It will be held Monday, September 24, 2018, at 6:00 p.m. in the Prescott Room. The regular noon Planning Commission study session will be canceled.

There is business scheduled for the Planning Commission through October. The dates are Thursday, September 13, 2018, Thursday, September 27, 2018, Thursday, October 11, 2018 and Thursday, October 25, 2018.

Last week the City Council continued the Senate Bill 1051 Interim Design Standards to the next meeting. They the GLUP map amendment on Airport Road for Grace Christian School.

Next week the City Council will hear the Senate Bill 1051 Interim Design Standards, an annexation initiation at Table Rock and Biddle and Small Cell Facilities.

Tonight the City Council is having their final study session on the Transportation System Plan and Temporary Cooling and Warming Shelters.

At the next City Council study session they will hear Urbanization Plans and Wetlands.

Once the Transportation System Plan, Urbanization Plans and Wetlands gets adopted the City will be ready to start annexing and expanding into the new Urban Growth Boundary.

- 70. Messages and Papers from the Chair. None.
- 80. Remarks from the City Attorney. None
- 90. Propositions and Remarks from the Commission. None.
- 100. Adjournment

The meeting was adjourned at 5:49 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Richards
Recording Secretary

Patrick Miranda
Planning Commission Chair

Approved: September 13, 2018



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 Copley Square
Applicant: Heather Johnson & Joshua Wallace
Agent: Scott Sinner Consulting, Inc.

FILE NO. LDS-18-085 & E-18-086

TO Planning Commission *for 09/13/2018 hearing*

FROM Steffen Roennfeldt, Planner III

REVIEWER Kelly Akin, Assistant Planning Director

DATE September 6, 2018

BACKGROUND

Proposal

Consideration of a tentative plat for an 11-lot subdivision on approximately 2.1 gross acres (1.88 net acres) within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district, located on the east side of Orchard Home Drive at 1945 & 1965 Orchard Home Drive (382W02AA TL200 & 300). The project includes an Exception request to the right-of-way dimensions and reduced sidewalk width.

Vicinity Map



Figure 1: Vicinity Map

Subject Site Characteristics

Zoning: SFR-6 (Single Family Residential (4 to 6 dwelling units per gross acre))
GLUP: UR (Urban Residential)
Overlay(s): None
Use(s): Two Single Family Residences

Surrounding Site Characteristics

North Zone: SFR-00 (Single Family Residential – 1 dwelling unit per existing lot)
Use(s): Low Density Residential

South Zone: SFR-00
Use(s): Low Density Residential

East Zone: SFR-6
Use(s): Low Density Residential

West Zone: SFR-00
Use(s): Low Impact Commercial

Related Projects

A-03-217 Copley Annexation
ZC-04-175 Zone Change (Withdrawn)
ZC-04-258 Zone Change from SFR-00 to SFR-6
LDP-05-86 Partition (Withdrawn)
LDS-05-204 Copley Square Subdivision (Expired)
E-05-314 Copley Square Exception (Expired)
PLA-07-101 Property Line Adjustment
PA-17-156 Pre-Application for Subdivision application

Applicable Criteria

MLDC 10.270: Land Division Criteria

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

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

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

MLDC 10.253: CRITERIA FOR AN EXCEPTION

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

- (1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.*
- (2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.*
- (3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for*

which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.

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

Corporate Names

Scott Sinner is the Registered Agent, President, & Secretary for Scott Sinner Consulting, Inc. according to the Oregon State Business Registry.

ISSUES AND ANALYSIS

Background

On March 23, 2006, the Planning Commission granted approval to the tentative plat and an exception request for a 10-lot residential subdivision on the subject parcels.

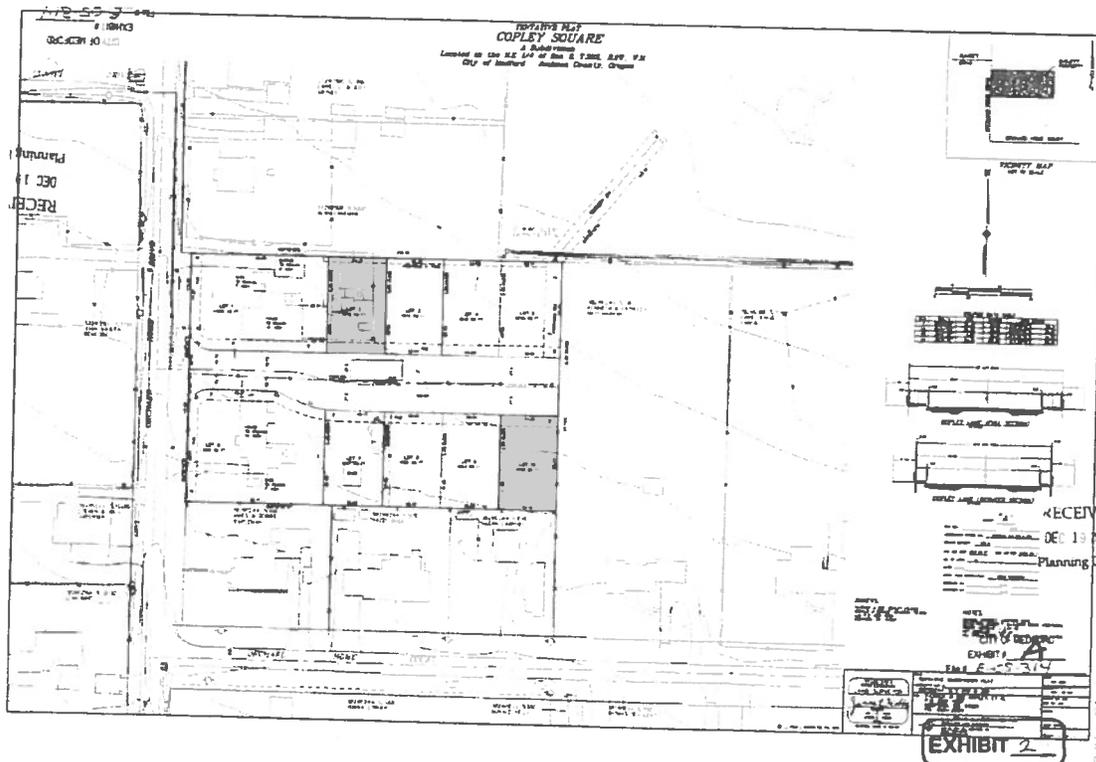


Figure 2: LDS-05-204 & E-05-314 Tentative Plat

Both applications, LDS-05-204 & E-05-314, ultimately expired as the Final Plat was never submitted.

Project Summary

The submitted tentative plat is relatively similar to the approved subdivision request in 2006. The lot sizes are slightly different in size and form and an eleventh lot, serving as the stormwater detention area for the subdivision, is included in this application.

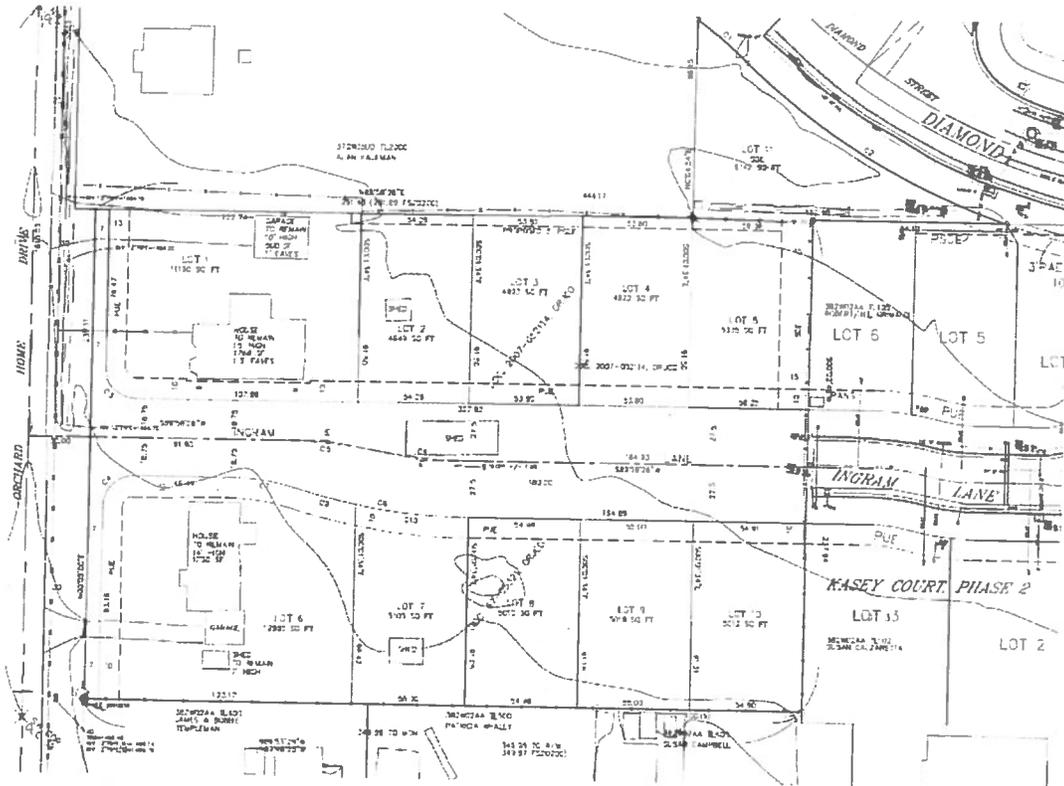


Figure 3: Proposed Tentative Plat

The two existing single-family residences are proposed to remain on Lot 1 and Lot 6.

The land division application is accompanied by an Exception application to request approval of a reduced right-of-way width to allow a street to be extended between the two structures.

Ingram Lane, which was developed as part of the adjacent Kasey Court subdivision, is proposed to connect to said subdivision to the east and to Orchard Home Drive to the west. The completion of Ingram Lane will also aid the pedestrian connection from Orchard Home Drive to Diamond Street via an existing pedestrian accessway from nearby Milton Lane.

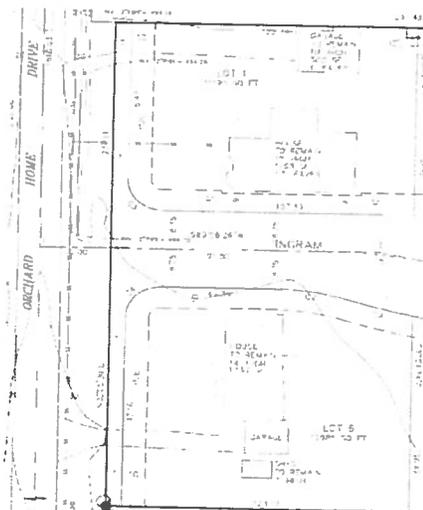


Figure 4: Proposed reduced right-of-way

Density

Density Table (Exhibit L)

SFR-6 6.0 to 10.0 dwelling units per gross acre	Allowed	Proposed
382W02AA200	5 d.u. min 7 d.u. max	6 d.u. (75% of maximum)
382W02AA300	4 d.u. min 6 d.u. max	5 d.u. (82% of maximum)
Total	9 d.u. min 13 d.u. max	11 d.u. (85% of maximum)

As shown on the Density Table above, based on a total of 2.08 gross acres of land, the creation of eleven lots, as identified on the submitted tentative plat, falls within the minimum/maximum range permitted for the SFR-6 zoning district as per MLDC 10.710.

Development Standards

Site Development Table

SFR-6	Lot Area (square feet)	Min. lot Width (Interior)	Min. lot Width (Corner)	Min. lot Depth	Min. Lot Frontage
Required	4,500 to 12,500	50 feet	60 feet	90 feet	30 feet
Proposed	4,922 to 12,985	53.80 feet <i>(lowest)</i>	60 feet <i>(Lot 3)</i>	97.6 feet <i>(lowest)</i>	40 feet <i>(lowest)</i>

Site Development Table for Existing Buildings

SFR-6	Min. Front Yard Building Setback	Minimum Street Yard Building Setback	Min. Side Yard Building Setback	Min. Rear Yard Building Setback	Max. Height
Required	15 feet	10 feet	4 feet	4 feet	35 feet
Proposed	Lot 1: 42 feet Lot 6: 39 feet	Lot 1: 10 feet Lot 6: 12 feet	Lot 1: 40 feet Lot 6: 29 feet	Lot 1: 28 feet Lot 6: 48 feet	Lot 1: 15 feet Lot 6: 14 feet

As shown in the Site Development Tables above, it can be found that the eleven proposed lots identified on the submitted tentative plat meet all the dimensional standards for the SFR-6 zoning district as found in Article V of the Medford Land Development Code, with one exception: Lot 6 is proposed to be 12,985 square feet; while this exceeds the required lot area range of 4,500 to 12,500 square feet required, an exception request is not required as per MLDC 10.702(3)(a) which states:

A new residential lot may exceed the maximum lot area only under the following circumstances: when an existing residence and associated yard area, containing improvements and established landscaping, occupy a larger area....

It can be found that the existing house and landscaping on proposed Lot 6 occupies an area larger than the code requirement and, therefore, is governed by MLDC 10.702(3)(a).

Facility Adequacy

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

Other Agency Comments

Rogue Valley Sewer Services (RVSS) (Exhibit K)

The subject property is within RVSS service area, which requires that future sewer improvements be designed and constructed in accordance with RVSS standards. As a condition of approval, the applicant will be required to comply with the conditions of RVSS.

Committee Comments

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

Requested Exceptions Discussion

Right-of-Way Reduction

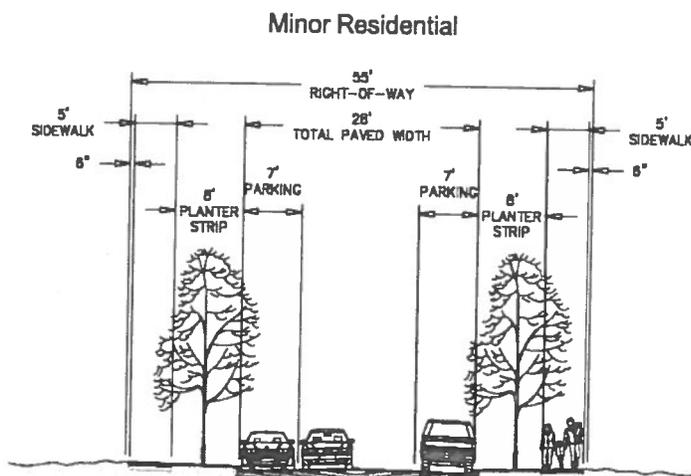


Figure 5: Typical Minor Residential Cross Section

An exception is requested to allow a reduction of standard right-of-way for a proposed Minor Residential Street (Ingram Lane) from the code requirement of 55-feet to the requested 37.5-feet between proposed lots 1 and 6. This reduction of right-of-way would affect approximately 150 feet of Ingram Lane, east of its intersection with Orchard Home Drive. This exception is requested in order to retain the existing homes on proposed lots 1 and 6.

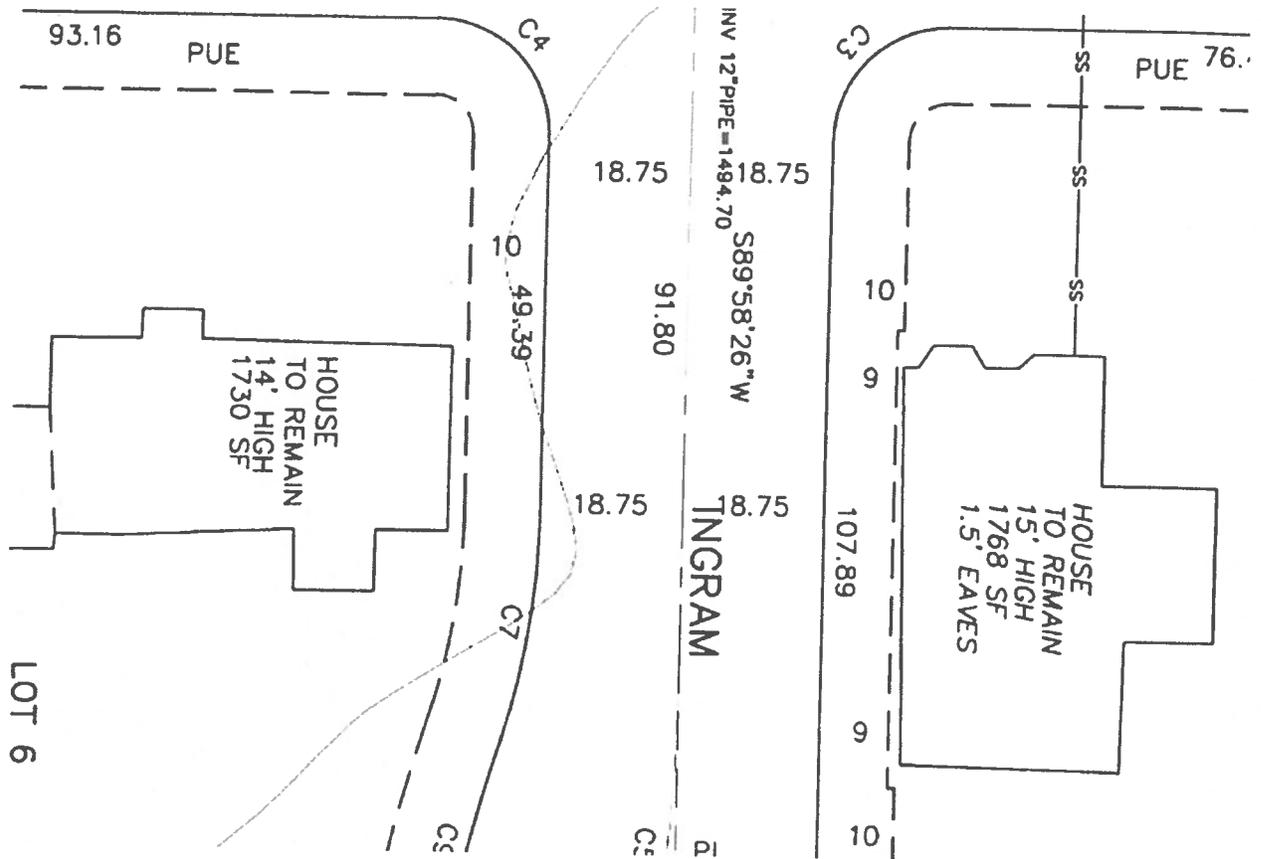


Figure 6: Close-up view of proposed reduced right-of-way

Ingram Lane is proposed to be developed to the code required 55-feet along the remaining lots to the western boundary of the subject site. As indicated in the applicant's findings (Exhibit D & E), the specific right-of-way width reduction request includes a reduction of the Public Utility Easement by one foot on the north side of Ingram Lane. The reduced section would consist of two 4-foot sidewalks and two 14-foot travel lanes plus curbs and gutters for a total width of 37.5-feet of right-of-way. This reduction of right-of-way width will eliminate the planter strip, but not the sidewalks.

Driveway Relocation

The applicant is also requesting an exception to the standard contained in MLDC 10.550(3)(a)(1) which states that *no driveway access to an Arterial or Collector Street shall be allowed for any parcel that abuts the right-of-way of a lower order street or has legal right of access to any street via any abutting parcel(s).*

Both existing developments are oriented and addressed on Orchard Home Drive and, as can be seen in Figure 3 and 4, above, both existing driveways take access from Orchard Home Drive which is classified as a Major Collector. A strict application of MLDC 10.550 would require the access for both parcels to come from newly created Ingram Lane, a lower order minor residential street.



Figure 7: Photos of Existing Driveways

As can be seen above, both driveways are currently graveled only and, if to remain, will have to be paved per MLDC 10.746.

Per the revised Public Works Staff Report, dated September 5, 2018, Public Works recommends denial of this portion of the exception request. *The findings contend that relocating the driveways for the existing houses to Ingram Way is an undue hardship on the development. Based on visits, neither of the areas identified as a garage on the site plan are currently used for vehicle parking and do not have garage doors, which reduces this potential impact. The findings also contend that the driveways being placed on the narrow portion of Ingram Way could impact congestion in the subdivision. Since the narrow section of Ingram Way is proposed to eliminate planter-strips and reduce sidewalk width, not to reduce the curb-to-curb width, placing the driveways on Ingram Way will not impact congestion in the subdivision any more than the other driveways in the subdivision. However, placing the driveways on Orchard Home Drive will impact congestion on a Major Collector roadway. If the exception is approved and driveway access is allowed to Orchard Home Drive then the SDC Credits for the right-of-way dedication and the associated street improvements to this street shall be reduced in accordance with the City of Medford's Administrative Guidelines for Street SDC Fees and Credits.*

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's Findings of Fact and Conclusions of Law (Exhibits D & E) and recommends that the Commission adopt the findings with the following modification:

Deny the portion of the Exception that requested for Lots 1 and 6 to not take access via Ingram Way per the revised Public Works Staff Report, page 4.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-18-085 and E-18-086 per the staff report dated September 6, 2018, including Exhibits A through L.

EXHIBITS

- A Conditions of Approval, drafted September 13, 2018
- B Tentative Plat, received June 22, 2018
- C Conceptual Drainage Plan, received June 22, 2018
- D Applicant's Findings of Fact, received June 22, 2018
- E Additional Exception Findings of Fact, received September 5, 2018
- F Public Works Staff Report, revised September 5, 2018
- G Medford Water Staff Memo, dated July 25, 2018
- H Building Department Memo, dated July 24, 2018
- I Medford Fire Land Development Report, dated July 24, 2018
- J Jackson County Roads Memo, dated July 16, 2018
- K Rogue Valley Sewer Services Memo, dated July 13, 2018
- L Density Calculations, dated July 18, 2018
Vicinity map

PLANNING COMMISSION AGENDA:

SEPTEMBER 13, 2018

EXHIBIT A

Copley Square
LDS-18-085 & E-18-086
Conditions of Approval
September 6, 2018

CODE CONDITIONS

1. The applicant shall:
 - a. Comply with the revised Public Works Staff Report dated September 5, 2018 (Exhibit F).
 - b. Comply with the Medford Water Commission Staff Memo dated July 25, 2018 (Exhibit F).
 - c. Comply with the Fire Department Report, received July 24, 2018 (Exhibit H).
 - d. Comply with the Jackson County Roads Comments dated July 16, 2018 (Exhibit I).
 - e. Comply with the Rogue Valley Sewer Services Memo dated July 13, 2018 (Exhibit J)
 - f. Pave all new and existing driveways per MLDC 10.746
 - g. Provide paved driveway turn-around for driveways on Orchard Home Drive to prevent vehicles from backing-out into traffic per MLDC 10.746(11) (if Exception approved).

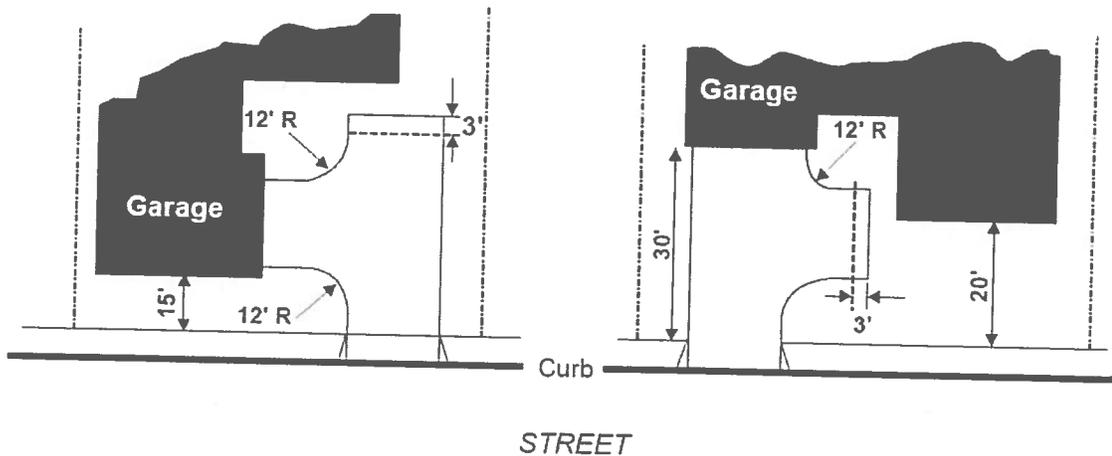
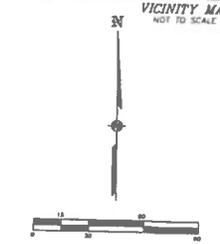
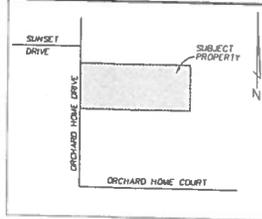
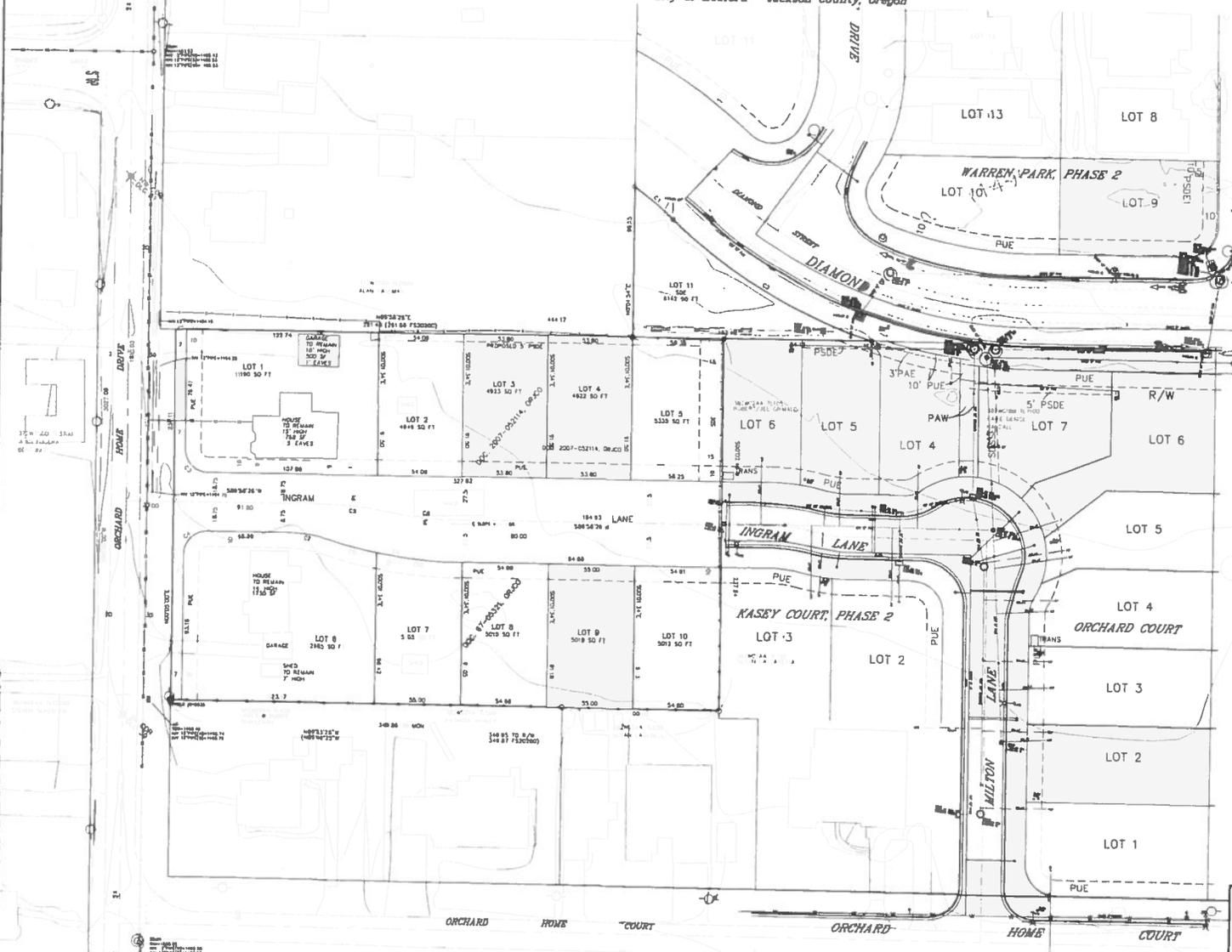


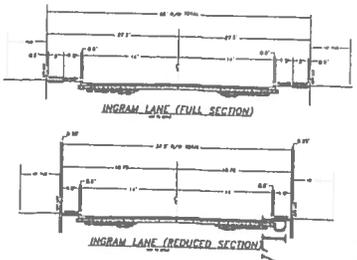
Figure 1: MLDC1.746(11)

**TENTATIVE PLAT
COPLEY SQUARE**
A Subdivision
Located in the N.E. 1/4 of Sec. 2, T.36S., R.2W., W.M.
City of Medford Jackson County, Oregon



COURSE DATA TABLE

STATION	BEARING	DISTANCE	ARC	CHORD	CHORD BEARING	CHORD DISTANCE
1	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
2	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
3	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
4	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
5	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
6	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
7	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
8	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
9	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
10	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
11	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
12	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
13	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
14	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
15	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
16	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
17	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
18	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
19	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
20	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
21	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
22	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
23	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
24	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
25	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
26	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
27	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
28	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
29	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71
30	S 89° 59' 54" W	11.71	0.00	11.71	S 89° 59' 54" W	11.71



PLANNING DEPT.
JUN 22 2018

OWNERS:
JOHNS & SHAWNA, INC. (R.300)
MICHAEL JOHNSON (R.300)
1/2 1783 S. STURM CIRCLE PO
JACKSONVILLE, OR 97330

NOTES:
SCHOOL DISTRICT, MEDFORD 314C
SCHOOL DISTRICT, MEDFORD 314C (SEE SHEET)
GROSS AREA: 1,110 (SAC) (SAC) (SAC) (SAC)
NET AREA: 1,110 (SAC) (SAC) (SAC) (SAC)
ALL STRUCTURES TO BE REMOVED UNLESS NOTED

REGISTERED LAND SURVEYOR <i>James & Kille</i> DATE: 11/11/2008 EXPIRES: 11/11/2018 REG. NO. 18-0000	TENTATIVE SUBDIVISION PLAT 3876202A R 2'S 200 & 300 HEATHER JOHNSON, ET AL P.O. BOX 1005 MEDFORD, OR 97501 P.C. 888-2835 L.L. FINAR & ASSOCIATES P.C. 1000 N. W. 10TH ST. SUITE 100 MEDFORD, OR 97504	DATE: 10 JUN 2018 TIME: 1:00 PM DRAWN BY: JLF CHECKED BY: JLF TITLE: TENTATIVE PLAT SHEET: 21 OF 24
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RECEIVED

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

IN THE MATTER OF AN APPLICATION FOR)
A LAND DIVISION FOR THE PROPERTIES IDENTIFIED AS) FINDING OF FACT
T382W02AA TAX LOTS 200 and 300) AND
WALLACE AND JOHNSON APPLICANTS) CONCLUSIONS
SCOTT SINNER CONSULTING, INC. AGENT) OF LAW

RECEIVED
JUN 22 2018
PLANNING DEPT.

I. BACKGROUND INFORMATION

Applicants:

Joshua and Shawna Wallace
1945 Orchard Home Drive
Medford, OR 97501
joshnshawna@msn.com

Michael and Heather Johnson
1265 Sterling Creek Rd
Jacksonville, OR 97530
hajohnnie@hotmail.com

Agent:

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

Parcel 1:

382W02AA TL 200
Joshua and Shawna Wallace
1945 Orchard Home Drive
Medford, OR 97501
1.1 net acres
SFR 6 zoning district, UR GLUP designation

Planning Projects

A-03-217 Annexation, ZC-04-258 SFR-6, LDS-05-204 subdivision (expired), E-05-314
exception (expired), PLA-07-101

Parcel 2:

382W02AA TL 300

Scott Sinner Consulting, Inc. 541-601-0917 Copley Square Subdivision

2

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Michael and Heather Johnson
1965 Orchard Home Drive
Medford, OR 97501
1.0 net acres
SFR 6 zoning district, UR GLUP designation

Planning Projects

A-04-163 Annexation, ZC-05-048 SFR-6, LDS-05-204 subdivision (expired), E-05-314 exception (expired).

Project Summary:

The proposed plat is similar to the subdivision plat LDS 05-204 that expired. This plat proposes 11 lots including Lots 1 and 6 for the two existing dwellings that will remain and Lot 11 that will be developed with a public storm drainage facility and dedicated to the City.

This land division application has an associated Exception Application to request the approval of a reduced right of way width to allow a street to be extended between the two existing dwellings.

Approval Criteria:

The relevant approval criteria for the requested land division is found within MLDC 10.270 as provided below:

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*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

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.

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;

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

The subject property is 7 miles from the Rogue Valley International Airport, and 2.9 miles from Interstate Highway 5 (I-5). The subject properties have frontage on Orchard Home Drive.

Ingram Lane is proposed as a minor residential street and will be developed on this property with sidewalks on both sides of the street. The standard design for a minor residential street does not provide bike lanes, however the low traffic volumes anticipated with a minor residential street to promote both bicycle and pedestrian transportation opportunities.

The standards are consistent with the Medford Transportation System Plan, therefore also consistent with the Oregon Transportation Planning Rule.

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

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

SFR-10 zoning districts, and the properties are within the SFR-6 zoning district. The current zoning is consistent with the GLUP designation.

The City Council has adopted The Southwest Circulation Plan and the proposed street connection of Ingram Lane to Orchard Home Drive is consistent with the adopted plan.

Conclusions of Law:

The Planning Commission can conclude this application is with the Comp Plan, the TSP and the Southwest Circulation Plan. The application is consistent with the adopted Medford Transportation System Plan and the Oregon Transportation Planning Rule, and the SFR-6 zoning district is appropriate within the UR GLUP designation.

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

Findings of Fact:

This application proposes full development of the subject parcels. Both parcels have existing dwellings on the Orchard Home Drive frontage and these lots are designed to accommodate the existing development.

Lots 1 and 6 will contain the existing dwellings on the properties and Lot 11 will contain a public Storm water detention and treatment facility to be dedicated to the City.

The plat proposes the extension of Ingram Lane that was created with the development of Kasey Court Subdivision to the east of the subject parcels.

The adjoining parcels are either developed or can be developed at urban densities in the future with access from other existing public streets and the approval and development of this plat will not prevent development on the adjoining parcels.

Conclusions of Law:

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

(3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;

Findings of Fact:

The proposed subdivision is proposed as Copley Square Subdivision. This is the same name as the expired plat. The Applicant's Surveyor is requesting the reservation of the name with the Jackson County Surveyor.

Conclusions of Law:

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

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

Findings of Fact:

The proposed plat provides a segment of Ingram Lane that was established with the development of Kasey Court subdivision to the east. The development of this segment will complete a circulation pattern with public streets.

Local and lower order streets are typically not shown on adopted circulation plans and this connection is not specifically identified on the adopted Southwest Circulation Plan. This plat does conform to complete lower order street circulation patterns that were established on adjacent properties.

This plat is a fine example of the completion of street circulation patterns of infill and incremental development.

The completion will also complete a significant public pedestrian connection to the near by South Medford High School. Kasey Court Phases 1 and 2 was developed with a pedestrian connection from Milton Lane to Diamond Street, this plat will add the connection to Orchard Home Drive to Diamond greatly enhancing pedestrian connectivity in the vicinity.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

This application includes an Exception request to provide a reduced right of way width between the two existing dwellings on the subject properties. Ingram Lane is proposed as a minor residential street with a 55 foot right of way width.

The right of way is reduced to 37.5 feet between the dwellings. Referring to the proposed plat, the street section in the reduced width area will have a full width curb to curb section, no planter strip and 4 foot public sidewalks instead of the Code standard 5 foot sidewalks.

The new street will create corner lots with a 10 foot setback requirement and the 10 foot setback will be provided. This setback will include a 10 foot Public Utility Easement as required by the Code.

Conclusions of Law:

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

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

This application completes the final segment of a circulation pattern created with the development of Kasey Court Subdivision. Ingram Lane is a public street.

There are no private streets proposed with this plat.

Conclusions of Law:

The Planning Commission can conclude the tentative plat has provided public streets and these streets are labeled as required by 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 parcels do not abut any properties in the County Exclusive Farm Use (EFU) zoning district.

Conclusions of Law:

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

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Additional Criteria

Two additional criteria relevant to this application are the Hillside Ordinance and the Block Length Ordinance.

Hillside Ordinance

10.929 Hillside Ordinance, Purpose; Applicability

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

The subject property is located in the Orchard Home Drive area. As per the referenced section of the MLDC, the site is not within a high slope area and the requirements to comply with the hillside ordinance requirements, including the constraints analysis do not apply to this property and the current development application.

As required by the MLDC, this application contains the submittal the City of Medford Hillside Development Constraints Analysis Status Form signed by Staff and indicating the site has slopes of less than 2% and the requirements of the Hillside Ordinance have been met.

Conclusions of Law

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

Block Length Ordinance

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

10.426 Street Circulation Design and Connectivity

A. Street Arrangement Suitability.

The approving authority shall approve or disapprove street arrangement. In

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

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.*
- 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*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

C.2.

<i>MAXIMUM BLOCK LENGTH AND PERIMETER LENGTH</i>		
<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:*

- 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,*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

- 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 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 proposed plat conforms to an existing street circulation pattern in the area that was developed with the Kasey Court Subdivision. The connection from Milton Land to Orchard Home Drive completes the circulation pattern and fully complies with the requirements of the Block Length Ordinance.

Conclusions of Law

The Planning Commission can conclude the application is consistent with the block length ordinance contained in the MLDC.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Land Division Application Summary and Conclusion:

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

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

The Tentative Plat will not prevent development of the remainder of the subject parcel or any adjoining parcels from the opportunity to develop at urban densities.

The subdivision name is proposed as Copley Square is unique for the jurisdiction.

There is an extension of public streets to promote circulation and the extension of Category A facilities in the vicinity.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Exception Application

This application for a land division is a consolidated application with a request for the Planning Commission to grant relief from the strict application of the standards of the Medford Land Development Code (MLDC) for right of way width for a minor residential street due to the existing development on the subject properties.

Each of the two parcels in this application contain an existing single family dwelling and these dwellings are in good condition.

The space between the two dwellings does not allow for a full minor residential street section and full 10' setbacks as required by the MLDC. The standards of the MLDC would requires 55' for the minor residential right of way plus 10' setbacks on both sides of the right of way for a total of 75' between the dwellings.

The dwellings are 57.5 feet apart. This exception requests the reduction of Right of Way (ROW) width to 37.5'. The proposed street section between the dwellings in 37.5 feet and would be a full curb to curb paved section with no planter strips on either side and 4 foot sidewalks instead of the MLDC standard 5' sidewalk width. A Public Utility Easement (PUE) Will be dedicated with the approval of the final plat for the subdivision.

Approval Criteria

The purpose of and Exception and the approval criteria for an Exception application is provided below:

10.251 Application, Exception

The purpose of Sections 10.251 to 10.253 is to empower the approving authority to vary or adapt the strict application of the public improvement and site development standards as contained in Article III, Sections 10.349 through 10.361, and 10.370 through 10.385, as well as Articles IV and V of this chapter. Exceptions may be appropriate for reasons of exceptional narrowness or shape of a parcel; for reasons of exceptional topographic conditions, extraordinary and exceptional building restrictions on a piece of property; or if strict applications of the public improvement or site development standards in the above-referenced Articles would result in peculiar, exceptional, and undue hardship on the owner.

10.253 Criteria for an Exception

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority having jurisdiction over the plan authorization unless it finds that all of the following criteria and standards are satisfied. The

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met. (Effective Dec. 1, 2013).

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

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

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

Findings of Fact

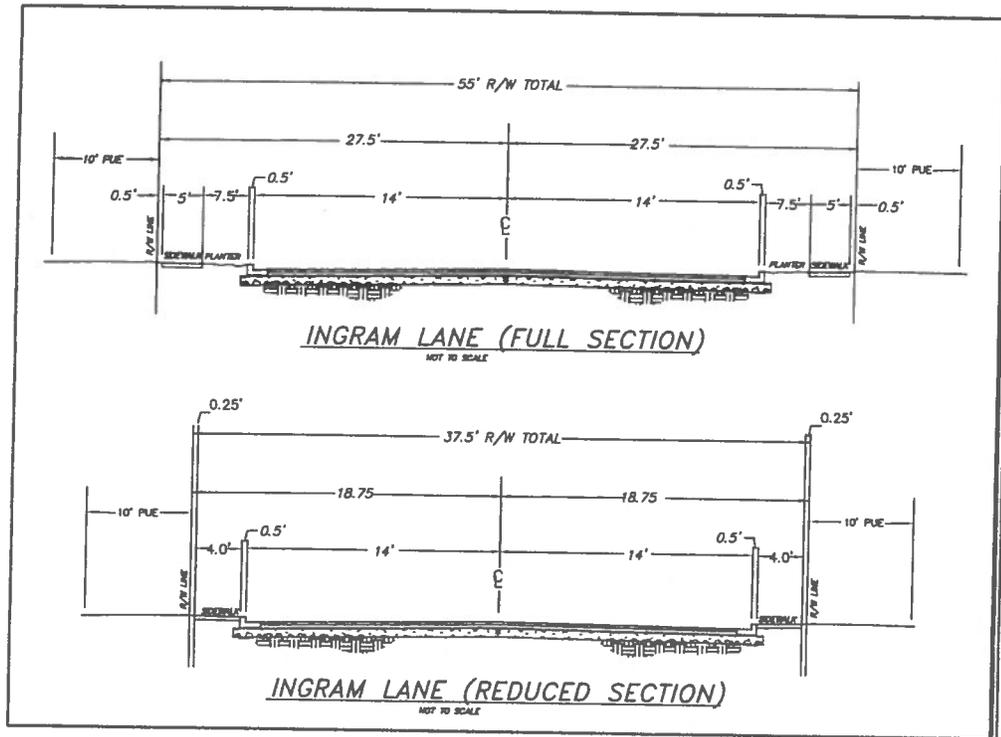
(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met. (Effective Dec. 1, 2013).

This application for the granting of an exception from the strict application of the MLDC standards is consolidated with an application for a land division.

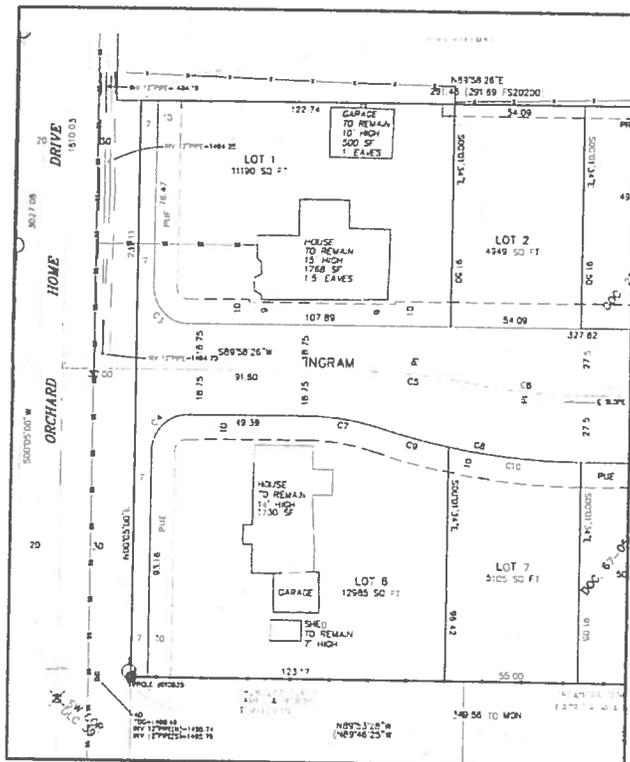
The approval of the land division will allow for the development of 11 parcels on the subject parcels. Both parcels are currently developed with a single family dwelling, both dwellings are well maintained and are in good condition. These dwellings represent a significant value to each parcel.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

The description of the requested exception is as follows:



The image above illustrates the standard 55' right of way street section as contained in the Transportation System Plan and the MLDC and the proposed reduced street section.



The space between the two dwellings does not allow for a full minor residential street section and full 10' setbacks as required by the MLDC.

The standards of the MLDC would require 55' for the minor residential right of way plus 10' setbacks on both sides of the right of way for a total of 75' between the dwellings.

The dwellings are 57.5 feet apart. This exception requests the reduction of Right of Way (ROW) width to 37.5'.

The proposed street section between the dwellings in 37.5 feet and would be a full curb to curb paved section with

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

no planter strips on either side and 4 foot sidewalks instead of the MLDC standard 5' sidewalk width. A Public Utility Easement (PUE) will be dedicated with the approval of the final plat for the subdivision.

The requested exception is the minimum relief from the standards contained in the MLDC necessary to provide a full width paved section for this segment of Ingram Lane.

The request for relief is in harmony with the general purpose and intent of the code standards. The proposed street section will allow for the development of an important street segment. The segment will complete the circulation pattern initiated with the development of the Kasey Court subdivision adjacent to the east of the subject parcels.

Kasey Court stubbed Ingram Lane to the common property lines of the subject parcels. The center line of Ingram Lane was located at the common property line of the subject parcels to allow for standard lot depths for the north and south sides of the road.

The Ingram Lane stub allowed for the future incremental development as proposed in the consolidated land division. The development will complete the desired street circulation plan for the area as well as a convenient pedestrian connection from Orchard Home Drive to the South Medford High School.

The approval of the requested relief will improve public safety with an improved street circulation pattern in the vicinity. Improved circulation in an area provides improved access for emergency responders for the benefit of the residents in the area.

There are no natural resources in the area that will be impacted, either positively or negatively, with the granting of the requested relief.

Conclusions of Law:

The Planning Commission can conclude the granting of the requested relief is in harmony with the general purpose and intent of the regulations and the general public will benefit it terms of public safety from the improved circulation in the vicinity.

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

The granting of the requested exception of will reduce the right of way width for a minor residential street. The granting of the exception request will facilitate a residential land division in presidentially zoned parcels to provide for the development of single family residences.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

All uses are allowed in the SFR-6 zoning district and there will be no uses proposed that are not permitted because of granting the requested exception.

Conclusions of Law:

The Planning Commission can conclude the granting of the relief requested in this exception will not create a use that is not permitted in the SFR-6 zoning district.

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

The subject parcels were originally platted in the 1940's, predating state and local land use standards. The parcels were established as long and narrow configurations with dwellings were centered on the lot frontage.

Each parcel has a single family dwelling in good condition. The space between the two dwellings does not allow for a full minor residential street section and full 10' setbacks as required by the MLDC. The standards of the MLDC would requires 55' for the minor residential right of way plus 10' setbacks on both sides of the right of way for a total of 75' between the dwellings.

Additionally, the approval of the Kasey Court subdivision Established the street circulation pattern and the street right of way width for development on the subject properties. Ingram Lane was established with the centerline on the common property line of the subject parcels.

The location of the centerline does provide enough lot depth on the north and south sides of the propose streets. The dwellings are 57.5 feet apart. The applicants conducted a pre application conference with the City to review options for development on the property and both Planning and Public Works staff indicated the requested reduction of the sidewalk width and the elimination of the planter strip between the two dwellings is the preferred solution. This request maintains a full width paved section to maintain public safety.

As stated above, both dwellings on the properties are in good condition and are well maintained. If the exception were not granted, one of the houses would be required to be demolished and the owner would suffer a significant hardship.

Ultimately, the unique combination of circumstances, long narrow lots, existing dwellings in good condition and approved and developed subdivisions and street patterns are particular and unusual in the City and support the request for the exception to allow development of the subject parcels at urban densities.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

This exception requests the reduction of Right of Way (ROW) width to 37.5'. The proposed street section between the dwellings in 37.5 feet and would be a full curb to curb paved section with no planter strips on either side and 4 foot sidewalks instead of the MLDC standard 5' sidewalk width. A Public Utility Easement (PUE) will be dedicated with the approval of the final plat for the subdivision.

The requested relief is the minimum relief required to develop the properties at urban densities.

Conclusions of Law:

The Planning Commission can conclude there are unique and unusual circumstances peculiar to the subject properties and not allowing relief from the current standards would result in a particular hardship to the applicants.

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

The subject parcels were created under previous land use jurisdictions and codes. The parcels sizes and shape are not well suited to development at current urban standards. The surrounding development and current development code places a priority on circulation and connectivity.

The establishment of Ingram Lane requires the extension of the public right of way and the block length ordinance dictates the connection of Ingram Lane with Orchard Home Drive.

Without granting the requested relief for right of way width, one of the two existing dwellings on the properties would have to be demolished and both dwellings very serviceable and in good condition. The demolition of a serviceable dwelling would be a significant hardship suffered directly by either applicant.

This application for the exception and the land division is a very efficient plat that would not be possible if either of the property were to attempt to develop independently.

The applicant's knowledge of the code or development standards are not a factor in the request for relief. The historic development patterns of the original parcels and the approval of subdivisions and street patterns on adjoining parcels dictate the development opportunities and options on the subject parcels and a reduction of right of way is necessary to meet the current MLDC standards.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Conclusions:

The Planning Commission can conclude the need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question.

Exception Summary and Conclusions:

The Planning Commission can conclude the relief requested in this application for an exception is consistent with the approval criteria for an Exception contained within the Medford Land Development Code.

The granting of the relief is in harmony with the purpose and intent of regulations for urban development. The reduced right of way width will improve public safety by completing a street circulation pattern in the vicinity.

Granting the exception request will allow for residential development in a residential zone, a permitted use for the zoning district.

The site is burdened with unique and unusual circumstances that are not typical in other areas of the City. If the exception were not granted the applicants would suffer a direct hardship by not being able to develop and the City would not be able to complete a circulation pattern that was established by the approval of plats on adjoining parcels.

The need for the exception was not the result of an illegal act the hardship of not granting the relief would be suffered directly by the applicants.

Application Summary and Conclusions:

These findings of fact demonstrate the requested land division with the consolidated exception request for relief from the strict application of the Code standards is in conformance with the approval criteria for a land division and exception as contained in the Medford Land Development Code.

On behalf of the applicants, I request the approval of the proposed land division and exception request.


Scott Sinner
Scott Sinner Consulting, Inc.

Additional Exception Findings of Fact

The application for a land division and an exception for right of way width was prepared and submitted under LDS-18-085 and E-18-086. At the Land Development Committee meeting an unexpected issue was identified and an additional exception request is submitted to be considered by the Planning Commission.

The first exception request is for a reduced right of way width for the proposed Ingram Lane in the area between the two existing dwellings on the subject properties.

The second exception request is to grant relief for the Code requirement to relocate the existing driveways on Orchard Home Drive to Ingram Drive, a lower order street.

These supplemental finding of facts include the original findings for Exception 1 that was submitted with the land division.

Exception 1: Reduced Right of Way Width Between Existing Dwellings.

This application for a land division is a consolidated application with a request for the Planning Commission to grant relief from the strict application of the standards of the Medford Land Development Code (MLDC) for right of way width for a minor residential street due to the existing development on the subject properties.

Each of the two parcels in this application contain an existing single family dwelling and these dwellings are in good condition. Both dwellings currently take access from existing driveways on Orchard Home Drive.

The space between the two dwellings does not allow for a full minor residential street section and full 10' setbacks as required by the MLDC. The standards of the MLDC would requires 55' for the minor residential right of way plus 10' setbacks on both sides of the right of way for a total of 75' between the dwellings.

The dwellings are 57.5 feet apart. This exception requests the reduction of Right of Way (ROW) width to 37.5'. The proposed street section between the dwellings in 37.5 feet and would be a full curb to curb paved section with no planter strips on either side and 4 foot sidewalks instead of the MLDC standard 5' sidewalk width. A Public Utility Easement (PUE) Will be dedicated with the approval of the final plat for the subdivision.

Exception 2: Retain Existing Driveways

This exception requests relief from the standard contained in MLDC 10.550. The properties currently have direct access to Orchard Home Drive and granting the relief in this exception will not create any additional driveway accesses.

The subject properties are currently developed with existing single-family dwellings constructed in 1946. Each home was developed with an access from Orchard Home Drive. The dwellings are oriented and addressed on Orchard Home Drive. The properties were developed prior to the MLDC.

Both properties currently have a private turn around area to allow them to turn around on site without backing in to traffic on Orchard Home Drive. These turn arounds are for private vehicles and are not standard fire truck turn arounds.

The prior approval of the Copley Square Subdivision contemplated and approved the retention of the existing driveways in their current locations.

Approval Criteria

The purpose of and Exception and the approval criteria for an Exception application is provided below:

10.251 Application, Exception

The purpose of Sections 10.251 to 10.253 is to empower the approving authority to vary or adapt the strict application of the public improvement and site development standards as contained in Article III, Sections 10.349 through 10.361, and 10.370 through 10.385, as well as Articles IV and V of this chapter. Exceptions may be appropriate for reasons of exceptional narrowness or shape of a parcel; for reasons of exceptional topographic conditions, extraordinary and exceptional building restrictions on a piece of property; or if strict applications of the public improvement or site development standards in the above-referenced Articles would result in peculiar, exceptional, and undue hardship on the owner.

10.253 Criteria for an Exception

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

(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met. (Effective Dec. 1, 2013).

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

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

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

Findings of Fact

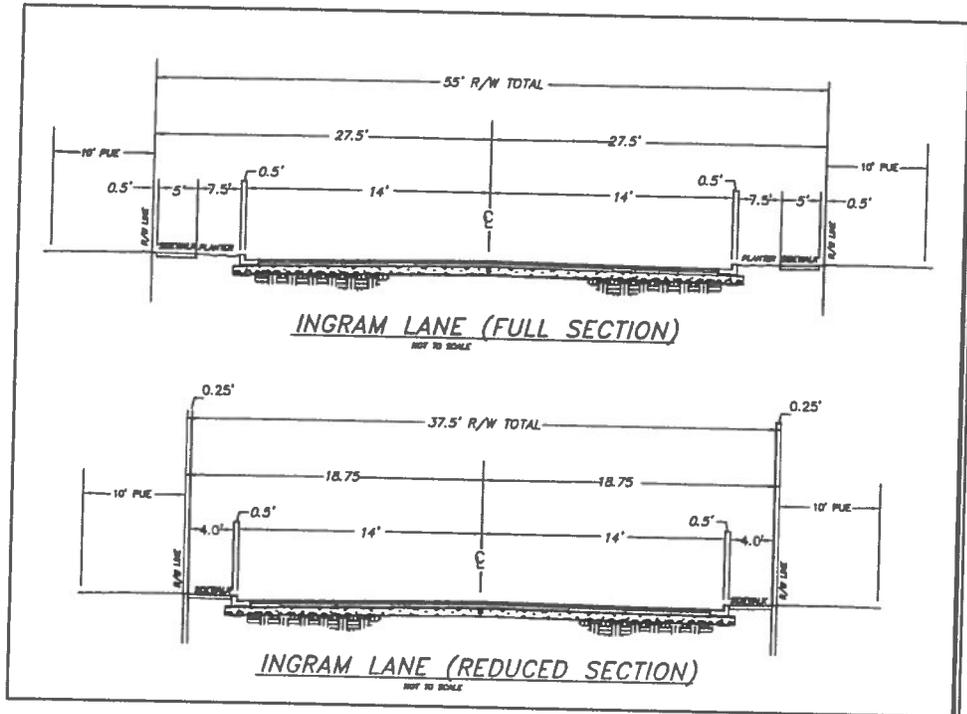
(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met. (Effective Dec. 1, 2013).

Exception 1: ROW Width

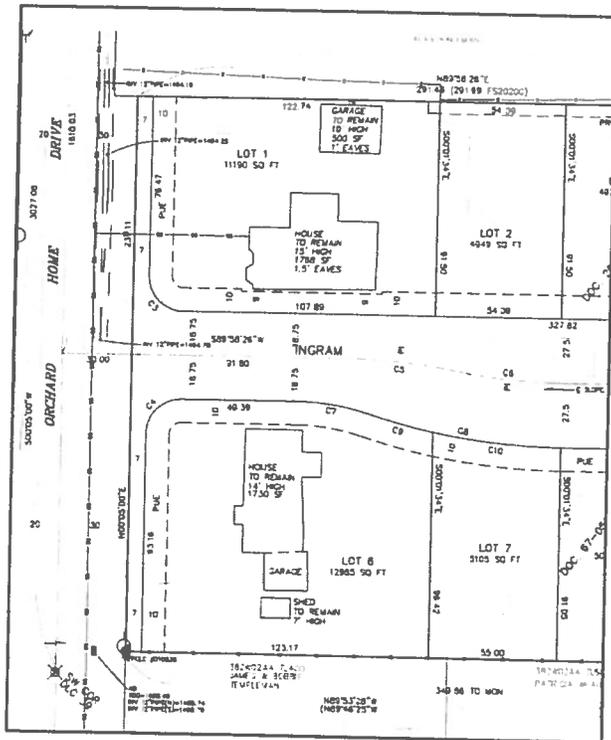
This application for the granting of an exception from the strict application of the MLDC standards is consolidated with an application for a land division.

The approval of the land division will allow for the development of 11 parcels on the subject parcels. Both parcels are currently developed with a single family dwelling, both dwellings are well maintained and are in good condition. These dwellings represent a significant value to each parcel.

The description of the requested exception is as follows:



The image above illustrates the standard 55' right of way street section as contained in the Transportation System Plan and the MLDC and the proposed reduced street section.



The space between the two dwellings does not allow for a full minor residential street section and full 10' setbacks as required by the MLDC.

The standards of the MLDC would require 55' for the minor residential right of way plus 10' setbacks on both sides of the right of way for a total of 75' between the dwellings.

The dwellings are 57.5 feet apart. This exception requests the reduction of Right of Way (ROW) width to 37.5'.

The proposed street section between the dwellings in 37.5 feet and would be a full curb to curb paved section with no planter strips on either side and 4

foot sidewalks instead of the MLDC standard 5' sidewalk width. A Public Utility Easement (PUE) will be dedicated with the approval of the final plat for the subdivision.

The requested exception is the minimum relief from the standards contained in the MLDC necessary to provide a full width paved section for this segment of Ingram Lane.

The request for relief is in harmony with the general purpose and intent of the code standards. The proposed street section will allow for the development of an important street segment. The segment will complete the circulation pattern initiated with the development of the Kasey Court subdivision adjacent to the east of the subject parcels.

Kasey Court stubbed Ingram Lane to the common property lines of the subject parcels. The center line of Ingram Lane was located at the common property line of the subject parcels to allow for standard lot depths for the north and south sides of the road.

The Ingram Lane stub allowed for the future incremental development as proposed in the consolidated land division. The development will complete the desired street circulation plan for the area as well as a convenient pedestrian connection from Orchard Home Drive to the South Medford High School.

The approval of the requested relief will improve public safety with an improved street circulation pattern in the vicinity. Improved circulation in an area provides improved access for emergency responders for the benefit of the residents in the area.

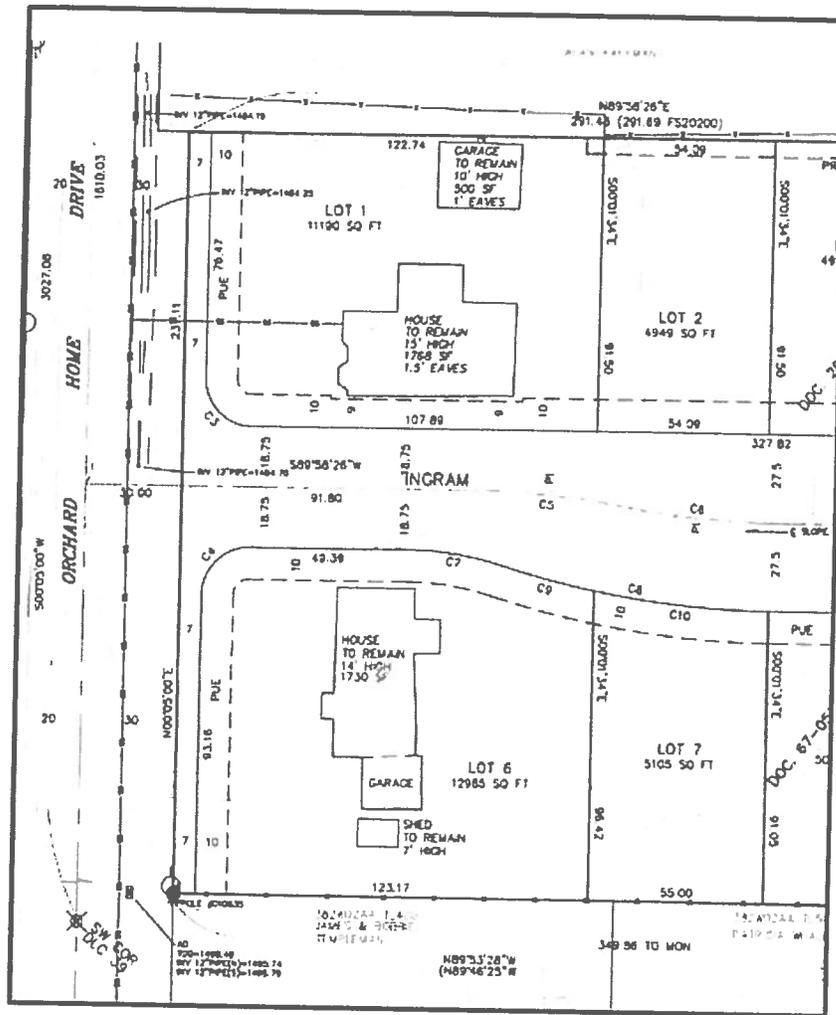
There are no natural resources in the area that will be impacted, either positively or negatively, with the granting of the requested relief.

Conclusions of Law:

The Planning Commission can conclude the granting of the requested relief is in harmony with the general purpose and intent of the regulations and the general public will benefit it terms of public safety from the improved circulation in the vicinity.

Exception 2 : Retain existing Driveway Locations.

The existing driveway locations are identified on the image below:



These dwellings were constructed in 1946, prior to the MLDC. The strict application of 10.550 would require the access off the newly created Ingram Lane, a lower order minor residential street. Granting the requested relief will not create any additional driveway access on Orchard Home Drive as these are existing driveways. The dwellings are oriented toward Orchard Home Drive and the existing development would be significantly and severely impacted without the requested relief.

The general purpose and intent of the code is to control and provide for development at urban densities. This application redevelops these two adjoining parcels that would not be able to develop at urban densities independently, additionally, this application completes a street circulation pattern established with Kasey's Court Phase 1 and 2.

The proposed street connection provides for infill development and improved circulation for autos and pedestrians for the nearby South Medford High School. The benefit of this infill development to the surrounding residents is significant and the retention of the two

existing driveways will not have a detrimental impact the general welfare or safety of the public.

Conclusions of Law:

The Planning Commission can conclude the granting of the requested relief is in harmony with the general purpose and intent of the regulations to control development at urban densities in the City and there will be no detrimental Impacts to the general public.

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

Exception 1:

The granting of the requested exception of will reduce the right of way width for a minor residential street. The granting of the exception request will facilitate a residential land division in residentially zoned parcels to provide for the development of single family residences.

All uses are allowed in the SFR-6 zoning district and there will be no uses proposed that are not permitted because of granting the requested exception.

Conclusions of Law:

The Planning Commission can conclude the granting of the relief requested in this exception will not create use that is not permitted in the SFR-6 zoning district.

Exception 2:

The granting of the requested exception to retain the driveways in the existing location will not create a use that is not allowed in the SFR-6 zoning district.

The SFR 6 zoning district is specifically used for residential use and development. Streets are a use permitted in the zoning district and existing driveway provide existing access to these two residences.

Conclusions of Law:

The Planning Commission can conclude the granting of the relief requested in this exception will not create use that is not permitted in the SFR-6 zoning district.

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

Exception 1:

The subject parcels were originally platted in the 1940's, predating state and local land use standards. The parcels were established as long and narrow configurations with dwellings were centered on the lot frontage.

Each parcel has a single family dwelling in good condition. The space between the two dwellings does not allow for a full minor residential street section and full 10' setbacks as required by the MLDC. The standards of the MLDC would requires 55' for the minor residential right of way plus 10' setbacks on both sides of the right of way for a total of 75' between the dwellings.

Additionally, the approval of the Kasey Court subdivision Established the street circulation pattern and the street right of way width for development on the subject properties. Ingram Lane was established with the centerline on the common property line of the subject parcels.

The location of the centerline does provide enough lot depth on the north and south sides of the propose streets. The dwellings are 57.5 feet apart. The applicants conducted a pre application conference with the City to review options for development on the property and both Planning and Public Works staff indicated the requested reduction of the sidewalk width and the elimination of the planter strip between the two dwellings is the preferred solution. This request maintains a full width paved section to maintain public safety.

As stated above, both dwellings on the properties are in good condition and are well maintained. If the exception were not granted, one of the houses would be required to be demolished and the owner would suffer a significant hardship.

Ultimately, the unique combination of circumstances, long narrow lots, existing dwellings in good condition and approved and developed subdivisions and street patterns are particular and unusual in the City and support the request for the exception to allow development of the subject parcels at urban densities.

This exception requests the reduction of Right of Way (ROW) width to 37.5'. The proposed street section between the dwellings in 37.5 feet and would be a full curb to curb paved section with no planter strips on either side and 4 foot sidewalks instead of the MLDC standard 5' sidewalk width. A Public Utility Easement (PUE) will be dedicated with the approval of the final plat for the subdivision.

The requested relief is the minimum relief required to develop the properties at urban densities.

Conclusions of Law:

The Planning Commission can conclude there are unique and unusual circumstances peculiar to the subject properties and not allowing relief from the current standards would result in a particular hardship to the applicants.

Exception 2:

The subject parcels were created prior the MLDC. The properties are infill development constrained by both existing dwellings and approvals of prior developments. Orchard Home Drive was not a classified street at the time of original development.

The existing driveways serving the properties are unique to this site. The dwellings are oriented to the Orchard Home Drive frontage and without the requested relief the homes would require significant alteration resulting in a hardship specific to these applicants.

The approval of Kasey Court Phases 1 and 2 created an important street connection in the vicinity for vehicles, but more importantly, pedestrians providing a more direct pedestrian connection to South Medford High School for residents in this vicinity.

The location of Ingram Lane from the Kaseys Court approval dictates the location for the right of way, aiming directly between the existing dwellings on the site. Both dwellings have been remodeled since the 1946 construction and represent a significant asset to the applicants.

The driveways are located at the north side of lot 1 and the south side of lot 6 creating the most distance available from the proposed Ingram way.

The relocation of the driveways to Ingram Way would require the driveways to be places on the narrow portion of the Ingram Way right of way which could impact congestion in the subdivision.

Conclusions of Law:

The Planning Commission can conclude there are unique and unusual circumstances peculiar to the subject properties and not allowing relief from the current standards would result in a particular hardship to the applicants.

(4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the

application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

Exception 1:

The subject parcels were created under previous land use jurisdictions and codes. The parcels sizes and shape are not well suited to development at current urban standards. The surrounding development and current development code places a priority on circulation and connectivity.

The establishment of Ingram Lane requires the extension of the public right of way and the block length ordinance dictates the connection of Ingram Lane with Orchard Home Drive.

Without granting the requested relief for right of way width, one of the two existing dwellings on the properties would have to be demolished and both dwellings very serviceable and in good condition. The demolition of a serviceable dwelling would be a significant hardship suffered directly by either applicant.

This application for the exception and the land division is a very efficient plat that would not be possible if either of the property were to attempt to develop independently.

The applicant's knowledge of the code or development standards are not a factor in the request for relief. The historic development patterns of the original parcels and the approval of subdivisions and street patterns on adjoining parcels dictate the development opportunities and options on the subject parcels and a reduction of right of way is necessary to meet the current MLDC standards.

Conclusions:

The Planning Commission can conclude the need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question.

Exception 2:

The subject parcels were created under previous land use jurisdictions and codes and are impacted by previous land use approvals, including the classification Orchard Home Drive as a major Collector Street.

The applicant's knowledge of the code or development standards are not a factor in the request for relief. The historic development patterns of the original parcels and the

approval of subdivisions and street patterns on adjoining parcels dictate the development opportunities and options on the subject parcels. The need for the exception is not the result of an illegal act.

The applicants will not be creating any new access points on Orchard Home Drive, they seek to utilize their existing driveway as their homes were designed. The impacts of not receiving the granted relief from the Planning Commission would be suffered on this site and additional profit is not a factor in the request.

Exception Summary and Conclusions:

The Planning Commission can conclude the relief requested in this application for two exceptions is consistent with the approval criteria for an Exception contained within the Medford Land Development Code.

The granting of the relief is in harmony with the purpose and intent of regulations for urban development. The reduced right of way width will improve public safety by completing a street circulation pattern in the vicinity, and the use of the existing driveways serving the existing dwellings does not have a negative impact on the public safety.

Granting the exception requests will allow for residential development in a residential zone, a permitted use for the zoning district.

The site is burdened with unique and unusual circumstances that are not typical in other areas of the City. If the exception were not granted the applicants would suffer a direct hardship by not being able to develop and the City would not be able to complete a circulation pattern that was established by the approval of plats on adjoining parcels.

The need for the exception was not the result of an illegal act the hardship of not granting the relief would be suffered directly by the applicants.

On behalf of the applicants, I respectfully request the Planning Commission grant the relief requested in these exceptions.

Regards



Scott Sinner
Scott Sinner Consulting, Inc.



Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 7/25/2018
Revised Date: 9/5/2018
File Numbers: LDS-18-085/E-18-086
Reference: PA-17-156/PA-17-057

PUBLIC WORKS DEPARTMENT STAFF REPORT Copley Square 1945/1965 Orchard Home Drive TLs 200 & 300

- Project:** Consideration of a tentative plat for an 11-lot subdivision on approximately 2.1 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district.
- Location:** Located on the east side of Orchard Home Drive at 1945 & 1965 Orchard Home Drive (382W02AA TL200 & 300).
- Applicant:** Applicants: Joshua and Shawna Wallace & Michael and Heather Johnson;
Agent: Scott Sinner Consulting, Inc.; Planner: Steffen Roennfeldt.

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

- Approval of Final Plat:
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

Diamond Street is classified as a Minor Collector street within the Medford Land Development Code (MLDC), Section 10.428. Additional right-of-way has already been dedicated as part of the Warren Park Subdivision Phase II, P-1842D. **No additional right-of-way is required.**

Orchard Home Drive is classified as a Major Collector street within the MLDC 10.428. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width (37-feet) of right-of-way. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

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

This development shall extend **Ingram Lane**, in accordance with MLDC 10.426, from its current terminus at the eastern property line west to Orchard Home Drive. The Developer shall dedicate full width right-of-way (55-feet), consistent with the standard prescribed by MLDC 10.430. The Developer has **requested an Exception** to reduce the right-of-way width from 55-feet to 37.5-feet between Lots 1 and 6 where the existing homes are proposed to remain. If the Planning Commission denies the Exception, then the standards for a Minor Residential Street classification shall apply, and the Developer shall dedicate a right-of-way width of 55-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

Diamond Street – All street section improvements, with the exception of a planter strip, have

been completed in close conformance with current standards, including pavement, curb and gutter, street lights, and sidewalks. **No additional public improvements are required.**

Orchard Home Drive shall be improved to Major Collector street standards, in accordance with MLDC 10.428. The Developer shall improve the east half plus 12-feet west of the centerline, or to the far edge of the existing pavement, whichever is greater, along the frontage of this development.

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

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

Ingram Lane shall be constructed to Minor Residential street standards, along the frontage of this development, in accordance with MLDC 10.430. The Developer has **requested an Exception** to reduce the right-of-way width from 55-feet to 37.5-feet, eliminating the planter strip on either side, reducing the sidewalk from 5-feet to 4-feet, and reducing the right-of-way behind the sidewalk from 0.5-feet to 0.25-feet. If the Exception request is denied, Ingram Lane shall be constructed to Minor Residential street standards, in accordance with MLDC 10.430.

b. Street Lights and Signing

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

Street Lighting – Developer Provided & Installed:

- A. Orchard Home Drive
 - a. 1 – Type C-250

NOTE: Possible power source would be the existing Base Mounted Cabinet (BMC) conduit system to the south of this project located at 2029 Orchard Home Drive. If not, a new BMC will be required.

- B. Ingram Lane
 - a. 2 – Type R-100

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

- a. 1 – Stop Sign
- b. 1 – Street Sign
- c. 1 – Speed 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 no pavement cutting moratorium currently in effect along this frontage to Orchard Home Drive. **There is a pavement cutting moratorium currently in effect along Diamond Street, which is set to expire February 15th, 2021.**

The Developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any Public Street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be submitted to the City Engineer with the submittal of the preliminary construction drawings.

d. Soils Report

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

e. Access to Public Street System

Driveways shall comply with MLDC 10.550. In accordance with MLDC 10.550, Lots 1 and 6 shall take access via Ingram Lane.

The Developer has **requested an Exception** to the requirement that Lots 1 and 6 take access via Ingram Way because there are existing driveways on Orchard Home Drive. **Public Works recommends denial of this portion of the exception request.** The findings contend that relocating the driveways for the existing houses to Ingram Way is an undue hardship on the development. Based on site visits, neither of the areas identified as a garage on the site plan are

currently used for vehicle parking and do not have garage doors, which reduces this potential impact. The findings also contend that the driveways being placed on the narrow portion of Ingram Way could impact congestion in the subdivision. Since the narrow section of Ingram Way is proposed to eliminate planter-strips and reduce sidewalk width, not to reduce the curb-to-curb width, placing the driveways on Ingram Way will not impact congestion in the subdivision any more than the other driveways in the subdivision. However, placing the driveways on Orchard Home Drive will impact congestion on a Major Collector roadway. If the exception is approved and driveway access is allowed to Orchard Home Drive then the SDC Credits for the right-of-way dedication and the associated street improvements to this street shall be reduced in accordance with the City of Medford's Administrative Guidelines for Street SDC Fees and Credits.

f. Easements

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

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

3. Section 10.668 Analysis

To support a condition of development that an Applicant dedicate land for public use or provide a public improvement, the Medford Code requires a nexus and rough proportionality analysis which is essentially a codification of the constitutional provisions in Nollan and Dolan cases.

10.668 Limitation of Exactions

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

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

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

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of

a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, emergency services and pedestrians. Further, these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and storm drains to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

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

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

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

Orchard Home Drive is classified as a Major Collector street per the adopted Circulation Plan. Orchard Home Drive is the primary connector to South Stage Road and Cunningham Avenue from the development. As a Major Collector, Orchard Home Drive 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 streets, they are eligible for street SDC credits for both the right-of-way and roadway improvements, per MMC, Section 3.815 (5). Street SDC credits offset costs to the Developer and is the mechanism provided by the City of Medford to fairly compensate the applicant for the excess burden of dedicating for and constructing higher order streets.

Ingram Lane: In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square footage of right-of-way per dwelling unit for dedications. The proposed development has 11 lots and will improve approximately 350 lineal feet of roadway which equates to 31 lineal feet per dwelling unit. Also the development will dedicate approximately 16,975 square feet of right-of-way, which equates to approximately 1,543 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Orchard Court Subdivision just southwest of this development between Diamond Street 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 11 new Lots within the City of Medford and increase vehicular traffic by approximately 188 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.
- 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.

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. For developments over five acres, Section 10.486 requires that the development set a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

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.

The City is responsible for operational maintenance of the public detention facility. Irrigation and maintenance of landscape components shall be the responsibility of the Developer or a Home Owners Association (HOA). The Developers engineer shall provide an operations and maintenance manual for the facility that addresses responsibility for landscape maintenance prior to subdivision acceptance. Regarding water quality maintenance, the Rogue Valley Stormwater Quality Design Manual states: "Vegetation shall be irrigated and mulched as needed to maintain healthy plants with a density that prevents soil erosion."

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. Medford Irrigation District Ditch

A Medford Irrigation District (MID) ditch is located on the northerly boundary of this development, running parallel, and south of, Diamond Street. The Developer shall coordinate with MID as to any conditions of development that they may require.

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.

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

- Clustered driveways,
- Building to have sprinklers,
- 33-foot paved width, or
- No parking signs.

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

3. Phasing

The proposed plans do not show any phasing.

4. Draft of Final Plat

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

5. Easements

Easements shall be shown on the Final Plat for all sanitary sewer laterals and storm drainage laterals that cross lots other than the one being served by the laterals.

6. Permits

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.

7. System Development Charges (SDCs)

Buildings in this development are subject to Street and Sewer Treatment 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.

8. 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 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

Copley Square - 1945/1965 Orchard Home Drive (TLs 200 & 300)

LDS-18-085/E-18-086

A. Streets

1. Street Dedications to the Public:

- **Diamond Street** – No additional right-of-way is required.
- Dedicate additional right-of-way on **Orchard Home Drive**.
- Dedicate full width right-of-way (55') on **Ingram Lane**, unless approved otherwise through the Exception request.
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- **Diamond Street** – Street improvements have been completed.
- Improve **Orchard Home Drive** to Major Collector street standards.
- Construct **Ingram Lane** to Minor Residential street standards, unless approved otherwise through the Exception request.

Lighting and Signing

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

Other

- No pavement moratorium currently in effect along this frontage to Orchard Home Drive.
- **Pavement cutting moratorium currently in effect along Diamond Street, which expires 2/15/2012.**
- Provide pavement moratorium letters.
 - Provide soils report.
- Driveways shall comply with MLDC 10.550. Lots 1 and 6 shall take access via Ingram Lane, unless approved via the exception request.

B. Sanitary Sewer

- The site is situated within the RVSS area. Provide private laterals to each lot.

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.
 - Coordinate with Medford Irrigation District regarding irrigation ditch.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

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

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



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDS-18-085 & E-18-086

PARCEL ID: 382W02AA TL 200 & 300

PROJECT: Consideration of a tentative plat for an 11-lot subdivision on approximately 2.1 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district, located on the east side of Orchard Home Drive at 1945 & 1965 Orchard Home Drive (382W02AA TL200 & 300)(Applicants: Joshua and Shawna Wallace & Michael and Heather Johnson; Agent: Scott Sinner Consulting, Inc.; Planner: Steffen Roennfeldt

DATE: July 25, 2018

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The installation of an 8-inch water line is required in the street extension of Ingram Lane with connection to the existing 12-inch waterline in Orchard Home Drive, and connection to the existing 8-inch water line at the existing west end of Ingram Lane.
4. All metered water service connections for the existing homes at 1945 & 1965 Orchard Home Drive (Lots 1 & 6), and for proposed Lots 2-5, and Lots 7-10 will come off the above conditioned 8-inch water line in Ingram Lane.
5. The water pressure in this proposed subdivision will be approximately 102 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
6. Applicant or their Civil Engineer shall coordinate with Medford Fire Department for location of proposed Fire Hydrants.

Continued to Next Page

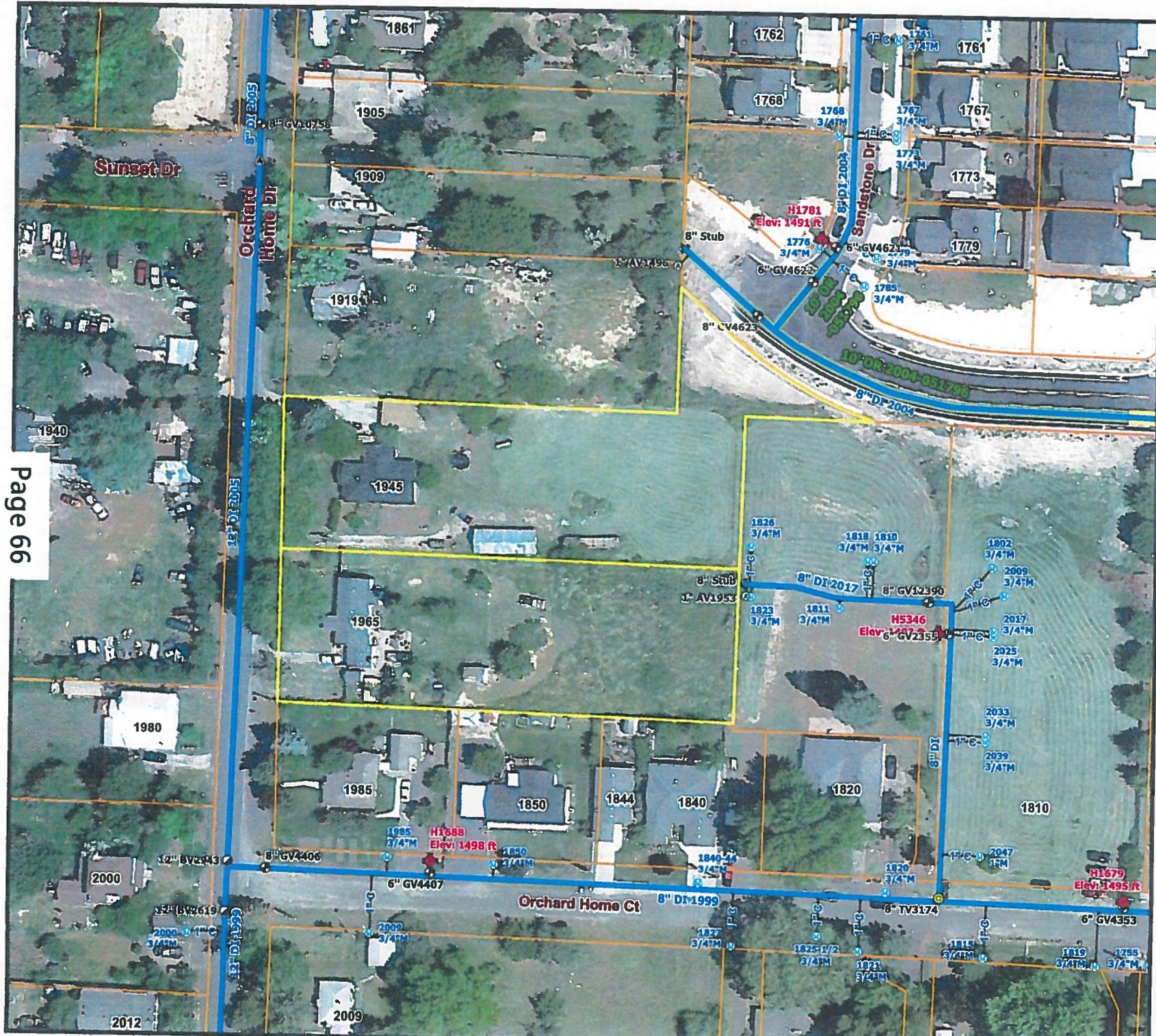


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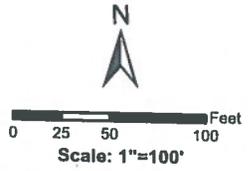
7. The well(s) located on these parcels are required to be abandoned per State of Oregon DEQ regulations, or the installation of an "Approved" backflow prevention device will be required to be installed behind the proposed water meters to the Lots with the well. If the Applicants desires to keep their well, their Civil Engineer shall coordinate with MWC Engineering department for approved type and location of Back Flow Prevention Device to protect public water system from possible future well contamination.

COMMENTS

1. These parcels are in the "Southwest" Pressure zone within Medford Water Commission service area.
2. Off-site water line installation is not required.
3. On-site water facility construction is required. (See Condition 3 above)
4. Static water pressure in this area is approximately 100 psi. (See Condition 4 above)
5. MWC-metered water service does NOT exist to these properties currently.
6. Access to MWC water lines is available. There is an existing 8-inch water line in both Milton Lane and Ingram Lane. There is an existing 12-inch water line in Orchard Home Drive. There is an existing 8-inch water line in Diamond Street.



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Water Facility Map for City of Medford App: LDS-18-085 & E-18-086 "Copley Square"

July 25, 2018

Legend

- Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plugs-Caps
- Water Meters:**
 - Active Meter
 - On Well
 - Unknown
 - Vacant
- Water Valves:**
 - Butterfly Valve
 - Gate Valve
 - Tapping Valve
- Water Mains:**
 - Active Main
 - Abandoned Main
 - Reservoir Drain Pipe
 - Pressure Zone Line
- Boundaries:**
 - Urban Growth Boundary
 - City Limits
 - Tax Lots
- MWC Facilities:**
 - Control Station
 - Pump Station
 - Reservoir



This map is based on a right to access provided by Medford Water Commission from a number of sources. Medford Water Commission does not warrant the accuracy, completeness, or professional engineering. There are no warranties, expressed or implied.

DATE: 7/25/2018
 PLOT: 03-WATER/Facilities APPX App: LDS-18-085 & E-18-086 1-sheet 1 of 1 July 25 2018.mxd

Memo



To: Steffen Roennfeldt, Planning Department
From: Mary Montague, Building Department
CC: Applicants: Joshua & Shawna Wallace; Michael & Heather Johnson; Agent: Scott Sinner Consulting, Inc.
Date: July 24, 2018
Re: LDS-18-085/E-18-086; Copley Square

Building Department:

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

1. Applicable Building Codes are 2017 ORSC; 2017 OPSC; and 2014 OMSC. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Go to "City Departments" at top of screen; click on "Building"; click on "ELECTRONIC PLAN REVIEW (ePlans)" for information.
3. Site Excavation permit required to develop, install utilities.
4. Demo Permit is required for any buildings being demolished.

CITY OF MEDFORD
EXHIBIT # H
File # LDS-18-085
E-18-086



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 7/24/2018
Meeting Date: 7/25/2018

LD #: LDS18085 Associated File #: E18086

Planner: Steffen Roennfeldt

Applicant: Joshua and Shawna Wallace & Michael and Heather Johnson; Agent: Scott Sinner Consulting, Inc.

Project Location: East side of Orchard Home Drive at 1945 & 1965 Orchard Home Drive

Project Description: Consideration of a tentative plat for an 11-lot subdivision on approximately 2.1 acres within the SFR-6 (Single Family Residential – 4 to 6 dwelling units per gross acre) zoning district, located on the east side of Orchard Home Drive at 1945 & 1965 Orchard Home Drive (382W02AA TL200 & 300) (Applicants: Joshua and Shawna Wallace & Michael and Heather Johnson; Agent: Scott Sinner Consulting, Inc.; Planner: Steffen Roennfeldt)

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Comments	Description
OFC 508.5	Two fire hydrants are required for this project: One located near the corner of Orchard Home Drive/Ingram Lane and one on Ingram Lane near lot #4.	Fire hydrants with reflectors will be required for this project. 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-Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).
MMC 10.430	The developer must choose one of the design options in Medford Municipal Code section 10.430. If the clustered-offset driveway option is chosen, the driveway locations shall be specified in the Civil plans that are reviewed by the Public Works Engineering Department and the Fire Department prior to development.	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 1/2) 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 signs may be required.

Construction General Information/Requirements

CITY OF MEDFORD
EXHIBIT # 1
File # LDS-18-085
E-17-086

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

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

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

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

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

www.medfordfirerescue.org



JACKSON COUNTY

Roads

Roads
Engineering

Mike Kuntz
County Engineer

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

www.jacksoncounty.org

July 16, 2018

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

RE: Subdivision off Orchard Home Drive – a county maintained road
Planning File: LDS-18-085 & E-18-086

Dear Steffen:

Thank you for the opportunity to comment on the consideration of a tentative plot for a 11-lot subdivision on a 2.10 acre parcel, within a SFR-6 (Single Family Residential – 4 - 6 dwelling units per gross acre) zoning district, located on the eastside of Orchard Home Drive, at 1945 & 1965 Orchard Home Drive (38-2W-02AA TL 200 & 300). Jackson County Roads has the following comments:

1. If frontage improvements are required off Orchard Home Drive, they shall be permitted and inspected by the City of Medford.
2. Roads recommends that all new approaches take access from Diamond Street. Any improved road approaches off Orchard Home Drive shall be permitted and inspected by the City of Medford
3. The applicant shall submit construction plans to Jackson County Roads, so we may determine if county permits will be required.
4. Orchard Home Drive is a County Minor Arterial and is county-maintained. The Average Daily Traffic Count was 2,305 on July 5, 2016, 100 feet south of Sunset Drive. As a comparison of capacity for Orchard Home Drive, the capacity of a two lane *rural* road with ten foot lanes and no shoulders is 5,888 ADT.
5. 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 Orchard Home Drive. Jackson County Roads recommends that the city request jurisdiction of this road.

CITY OF MEDFORD

EXHIBIT # J

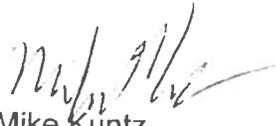
File # LDS-18-085

E-18-086

6. Storm water should meet City of Medford requirements that also include water quality.
7. Jackson County Roads would like to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads.

If you have any questions or need further information feel free to call me at 774-6228.

Sincerely,



Mike Kuntz
County Engineer



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

July 13, 2018

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

Re: LDS-18-085 & E-18-086, (Map 382W02A, TL200 & 300)
Ref: PA-17-157

ATTN: Steffen,

The subject property is within the RVSS sewer service area. The existing homes within the development are currently served by connections to the 10 inch main on Orchard Home Drive. The proposed development will not affect these services. There is an 8 inch sewer extended along Ingram Lane to the east edge of the property. Sewer service for the proposed development can be had by sewer mainline extension of this main or from the existing 10 inch main along Orchard Home Drive.

Permits to connect to constructed services are issued by the City of Medford. However, there will be system development charges owed to RVSS prior to construction.

RVSS requests that approval of this application be subject to the following conditions:

1. All sewer facilities must be designed and constructed per RVSS standards.
2. The applicant must pay sewer system development charges to RVSS prior to issuance of a building permit.

Feel free to call with any questions.

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, P.E.
District Engineer

DENSITY CALCULATION FORM

For all residential LDP, LDS, PUD, and AC Application Files

SQ FT	11190	41817.6
AC	0.96	0.256887052

File No.	LDS-18-085
Planner	Steffen Roennfeldt
Date	July 18, 2018

GROSS ACREAGE	
Tax Lot Numbers	
382W02AA200	1.10 AC
	AC
	AC
	AC
	AC
Existing ROW to Centerline	0.22 AC
Gross Acres	1.32 AC
Effective Acres (Gross - Subtracted)	1.06

SUBTRACTED ACREAGE	
Large Lots for Existing Development	0.26 AC
Reserved Acreage	AC
Other ¹	AC
	AC
	AC
	AC
Subtracted Acres	0.26 AC

DENSITY RANGE	
Zoning District	SFR-6
Density Range	
Minimum	4
Maximum	6
No. DU Proposed	6
No. DU Permitted Min.	4
No. DU Permitted Max.	6
Minimum	4.23
Maximum	6.35
Percentage of Maximum	94.45%

EXISTING R-O-W CALCULATION					
Street Name	LF	Width	SF	Acreage	
Orchard Home Drive	118.00		2,478.00	0.06	
Diamond St	188.00		7,050.00	0.16	
			-	-	
			-	-	
			9,528.00	0.22	

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File # **LDS-18-085**
 EXHIBIT # **E-11-081**
 CITY OF MENFORD

¹ Such as future ROW dedication, resource protection areas, common open space, other dedication areas, etc.

DENSITY CALCULATION FORM

For all residential LDP, LDS, PUD, and AC Application Files

SQ FT 12985 41817.6
 AC 0.96 0.298094582

File No.	LDS-18-085
Planner	Steffen Roennfeldt
Date	July 18, 2018

GROSS ACREAGE	
Tax Lot Numbers 382W02AA300	0.96 AC
	AC
	AC
	AC
	AC
Existing ROW to Centerline	0.06 AC
Gross Acres	1.02 AC
Effective Acres (Gross - Subtracted)	1.02

SUBTRACTED ACREAGE	
Large Lots for Existing Development	AC
Reserved Acreage	AC
Other ¹	AC
	AC
	AC
	AC
Subtracted Acres	AC

DENSITY RANGE	
Zoning District	SFR-6
Density Range	
Minimum	4
Maximum	6
No. DU Proposed	5
No. DU Permitted Min.	4
No. DU Permitted Max.	6
Minimum	4.07
Maximum	6.10
Percentage of Maximum	81.95%

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EXISTING R-O-W CALCULATION					
Street Name	LF	Width	SF	Acreage	
Orchard Home Drive	118.00	21.00	2,478.00	0.06	
			-	-	
			-	-	
			-	-	
			2,478.00	0.06	

¹ Such as future ROW dedication, resource protection areas, common open space, other dedication areas, etc.



Project Name:

Copley Square
1945 & 1965 Orchard Home Dr

Map/Taxlot:

382W02AA TL 200 & 300



06/26/2018

Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots

