

PLANNING COMMISSION AGENDA SEPTEMBER 14, 2017



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 14, 2017

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 **LDS-17-050** Final Order of a request for tentative plat approval for Jam Industrial Park, a proposed 9- lot industrial Pad Lot Development on a 17.13 acre lot located at 301 Ehrman Way, In the General Industrial (I-G) zoning district (372W14 TL 1400). (Fjarli Merlin, Applicant; Richard Stevens & Associates, Inc., Agent; Dustin Severs, Planner III).
 - 20.2 **ZC-17-075** Final Order of a zone change on 1.30 acre parcel located immediately southwest of the intersection of Stewart Avenue and Lozier Lane in Southwest Medford from SFR-00 (Single Family Residential – 1 dwelling unit per lot) to MFR-20 (Multi-Family Residential – 20 dwelling units per acre). (372W35AD1900) (Scott Becker, Applicant; Richard Stevens & Associates, Agent; Steffen Roennfeldt, Planner III)
 - 20.3 **CUP-17-067** Final Order of a request to revise a previously approved Conditional Use Permit to extend the days and hours of operation of a youth center on a 0.62 acre parcel located on the north side of Roberts Road within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district (371W17CA Tax Lot 2200). (Rogue Valley Youth for Christ, Applicant; Praline McCormack, Planner II)
 30. **Minutes**
 - 30.1 Consideration for approval of minutes from the August 24, 2017, 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.**

Old Business

 - 50.1 **SV-17-069** Consideration of a request for the vacation of an approximate 60-foot wide strip of public right-of-way along with the adjacent Public Utility Easements, being a portion of Myers Lane, running north from Garfield Avenue approximately 1743 feet in length, within the Stewart Meadows Village

Planned Unit Development. (KOGAP Enterprises, Applicant; Maize & Associates, Agent; Dustin Severs, Planner III).

New Business

- 50.2 **ZC-17-089** Consideration of a zone change on 0.45 acre parcel located immediately northwest of the intersection of W McAndrews Road and N Ross Lane in Northwest Medford from SFR-00 (Single Family Residential – 1 dwelling unit per lot) to SFR-6 (Single Family Residential – 6 dwelling units per acre). (372W26AA3900). (Craig Horton, Applicant; Richard Stevens & Associates, Agent; Steffen Roennfeldt, Planner III)
- 50.3 **LDS-17-079 / E-17-080** Consideration of a request for tentative plat approval for Cherrybrook Subdivision, a 4-lot residential subdivision on approximately 1.13 acres located north of Prune Street and east of Cherry Street within an SFR-10 (Single Family Residential-10 dwelling units per gross acre) zoning district. The request includes an Exception to the standards for lot dimensions. (Rick Schiller, Applicant; Amy Gunter, Agent; Steffen Roennfeldt, Planner III)

60. Reports

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

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF A TENTATIVE PLAT APPROVAL OF)
)
JAM INDUSTRIAL PARK [LDS-17-050]) **ORDER**

ORDER granting approval of a request for tentative plat for *JAM Industrial Park*, described as follows:

A proposed 9- lot industrial Pad Lot Development on a 17.13 acre lot located at 301 Ehrman Way, In the General Industrial (I-G) zoning district (372W14 TL 1400).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and
2. The Medford Planning Commission has duly held a public hearing on the request for tentative plat for *JAM Industrial Park*, as described above, with the public hearing a matter of record of the Planning Commission on August 24, 2017.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat for *JAM Industrial Park*, as described above and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for *JAM Industrial Park*, stands approved per the Planning Commission Report dated August 24, 2017, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated August 24, 2017.

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

Accepted and approved this 14th day of September, 2017.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



PLANNING COMMISSION REPORT

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

PROJECT Jam Industrial Park – Pad lot development
Applicant: Fjarli Merlin and Joann Foundation, Inc.
Agent: Richard Stevens and Associates, Inc.

FILE NO. LDS-17-050

DATE August 24, 2017

BACKGROUND

Commission Update

Following the presentation of the staff report at the public hearing held on July 13, 2017, the Commission expressed concern with the applicant's proposed tentative plat and its compliance with the criteria for a pad lot development as established per the Code, with numerous Commissioners stating their intent to vote against the standing motion to approve the request. The Commission's apprehension in supporting the request, as expressed at the hearing, was their view that the proposed layout of the tentative plat was less characteristic of pad lot development, and more characteristic of a conventional subdivision – nullifying the purpose and intent of a pad lot development. In response, the applicant requested a continuance in order to be provided additional time to address some of the concerns expressed by the Commission, and the continuance request was granted by the Commission. As part of this report, the applicant has submitted a revised tentative plat (Exhibit R) showing a subdivision more characteristic of a pad lot development in which the applicant feels adequately addresses the concerns expressed by the Commission during the first public hearing.

Proposal

Consideration of a request for tentative plat approval for Jam Industrial Park, a proposed 9-lot industrial Pad Lot Development on a 17.13 acre lot located at 301 Ehrman Way, in the General Industrial (I-G) zoning district.

Subject Site Characteristics

Zoning: I-G
GLUP: HI (Heavy Industrial)
Overlays: I-00 (Limited Industrial) & AC (Airport Area of Concern)
Use: Industrial Park

Surrounding Site Characteristics

<i>North</i>	Zone: Jackson County – GI (General Industrial) Use(s): Boise Cascade Wood Products
<i>South</i>	Zone: SFR-6 (Single-Family Residential, 6 dwelling units per gross acre) Use(s): Industrial Warehouse Buildings
<i>East</i>	Zone: Jackson County – LI (light Industrial) Use(s): Consolidated Graphics, Suburban Propane.
<i>West</i>	Zone: Jackson County – Exclusive Farm Use (EFU) Use(s): Agricultural uses and warehouse building

Related Projects

A-07-147	Annexation
LDS-11-045/E-11-126	Industrial Subdivision with Exception request for reduced right-of-way length and width. Request Denied.
A-13-041	De-annexation. Request denied.

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.*

Applicable Code Sections

10.703 Pad Lot Development

A. Purpose. It is the purpose of this Section to provide a process for the creation of tax lots within a common area for non-residential uses. This Section is not intended to provide relief from the strict standards elsewhere established in this Code.

B. Development Standards.

(1) All lot-lines created within the common area shall be located along a common or exterior building wall, or within four (4) feet of an exterior building wall, unless the approving authority (Planning Commission) allows a greater distance for special purposes.

(2) The parent parcel shall meet the site development standards established in Section 10.721.

(3) All pad lot developments shall obtain Site Plan and Architectural Review approval prior to the tentative plat application being accepted for review by the Planning Commission.

(4) A pad lot development shall be identified as such on both the tentative and final plats, and on the site plan submitted for the project. At the time of recording of the final plat, Covenants, Conditions, and Restrictions (CC&Rs) shall be approved by the City and recorded. The recorded CC&Rs shall provide:

(a) That the owners are jointly and severally responsible for the continued maintenance and repair of the common elements of the development, such as common portions of buildings, parking areas, access, landscaping, etc., and share equitable in the cost of such upkeep.

(b) An association for the purpose of governing the operation of the common interests.

(c) Maintenance access easements on individual lots where necessary for the purpose of property maintenance and repair.

(d) The specific rights of, or limitations on, individual lot owners to modify any portion of a building or lot, including the provision that no common elements be modified without the consent of the association.

ISSUES AND ANALYSIS

Project Summary

Site Description

The subject site consists of a 17.3-acre industrial park containing nine existing industrial buildings on a single tax lot developed as a flag lot in 2003 through Jackson County. Vehicular access to and within the subject site are provided by the privately-owned Ehrman Way and Ehrman Circle (cul-de-sac). Ehrman Way serves as access to the subject site and consists of a 1,350-foot long extension (flag pole) of the dedicated section of Ehrman Way extended from Joseph Street, and terminating at the westerly lot line of the site. Ehrman Way was constructed and inspected per Jackson County standards in order to serve the development of the subject site; however, Jackson County would not accept the right-of-way due to an encumbrance with an easement. The nine existing industrial buildings total 187,000 square feet, and range in size from 1,500 to 27,500 square feet, and were all approved and constructed through the Jackson County permitting process.

Background

The subject lots, including the construction of the existing industrial buildings, were approved through the Jackson County permitting process in 2003. Jackson County and the City of Medford have an Urban Growth Management Agreement (UGMA) that requires the County to request comment from the City when development applications are received for areas within the Urban Growth Boundary. The City Public Works Department responded to the request in 2003, identifying certain improvements to be constructed to City standards. The UGMA also requires that the County obtain an Irrevocable Consent to Annex form at the time the development occurs; a condition of approval was included in the decision. Despite being aware at the time of the 2003 Jackson County approval that the improvements should be constructed to City standards, and that annexation was imminent, the applicant opted to continue under Jackson County jurisdiction. After construction was completed, the applicant requested that the site be annexed to the City. The site was annexed in its current developed condition on March 5, 2009.

On April 4, 2011, the applicant submitted an application for a Land Division (LDS-11-045). The proposal was to create nine lots, one for each of the existing nine buildings. An Exception application requesting relief from various dimensional requirements for public streets was filed concurrently with the land division request for the privately-owned streets, as the 1,350-foot long dead-end street (Ehrman Way) and the 630-foot long cul-de-sac (Ehrman Circle) exceeded

the 450-foot maximum lengths allowed per MLDC 10.439 and 10.450, respectively (E-11-126). Concurring with the recommendations of Public Works and the Planning Staff, the Planning Commission denied the application, with the Commission determining that the proposal did not meet the requirements for dead-end streets per MLDC 10.439, cul-de-sacs per MLDC 10.450, and street widths per MLDC 10.430(B). The applicant would go on to request that the public hearing be continued a total of 11 times, but the Planning Commission ultimately adopted the Final Orders denying the Land Division and Exception applications on February 23, 2012 - an appeal of the decision was not filed. In response to the denial of the land division request, the applicant submitted a request to de-annex from the City in 2013 - this request was likewise denied by the City (A-13-041).

Current Proposal

The applicant is now once again requesting to divide the property, this time opting to divide the property as a pad lot development pursuant to MLDC 10.703. As with PUD's, pad lot developments may be approved without dedicating the roadways as public streets and being constructed to City standards - effectively bypassing the issue in which prevented the approval of the property from being divided through the conventional land division process in 2011-12. The nine-lot pad lot development is proposed to create a shared common area which includes the access, both Ehrman Way and Ehrman Circle (Common Area A); utilities; common landscaping of the property; and common areas between the individual buildings showing cross access easements (Common Area B & C). The applicant's submitted findings (Exhibit H) state that there are no plans at this time to change the existing use of the property or to modify any of the existing development, and the approval for the creation of a pad lot would allow only for the individual sale of the existing industrial structures along with associated parking, maneuvering, and loading areas.

While the original tentative plat (Exhibit B) submitted by the applicant was virtually identical to the subdivision plat that was denied by the City in 2011, the revised tentative plat (Exhibit R) shows an altered layout, with the individual lots shown as "islands" within the larger common area of the development, characteristic of a pad lot development.

Pad Lot Development Criteria – Analysis

(1) All lot-lines created within the common area shall be located along a common or exterior building wall, or within four (4) feet of an exterior building wall, unless the approving authority (Planning Commission) allows a greater distance for special purposes.

The submitted tentative pad lot does not show the proposed lot lines located along a common wall, nor within four feet of an exterior building wall; however, the Code does provide the Planning Commission the authority to allow a greater distance for *special purposes*. It is the burden of the applicant to effectively demonstrate such *special purposes* in their submitted findings. Accordingly, the applicant's findings assert that the need for the lots to extend beyond four feet of the exterior walls is created by the existing use of the property and orientation of existing development, specifically, the existing loading docks associated with the

individual buildings extend well beyond four feet from the exterior building walls, which prevent lot lines from being located within four feet from the exterior building walls. It is staff's view that the applicant's intention to locate the loading dock, along with necessary space to allow sufficient maneuverability for trucks, beyond the four foot minimum as required by the Code, is a reasonable request. Furthermore, as such a site configuration cannot be created as a pad lot development without the granting of relief due to the fact that this is an existing development, provides a sufficient rationale to constitute a *special purpose*- justifying the approval of relief.

Staff was unresponsive of the original tentative plat (Exhibit B) submitted by the applicant, as MLDC 10.703(A), cited above, states that the purpose of a pad lot is not to provide relief from the strict standards elsewhere established in the Code. The submitting of a plat virtually identical to the plat that was previously denied in the applicant's earlier attempt to divide the property pursuant to the conventional land division process in 2011 seemed to be at odds with the stated purpose of a pad lot development - an apparent attempt to circumvent the standards of the Code. However, it is staff's view that the revised tentative plat (Exhibit R) is much more akin to the purpose of a pad lot development, and therefore, the granting of relief from strict adherence to criterion 1 can be made in keeping with the spirit of a pad lot development. Ultimately, the revised site plan serves as an effective balance between the goal of the Commission: seeking a plat layout in keeping with the purpose of a pad lot development consistent with the Code; and the goal of the applicant: seeking to prepare the site for the individual sale of the existing buildings along with the associated parking, maneuvering and loading areas contained within the same lot without having to separate them – a potential detriment to the marketing of the individual buildings for sale.

This criterion can be met provided that the Commission – citing a *special purpose* - allows the applicant relief from the requirement that all lot lines located within the common area be located within four feet of the exterior walls of the existing buildings within the site.

(2) The parent parcel shall meet the site development standards established in Section 10.721.

The applicant's submitted narrative demonstrates that the parent parcel meets the site development standards established in MLDC 10.721. Criterion is met.

(3) All pad lot developments shall obtain Site Plan and Architectural Review approval prior to the tentative plat application being accepted for review by the Planning Commission.

This criterion is inapplicable, as there is no new development proposed with this application. The existing structures were all reviewed and approved through the Jackson County permitting process prior to being annexed into the City. Criterion is met.

(4) A pad lot development shall be identified as such on both the tentative and final plats, and on the site plan submitted for the project. At the time of recording of the

final plat, Covenants, Conditions, and Restrictions (CC&Rs) shall be approved by the City and recorded. The recorded CC&Rs shall provide:

(a) That the owners are jointly and severally responsible for the continued maintenance and repair of the common elements of the development, such as common portions of buildings, parking areas, access, landscaping, etc., and share equitable in the cost of such upkeep.

(b) An association for the purpose of governing the operation of the common interests.

(c) Maintenance access easements on individual lots where necessary for the purpose of property maintenance and repair.

(d) The specific rights of, or limitations on, individual lot owners to modify any portion of a building or lot, including the provision that no common elements be modified without the consent of the association.

The submitted tentative plat identifies that Jam Industrial Park is a pad lot development (Exhibit H, p.11). The applicant's narrative further states that the site's CC&R's will be provided prior to the recording of the final plat, and will likewise provide the information required per MLDC 10.703(4)(a-d). A condition of approval has been included. Criterion is met.

Agricultural Impact Assessment

Per MLDC 10.801, land proposed for urban development which abuts and has a common lot line with other land which is zoned EFU requires agricultural buffering. The subject property shares a common lot line along its westerly border with land located outside of both the City and the Urban Growth Boundary (UGB), and zoned EFU.

MLDC 10.801(D)(1) states the following:

(1) Agricultural Classification (Intensive or Passive). For the purposes of this Section, agricultural land is hereby classified as either intensive or passive. Intensive agriculture is defined as farming which is under intensive day-to-day management, and includes fruit orchards and the intensive raising and harvesting of crops or, notwithstanding its current use, has soils of which a majority are class I through IV as determined by the NRCS, has irrigation water available and is outside of the Urban Growth Boundary. Passive agriculture is defined as farming that is not under intensive day-to-day management, and includes land used as pasture for the raising of livestock. The approving authority shall determine whether adjacent agricultural uses are intensive or passive based upon the specific circumstances of each case and the nature of agriculture which exists on the adjacent land zoned EFU or EA at the time the urban development application is filed and accepted by the City.

Pursuant to MLDC 10.801(C), the applicant has included an Agricultural Impact Assessment (AIA) Report (Exhibit P) consistent with requirements of MLDC 10.801(A-E). The submitted AIA

explains that the abutting EFU land, also owned by the applicant, is developed with a large, approximately 340 x 80 square foot storage warehouse used for farm equipment storage and repair; there is no agricultural activity present along the common boundary; and the nearest crop production, consisting primarily of organic butternut squash and pumpkins, is located more than 260 feet west of the boundary. Though the abutting property is not under intensive day-to-day farming management, the parcel does have soils which the NRCS has determined are a majority class I through IV, has irrigation water available, and is outside of the UGB. Therefore, the abutting EFU land does meet the definitions for both intensive and passive agriculture (landscaping in addition to fencing is the only additional requirement for intensive agriculture buffering), and as such, the AIA concludes that the standards and general criteria for “intensive agriculture” apply.

Mitigation standards for properties abutting Passive Agricultural land require that measures be undertaken by the applicant in order to minimize or mitigate the adverse potential impacts associated with the proximity of urban and agricultural land uses. These measures include the following: the construction of a 6 foot fence or masonry wall to serve as a buffer between the uses, a planted row of evergreen trees having a width of not less than 8 feet, a Deed Declaration identifying the maintenance and care responsibilities for the agricultural buffer consistent with the requirements outlined in MLDC 10.801(D)(2)(c), and irrigation runoff mitigation.

In the AIA, the applicant stipulates to the Code requirements of agricultural mitigation for properties abutting EFU land classified as intensive agriculture consistent with MLDC 10801(D)(1), including the construction of a 6 foot chain link fence along the 775 feet of the common lot line, and the recording of a Deed Declaration for the lots abutting the EFU land. However, the AIA concludes that, “since the agricultural uses are not occurring within 200 feet of the industrial development, the landscaping requirements by Section 10.801(D) is not necessary, and requiring trees to be planted along the boundary between these two existing developments would create new conflicts rather than mitigate existing conflicts”. The AIA further finds that, “The existing storage yard and storage building provide more than 260-feet of separation between the urban industrial use and the crop production. In addition, the existing storage building provides a barrier between the two uses, reducing visibility, and lessening potential impacts from noise and dust. These existing conditions exceed the buffering standards required by Section 10.801(D).”

Staff concurs with the applicant’s AIA findings that given the existing crop production is located over 260 feet from the subject site, coupled with the fact that the existing storage yard and storage building already serve as an effective buffer, that the requirements for landscaping per MLDC 10.801(D) is not necessary. Therefore, It is staff’s view that the granting of relief from complying with the Code requirement for the planting of a landscape buffer in order to minimize or mitigate the adverse potential impacts associated with the proximity of the subject industrial uses and the abutting agricultural uses, can be granted in keeping with the intent and purpose of MLDC 10.801. Ultimately, the approval of this application will only allow the existing buildings to be individually owned; the act of dividing the land does not generate additional impacts on the agricultural lands.

Facility Adequacy

Per the agency comments submitted to staff (Exhibits J-L), including the Rogue Valley Sewer Services (RVSS) (Exhibit O), it can be found that there are adequate facilities to serve the development.

Committee Comments

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

FINDINGS AND CONCLUSIONS

Land Division Criteria

Staff finds the applicant's revised tentative plat (Exhibit R) consistent with the Comprehensive Plan and all applicable design standards set forth in Article IV and V. Furthermore, it can be found that the land division will not prevent development of the remainder of the property under the same ownership or of adjoining land, bears a name that has been approved by the approving authority (Exhibit I), criteria 4 and 5 are inapplicable, and an Agricultural Impact Assessment report has been submitted with the application which adequately addresses agricultural mitigation measures to avoid an unmitigated conflict between the land division and the adjoining agricultural land zoned EFU. Staff recommends that the Commission adopt the Applicant's Findings of Fact pertaining to the land division criteria (Exhibits H) as presented.

Pad lot Development Criteria

Staff finds the applicant's revised tentative plat (Exhibit R) can meet the criteria established for a pad lot development with the Commission's concurrence with staff's findings that special purposes exist on the site, warranting the granting of relief from complying with the strict standards identified in criterion #1. Staff recommends that the Commission adopt staff's Findings of Fact pertaining to the Pad lot Development criteria found in in staff's analysis above.

DECISION

At the continued public hearing held on August 24, 2017, the Planning Commission voted to approve the applicant's request to subdivide the property as a pad lot development. Included in the motion to approve the request was the Commission's approval of the applicant's request for the granting of relief from the requirement to locate all lot-lines of the proposed pad lot within four feet of the exterior walls of the existing building as per MLDC 10.703(B)(1), along with the approval of the applicant's request for the granting of relief from the Code requirement to plant a landscape strip along the westerly boundary of the property as a mitigation measure for agricultural buffering as per MLDC 10.801(D)(b).

During the public hearing, the applicant's agent, Joe Slaughter of Richard Stevens & Associates, Inc., showed a PowerPoint presentation to the Commission. Mr. Slaughter's PowerPoint presentation has been added to the record as Exhibit S.

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare a Final Order for approval of LDS-17-050 per the Planning Commission Report dated August 24, 2017, including Exhibits A through S.

EXHIBITS

- A Conditions of Approval - Revised, dated August 17, 2017.
- B Tentative Plat – Original, received April 13, 2017.
- C Storm Detention Plans (8) (County approved from 2003), received April 13, 2017.
- D Approved Property Line Adjustment from 2003, received April 13, 2017.
- E Approved Site Plan from 2003, received April 13, 2017.
- F Assessors Map, received April 13, 2017.
- G Aerial Map, received April 13, 2017.
- H Applicant’s Findings of Fact and Conclusions of Law - Original, received April 13, 2017.
- I Subdivision and Condominium Plat Name Approval Request Form (2) (Jackson County) dated March 1, 2017.
- J Public Works Staff Report dated May 24, 2017.
- K Medford Water Commission memo and map, dated May 24, 2017.
- L Medford Fire Department Report, dated May 24, 2017.
- M Oregon Department of Aviation email, received May 18, 2017.
- N Jackson County Roads email, received May 15, 2017.
- O Rogue Valley Sewer Services (RVSS) email, received May 17, 2017.
- P Agricultural Impact Assessment, received April 13, 2017.
- Q Applicant’s PowerPoint presentation from the July 13, 2017 public hearing.
- R Tentative Plat – Revised (2), received August 16, 2017.
- S **Applicant’s PowerPoint presentation from August 24, 2017 public hearing.**
Vicinity map

PLANNING COMMISSION AGENDA:

JULY 13, 2017
JULY 27, 2017
AUGUST 10, 2017
AUGUST 24, 2017

Patrick Miranda, Chair

JAM Industrial Park

LDS-17-050

- **Section 10.703 B. (1)** *All lot-lines created within the common area shall be located along a common or exterior building wall, or within four (4) feet of an exterior building wall, unless the approving authority (Planning Commission) allows a greater distance for special purposes.*

Special Purposes for Allowing Larger Lot Size

- Loading docks (both existing and future)
- Secure, fenced areas (both existing and future)
- Access to roll-up door
- Developed to be compatible with semi trucks (maneuvering and access)
- Building eaves extend 10 feet from all building walls
- Maintain existing operations without disruption



South side of Building #9 looking east





Between Building #8 and Building #9 looking east





Between Building #7 and Building #8 looking east



North side of Building #7 looking east





Between
Building #1 and
Building #2
looking north





East side of Building #7 looking south



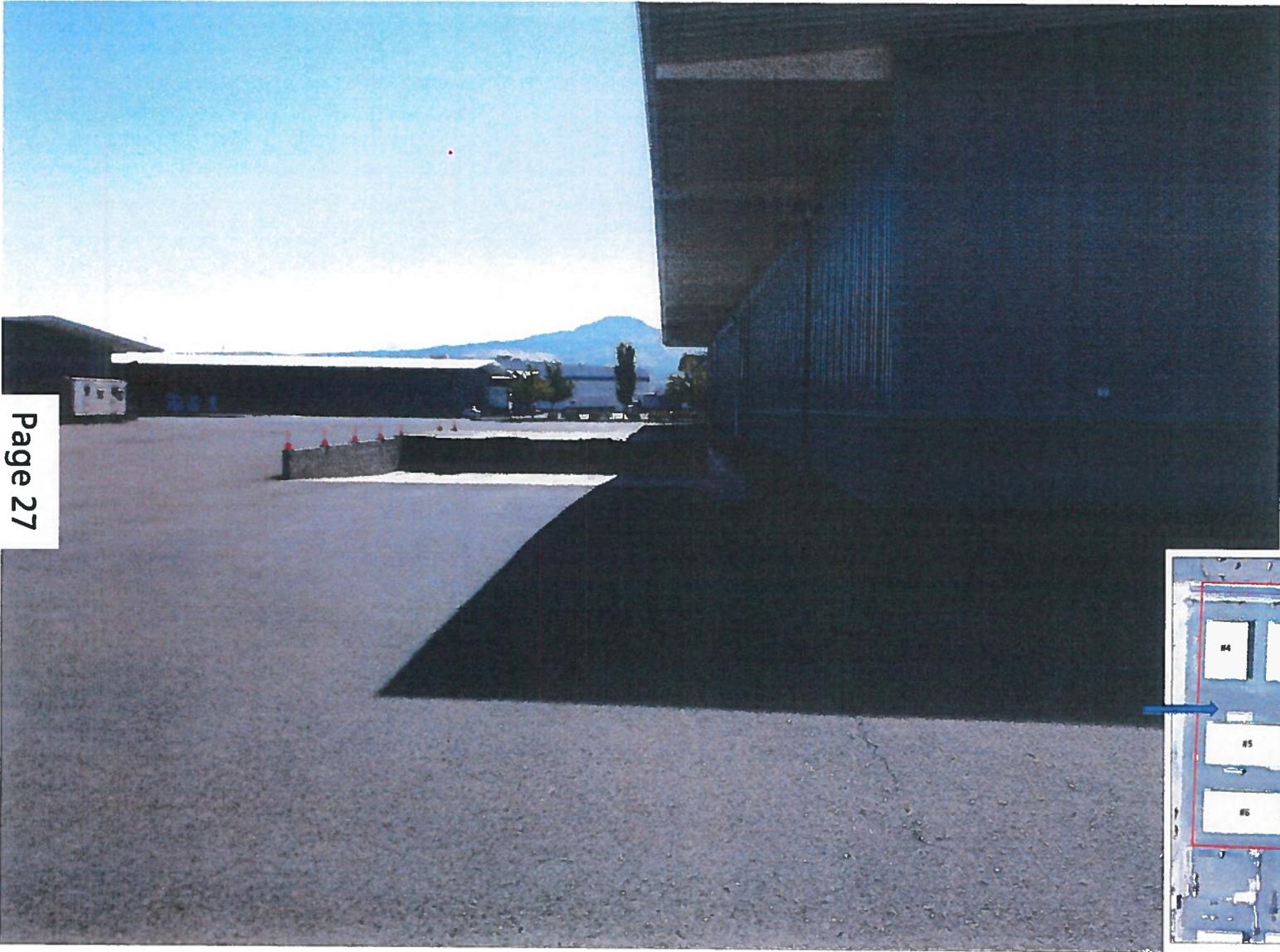


East side of Building #1 looking north



South side of
Building #4
looking north





West side of Building #5 looking east

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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-17-075 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY SCOTT BECKER) **ORDER**

ORDER granting approval of a request for a zone change for *Scott Becker*, described as follows:

Change the zone on 1.30 acre parcel located immediately southwest of the intersection of Stewart Avenue and Lozier Lane in Southwest Medford from SFR-00 (Single Family Residential – 1 dwelling unit per lot) to MFR-20 (Multi-Family Residential – 20 dwelling units per acre).

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning for *Scott Becker*, 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 Planning Commission Report dated August 24, 2017, 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 35AD Tax Lot 1900

is hereby changed as described above.

Accepted and approved this 14th day of September, 2017.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



PLANNING COMMISSION REPORT

for a Type-C quasi-judicial decision: Zone Change

PROJECT Scott Becker Zone Change
Applicant: Scott Becker

FILE NO. ZC-17-075

DATE August 24, 2017

BACKGROUND

Proposal

Consideration of a request for a zone change from SFR-00 (Single Family Residential, one dwelling unit per existing lot) to MFR-20 (Multi Family Residential, 20 dwelling units per gross acre) of 1.33 acres located immediately southwest of the intersection of Stewart Avenue and Lozier Lane and north of Shamila Court.

Subject Site Characteristics

Zoning SFR-00
GLUP UH (Urban High Density Residential)
Use Existing single family home with outbuilding

Surrounding Site Characteristics & Zoning

North	SFR-00	Vacant
South	SFR-10	Duplexes
East	SFR-00 & SFR-6	Single family homes & vacant land
West	SFR-10	Vacant

Related Projects

CP-13-032 UGBA Phase 1: Internal GLUP Amendment

Applicable Criteria

ZONE CHANGE APPROVAL CRITERIA – MEDFORD LAND DEVELOPMENT CODE SECTION 10.227

The zone change criteria that are not relevant to this particular application are hereby omitted from the following citation and noted by ***.

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

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

- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the *Comprehensive Plan* "Public Facilities Element."
 - (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
 - (b) Adequate streets and street capacity must be provided in one of the following ways:
 - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
 - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
 - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to

make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs:

- (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
 - (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
- (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction of covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:
- (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,
 - (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
 - (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

ISSUES AND ANALYSIS

Background

The subject property was annexed into the City in 1997 as part of approximately 63.97 acres of property located on the south side of Stewart Avenue, on the west side of Orchard Home Drive, plus Stewart Avenue right-of-way. At the time of annexation the property was given a holding zone of SFR-00.

On December 4, 2014, the City Council adopted an ordinance changing the General Land Use Plan (GLUP) designation of several lots within the Urban Growth Boundary in order to increase development capacity. At that time the GLUP designation for the subject property was changed from Urban Residential (UR) to Urban High Density Residential (UH).

Agency Comments

Public Works Department

The Public Works Staff Report (Exhibit C) states that no traffic impact analysis (TIA) will be required for this zone change. The proposed application doesn't meet the requirements for a TIA, per Medford Land Development Code (MLDC), Section 10.461(3). Also, no conditions pertaining to streets, street capacity, or access are requested by Public Works at this time.

Medford Water Commission

Among other things, Medford Water Commission (MWC) comments (Exhibit E) on this application state that water facilities have adequate capacity to serve the subject property and that access to MWC water lines for connection is available.

Rogue Valley Sewer Services

No comments received at the date this staff report was written.

Storm Drainage Facilities

The Public Works Staff Report (Exhibit C) also addresses storm drainage facilities and states that the City of Medford has existing storm drain facilities in the area and that the site would be able to connect to these facilities. Stormwater quality and detention measures will be required at time of development.

No other issues were identified by staff.

DECISION

The Commission unanimously approved the request at the public hearing held on August 24, 2017. During the public hearing, one exhibit was added to the record: A letter, jointly submitted by the Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO), regarding the apparent lack of a Statewide Planning Goal 10 analysis in the staff report, added to the record as Exhibit I. Staff noted that Goal 10 analysis occurs at the time of GLUP change, not zone change.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit A).

The criteria for zone change approval are: the proposed zone is consistent with the Oregon Transportation Rule (OAR 660), the General Land Use Plan (GLUP) Map designation and that it shall be demonstrated that Category "A" urban services and facilities are or can and will be provided to adequately serve the subject property.

Finding – Oregon Transportation Planning Rule

OAR 660 is designed to assure local agencies comply with State goals and regulations regarding transportation issues and provides an explanation to local agencies to demonstrate compliance with a Transportation System Plan (TSP). The City of Medford has an approved TSP consistent with the requirements of the State. The TSP identifies both existing and future needs, and includes improvements to meet those needs. In order to achieve those needs, the TSP has established the City's goals, policies, and implementation measures in order for the City to develop and maintain its transportation system for both the short and long-term needs. The TSP requires all modes of transportation be considered, including rapid transit, air, water, rail, highway, bicycle and pedestrian.

A review of the subject property determines that of existing transportation facilities that would provide service, ground transportation via existing City designated residential, collector and arterial streets is the sole transportation facility that is affected by this proposal. The site does not have access to rail, light rail, water, or other alternative transportation facilities or services. The parcel has frontage on Stewart Avenue, which is designated as a Major Arterial on the TSP's Street Functional Classification Map (Figure 1-2), Lozier Lane (Major Collector), and Shamilia Court (Local).

The current driveway and access to the property is from Stewart Avenue. In addition, the subject property is located within the Southwest Medford Circulation Plan. This circulation plan was prepared by the City to address the unique issues, concerns and visions at a greater level of detail than is possible in a citywide TSP.

Rogue Valley Transportation District does not provide transportation direct access to the subject site. There is currently service on Orchard Home Drive (Lines 2, 10, 25 & 60), approximately 1,350 feet to the east.

Interstate 5 is approximately 2.9 miles to the east of the subject property by car. Rogue Valley International Medford Airport is approximately 12 minutes or 5 miles to the northeast by car.

Conclusion – Oregon Transportation Planning Rule

The Planning Commission can find the property is currently served with adequate transportation facilities as required by Oregon Transportation Rule (OAR 660 Division 12).

Finding – General Land Use Plan Map Designation

The General Land Use Plan (GLUP) Map designation for the subject property is Urban High Density Residential (UH). The General Land Use Plan in the Comprehensive Plan indicates that the requested MFR-20 zoning is an appropriate zone under the UH designation. There are no locational standards for MFR-20.

Conclusion – General Land Use Plan Map Designation

The Planning Commission can find that the subject property lies within the Urban Growth Boundary and City Limits for the City of Medford, and the requested zone change to MFR-20 is consistent with the Comprehensive Plan General Land Use Plan Map designation.

Finding – Availability of Category A Urban Services and Facilities

The site lies within the Little Elk Creek Drainage Basin. The subject properties currently drain to the northeast. The City of Medford has existing storm drain facilities in the area. This site would be able to connect to these facilities at the time of development. This site will be required to provide stormwater quality and detention at time of development in accordance with MLDC Section 10.729 and/or 10.486.

This site lies within the Rogue Valley Sewer Service (RVSS) area. Future development of the subject parcel will require connection to RVSS facilities.

The subject property can be served by the Medford Water Commission via an existing 30-inch water line in Stewart Avenue and also in Lozier Lane south of Stewart Avenue. There is also an existing 8-inch water line located in Shamila Court. There is adequate capacity to serve this property.

The property currently takes access from Stewart Avenue which is designated as a Major Arterial. According to the Engineering Division, the MFR-20 zone generates 6.65 average daily trips (ADT). The net increase will be approximately 250 ADT. A Traffic Impact Analysis (TIA) is not required as the net increase will be exactly 250 ADT. Per MLDC Section 10.461(3), a TIA is only required for proposed applications that have the potential of generating more than 250 net ADT.

Conclusion – Availability of Category A Urban Services and Facilities

The Planning Commission can find that Category A urban services and facilities are currently available or can and will be available at the time of development to adequately serve the subject property with the permitted uses under the proposed MFR-20 zoning designation.

The conclusion can be made that all of the zone change criteria have been met.

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare a Final Order for approval of ZC-17-075 per the Planning Commission report dated August 29, 2017, including Exhibits A through I.

EXHIBITS

- A Applicant's Findings of Fact received June 27, 2017
- B General Land Use Plan Map and Zoning Map with subject site highlighted
- C Public Works Department Staff Report received August 2, 2017
- D Medford Fire Department Land Development Report received August 2, 2017
- E Medford Water Commission Staff Memo received August 2, 2017
- F Jackson County Roads comments received July 26
- G E-Mail from Building Department received August 1, 2017
- H Memo from Engineering received July 24, 2017
- I **Letter from the Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO) received August 24, 2017**
Vicinity map

MEDFORD PLANNING COMMISSION

PATRICK MIRANDA, CHAIR

PLANNING COMMISSION AGENDA:

AUGUST 24, 2017
SEPTEMBER 14, 2017



RECEIVED

AUG 24 2017

PLANNING DEPT.

August 24, 2017

City of Medford Planning Commission
200 S Ivy St
Medford OR 97501

**Re: ZC-17-075 rezoning the 1.3 acres of a parcel located at 2325 Stewart Ave
from SFR-00 to MFR-20**

Dear Commissioners:

This letter is submitted jointly by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO). Both HLA and FHCO are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians. FHCO's interests relate to a jurisdiction's obligation to affirmatively further fair housing. Please include these comments in the record for the above-referenced proposed amendment.

As you may know, all amendments to the Comprehensive Plan Map and Zoning Map must comply with the Statewide Planning Goals. ORS 197.175(2)(a). However, the staff report for this proposal does not contain findings regarding the proposal's impact on the City's Statewide Planning Goal 10 (Goal 10) obligations.

When a decision is made affecting the residential land supply, the City must refer to its Housing Needs Analysis and Buildable Land Inventory to show that an adequate number of needed housing units (both housing type and affordability level) will be supported by the residential land supply after enactment of the proposed change—that analysis was not included in the staff report.

The City must show that it is adding needed residential zones (e.g. SFR-00, MFR-20). The City must demonstrate that its actions do not leave it with less than adequate residential land supplies in the types, locations, and affordability ranges affected. *See Mulford v. Town of Lakeview*, 36 Or LUBA 715, 731 (1999) (rezoning residential land for industrial uses); *Gresham v. Fairview*, 3 Or



LUBA 219 (same); see also, *Home Builders Assn. of Lane County v. City of Eugene*, 41 Or LUBA 370, 422 (2002) (subjecting Goal 10 inventories to tree and waterway protection zones of indefinite quantities and locations).

HLA and FHCO urge the Commission to defer adoption of the proposed amendment until its impact on the City's Goal 10 obligations is adequately documented. Thank you for your consideration. Please provide written notice of your decision to, FHCO, c/o Louise Dix, at 1221 SW Yamhill Street, #305, Portland, OR 97205 and HLA, c/o Jennifer Bragar, at 121 SW Morrison Street, Suite 1850, Portland, OR 97204. Please feel free to email Louise Dix at ldix@fhco.org or reach her by phone at (541) 951-0667.

Thank you for your consideration.

Louise Dix

Louise Dix
AFFH Specialist
Fair Housing Council of Oregon

Jennifer Bragar
President
Housing Land Advocates

cc: Gordon Howard (gordon.howard@state.or.us)

RECEIVE

JUN 27 2011

PLANNING DEPT

APH 1-043878-3

Statutory Warranty Deed
continued

File No: 7151-2693439 (PS)

Exhibit "B"

Real property in the County of Jackson, State of Oregon, described as follows:

Commencing at the Northeast corner of Donation Land Claim No. 79, Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon; thence South 89° 53' 20" West along the North boundary of said Claim, 450.78 feet; thence South 30.0 feet to a 5/8 inch iron pin located on the South boundary of Stewart Avenue; thence South 89° 53' 20" West along the said South boundary of Stewart Avenue, 243.83 feet to the true point of beginning, said point being the Northwest corner of an easement 60.0 feet in width, as said easement is described in that certain Contract described in Volume 74, Page 387, Miscellaneous Records, Jackson County, Oregon; thence South 0° 00' 40" East, along the West line of said easement, 389.95 feet, more or less to the North line of premises described in said Contract; thence West along the North line thereof, 171.31 feet to the East line of premises described in Volume 428, Page 169, Deed Records, Jackson County, Oregon; thence North along said East line, 389.95 feet to the South line of Stewart Avenue; thence North 89° 53' 20" East, along said South line, 171.31 feet to the true point of beginning. EXCEPTING THEREFROM that portion conveyed to the City of Medford by deed recorded as Document No. 01-32867, Official Records, Jackson County, Oregon.

NOTE: This legal description was created prior to January 1, 2008.

Tax Parcel Number: 1-043878-3 and 1-043878-3

3



PLANNING COMMISSION REPORT

PROJECT Rogue Valley Youth for Christ
 Applicant: Rogue Valley Youth for Christ

FILE NO. CUP-17-067

DATE August 24, 2017

BACKGROUND

Proposal

Consideration of a request to revise a previously approved Conditional Use Permit to extend the days and hours of operation of a youth center on a 0.62 acre parcel located on the north side of Roberts Road within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district (2257 Roberts Road, 371W17CA Tax Lot 2200).

Subject Site Characteristics

Zoning	SFR-4	Single-family residential – 4 dwelling units per gross acre
GLUP	UR	Urban Residential
Use	Youth for Christ facility	

Surrounding Site Characteristics

<i>North</i>	Zone:	SFR-4
	Use:	Single family residences
<i>South</i>	Zone:	SFR-4
	Use:	Single family residences, North Medford High School
<i>East</i>	Zone:	SFR-4
	Use:	Single family residences
<i>West</i>	Zone:	SFR-4
	Use:	Single family residences

Related Projects

CUP-08-033 Conditional Use Permit for Rogue Valley Youth for Christ

Applicable Criteria

CONDITIONAL USE PERMIT APPROVAL CRITERIA

Section 10.248 of the Medford Land Development Code

The approving authority (Planning Commission) must determine that the development proposal complies with either of the following criteria before approval can be granted.

- (1) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.*
- (2) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests.*

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

- (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.*
- (2) Establish a special yard or other open space or lot area or dimension requirement.*
- (3) Limit the height, size, or location of a building or other structure.*
- (4) Designate the size, number, location, or nature of vehicle access points.*
- (5) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.*
- (6) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.*
- (7) Limit or otherwise designate the number, size, location, height, or lighting of signs.*
- (8) Limit the location and intensity of outdoor lighting, or require its shielding.*
- (9) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.*
- (10) Designate the size, height, location, or materials for a fence.*
- (11) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.*

10.249 Conditional Use Permits, Mitigation of Impacts.

Development requiring the mitigation of impacts under Section 10.248(2), Conditional Use Permit Criteria, must do one (1) of the following:

- (1) Preserve unique assets of interest to the community.*
- (2) Provide a public facility or public nonprofit service to the immediate area or community.*
- (3) Otherwise provide a use or improvement that is consistent with the overall needs of the community in a location that is reasonably suitable for its purpose.*

Project History

In 2008, the Planning Commission approved a Conditional Use Permit for Rogue Valley Youth for Christ, a youth center operating out of a single family dwelling with a circular driveway (Exhibit L). Medford Land Development Code (MLDC) Section 10.012 defines this use as a community service facility, and MLDC 10.314 permits such facilities in residential zones subject to the approval of a Conditional Use Permit and the special use standards of MLDC 10.817. In 2008, the Commission found that the proposal was in the public interest, and the limitations below were imposed in order to produce a balance between conflicting interests.

Approved Hours of Operation and Student/Faculty Ratio

Day	Hours	# Students	# Faculty
Monday	11:30am – 5:00pm, 7:00pm – 9:00pm	25-40	2-4
Tuesday	11:30am – 5:00pm	25-40	1-2
Wednesday	11:30am – 5:00pm	25-40	1-2
Thursday	11:30am – 5:00pm	25-40	1-2
Friday	11:30am – 5:00pm, 7:00pm – 9:00pm	25-40	2-4
Saturday	Every couple of months, activities will be held Saturdays		
<i>All activities will cease by 9pm on all days.</i>			

ISSUES AND ANALYSIS

Scope

The applicant is now proposing to extend the hours and days of operation. As there is no proposed change to the number of students or faculty and the applicant does not expect there to be any increase in the use of the facility parking. No new construction, exterior lighting, landscaping, fencing or recreational facilities are proposed with this application. According to the applicant’s Request for Change (Exhibit B):

“The change is requested to allow more flexibility in scheduling the use of the facility. The scheduling can then change to fit the particular group of students as that may vary from year to year... The change will also allow meetings to end after 5:00 which is a busy period for traffic flow on Roberts Road. Avoiding the busier traffic periods will be beneficial to all parties... This change will also allow for staff to be at the facility during hours when events are not otherwise scheduled. Our staff can then monitor if any youth are attempting to use the facility as a hang out which could be disturbing to the neighbors.”

The applicant’s Request for Change and Findings of Fact (Exhibits B and C) provide further background information on the request.

The applicant is requesting the following change to the days and hours of operation:

Day	Hours	# Students	# Faculty
Monday	7:00am - 10:00pm	25-40	2-4
Tuesday	7:00am – 10:00pm	25-40	1-2
Wednesday	7:00am – 10:00pm	25-40	1-2
Thursday	7:00am – 10:00pm	25-40	1-2
Friday	7:00am – 10:00pm	25-40	2-4
Saturday	7:00am – 10:00pm	25-40	2-4
<i>Outdoor activities limited to 8:00am – 9:00pm</i>			
<i>Indoor activities limited to 7:00am – 10:00pm</i>			

The applicant states that outdoor activities include volleyball, basketball, simple lawn games, barbecues, and gardening. Indoor activities include Bible study/discussion and club meetings (Exhibit C).

Conditional Use

MLDC 10.248 contains the approval criteria for a Conditional Use Permit (CUP). The applicant provides findings (Exhibit C) identifying compliance with criterion 2, that this proposal is in the public interest, may cause some adverse impacts, and conditions may be imposed to produce a balance between the conflicting interests.

The public benefits of the youth center include:

- Provides a safe meeting place for middle and high school-aged students
- Located in close proximity to North Medford High School and Hedrick Middle School
- Facility fronts upon a major collector street.

If approved, the extended hours and days of operation may cause some adverse impacts on neighboring residences. These impacts include noise, lighting/glare, traffic, access and parking.

The applicant's Findings include discussion about how the site and operation of the youth center have been designed to mitigate the adverse effects of the facility on the adjacent residential properties (Exhibit C). These mitigation measures are also discussed below. The Planning Commission may impose additional conditions per MLDC 10.248 to produce a balance between the conflicting interests.

MLDC Section 10.249 Mitigation of Impacts

The first adverse impact is the noise generated by the outdoor activities at the youth center. The applicant stipulates to ceasing all outdoor activities by 9:00 p.m. Currently the outdoor activities only occur until 9:00 p.m. on Mondays and Fridays. If this revision is approved, outdoor activities could occur from 8:00 a.m. to 9:00 p.m. Monday through Saturday.

In their Findings, the applicant describes how the outdoor areas have been located so as to provide the greatest amount of separation between the youth center and the abutting residences (Exhibit C). The basketball court on the east side of the property is fully fenced in order to restrict access to it when the center is not open. The basketball court is approximately 40 feet from the residence to the east, 120 feet from the residence to the northeast, and 120 feet from the residence to the north. The outdoor deck and patio in the rear of the property where barbecues are held is approximately 65 feet from the residence to the north, 100 feet from the northwestern residence and 75 feet from the residence on the west side. Lawn activities occur in the area north of the back deck and patio and the area is approximately 35 feet from the residence to the north. There is an eight-foot solid wood fence and dense evergreen Photinia hedges along the side and rear property lines to provide a noise buffer. None of the outdoor activities include any sound amplification. Staff notes that the original approval required a rubber surface for the basketball court and recommends that the Planning Commission consider limiting the days/hours of the outdoor activities that generate the most noise, for example basketball.

Note: Per the applicant, the rubber surface has been installed on the basketball court.

Decision: The Planning Commission voted to approve the revised hours requested by the applicant.

The second adverse impact is the lighting and glare onto neighboring properties. All light fixtures at the youth center are full cut-off fixtures that meet City standards. The

applicant stipulates that all outdoor lighting will be turned off by 9:00 p.m. If the Commission considers limiting the days/hours of certain outdoor activities, lighting for those certain activities should be limited in the same manner. Automobile headlights are another source of lighting to cause an adverse impact. The applicant states that they have considered using a row of Photinia shrubs and wood fencing between the parking areas and neighboring residences. Staff recommends that the Planning Commission impose this as a condition.

Note: The rows of shrubs and wood fencing between the parking areas and neighboring residences have been installed.

Traffic, access and parking are related issues that could have adverse impacts on the neighborhood. The applicant indicates that the majority of vehicle trips occur in the evenings after the evening commute and that most of the students are dropped off and picked up. The site has a circular driveway which per the applicant provides, "an efficient and consistent flow of traffic in and out of the site." Pedestrian access is provided via a paved walkway from the sidewalk on Roberts Road to the site. With a maximum of 40 students, 10 parking spaces are required and provided. Roberts Road does not allow on-street parking.

Per MLDC 10.249, a development requiring mitigation of impacts under MLDC 10.248, must serve one of three purposes. The youth center meets two of these purposes. It provides a public nonprofit service to the immediate area and community. Due to its proximity to a middle school and a high school the youth center provides a use that is consistent with the overall needs of the community in a location that is reasonably suitable for its purpose.

The Commission can find that the development is in the public interest, and although the development may cause some adverse impacts, conditions have been imposed by the approving authority to produce a balance between conflicting interests.

Decision: The Commission found that the development is in the public interest, and although it may cause some adverse impacts, conditions have been imposed to produce a balance between conflicting interests.

Public Comments

Along with their application, the applicant submitted five letters in support of Rogue Valley Youth for Christ (Exhibit I). Staff notes that the letters are dated 2015 and early 2016.

Note: Two additional letters of support were submitted and they are included as Exhibits P and Q. Exhibit Q is a letter written in Spanish and an English translation is included.

One letter of opposition has been received to date and is included as Exhibit J. The neighboring property owner describes noise problems associated with the youth playing basketball and indicates that when they have called the Youth Center regarding the noise nothing was done about it.

Committee Comments

No comments were received.

CONCLUSION

The Planning Commission must make the determination about whether the applicant has implemented adequate measures to mitigate the adverse impacts the youth center may have on neighboring residences. The Planning Commission can find that the proposal meets the approval criteria in MLDC 10.248 and 10.249.

ACTION TAKEN

Adopted the applicant's findings as recommended by staff and directed staff to prepare the Final Order for approval per the Planning Commission Report dated August 24, 2017, including Exhibits A through Q.

EXHIBITS

- A-1 Conditions of Approval dated August 24, 2017
- B Applicant's Request for Change received June 1, 2017
- C Applicant's Findings of Fact received July 19, 2017
- D Site Plan received July 19, 2017
- E-1 Staff Memo from the Medford Water Commission received August 15, 2017
- F Land Development Report from Medford Fire Department received August 4, 2017
- G Public Works Department Staff Report received August 9, 2017
- H Jackson County Roads letter received August 7, 2017
- I Letters of support from abutting property owners received June 1, 2017
 - a. Jackie Blackwell
 - b. Amber Wilson
 - c. Ryan Rhoden
 - d. Kim Howitt Ross
 - e. Linda White, Principal of McLoughlin Middle School

- J Letter of opposition from Dan & Kristine Merrill received August 9, 2017
 - K Excerpts of Minutes from the Planning Commission Meeting on May 22, 2008, regarding CUP-08-033
 - L Final Order for CUP-08-033
 - M Jackson County Assessor's Map
 - N Google Earth photo generated by staff August 17, 2017
 - O Medford Land Information 2016 aerial photo generated by staff August 17, 2017
 - P Letter of support from abutting property owners Ryan and Kate Rhoden received August 24, 2017
 - Q Letter of support from abutting property owner Edelmira Miranda received August 24, 2017
- Vicinity map

MEDFORD PLANNING COMMISSION

Patrick Miranda, Chair

PLANNING COMMISSION AGENDA

**SEPTEMBER 14, 2017
AUGUST 24, 2017**

EXHIBIT A-1
Conditions of Approval

CUP-17-067
Rogue Valley Youth for Christ
August 24, 2017

DISCRETIONARY CONDITIONS

1. The hours of operation and number of occupants shall be restricted as per the Table on page 4 of the Staff Report.

CODE REQUIREMENTS

2. The applicant shall comply with the Staff Memo from the Medford Water Commission received August 15, 2017 (Exhibit E-1).
3. The applicant shall comply with the Land Development Report from the Medford Fire Department received August 4, 2017 (Exhibit F).



BOARD OF WATER COMMISSIONERS
Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: CUP-17-067
PARCEL ID: 371W17CA TL 2200 (Revised)
PROJECT: Consideration of a request to revise a previously approved Conditional Use Permit to extend the days and hours of operation of a youth center on a 0.62 acre parcel located on the north side of Roberts Road within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district (371W17CA Tax Lot 2200). Rogue Valley Youth for Christ, Applicant; Praline McCormack, Planner.
DATE: August 15, 2017

RECEIVED
AUG 15 2017
PLANNING DEPT.

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The existing water meter located in the existing driveway along Roberts Road is allowed to remain in place. If the existing driveway near the existing water meter is altered or widened, then the existing water meter will be required to be abandoned, and a new water meter will be required to be installed outside of driveway improvements.
4. Static water pressure is expected to be 86 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
5. Installation of an Oregon Health Authority approved backflow device is required for all commercial, industrial, municipal, and multi-family developments. New backflow devices shall be tested by an Oregon certified backflow assembly tester. See MWC website for list of certified testers at the following web link
<http://www.medfordwater.org/Page.asp?NavID=35> .

COMMENTS

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

Continued to next page

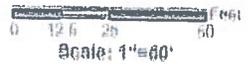


Continued from previous page

2. On-site water facility construction is not required.
3. MWC-metered water service does exist to this property. There is an existing $\frac{3}{4}$ -inch water meter located in the west driveway/sidewalk. (See Condition 3 above)
4. Access to MWC water lines is available. There is an existing 6-inch water line located on the south side of Roberts Road.



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Scale: 1"=80'

Water Facility Map for CUP-17-067

Legend

- * Air Valve
- Sample Station
- Fire Service
- ◆ Hydrant
- ▲ Reducer
- ▤ Flow Off
- ⊕ Plug-Caps
- Water Meters:**
- Active Meter
- Or Well
- Unknown
- ▲ Vacant
- Water Valves:**
- Butterfly Valve
- ◆ Gate Valve
- Tapping Valve
- Water Mains:**
- Active Main
- - - Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line
- Boundaries:**
- ▭ Urban Growth Boundary
- ▭ City Limits
- ▭ Tax Lots
- MWC Facilities:**
- C** Central Station
- P** Pump Station
- R** Reservoir



MEDFORD WATER COMMISSION

Map prepared by the Medford Water Commission. All rights reserved. No part of this map may be reproduced without the written permission of the Medford Water Commission.

SC.2

RECEIVED
AUG 24 2017
PLANNING DEPT.

To whom it may concern,

We own the home located at 2334 Stillwater Court, Medford, OR, 97501. Our house sits directly behind the Campus Life building in North Medford, and we share a fence with them. We 100% support any additional hours that Campus Life feels are necessary to build a safe and constructive place for teenagers to build positive community. We have a pretty quiet neighborhood, and I honestly cannot remember the last time that we heard a Campus Life gathering making any sustained noise, so we have no concern about the additional operating hours they are requesting. It's actually quite likely that our 4 children make more noise in the backyard while playing than the Campus Life gatherings ever have.

Even if they were noisy, we would still support the additional hours because we believe our growing community needs to support all organizations creating healthy connections and support for our teens however we can.

Thank you,

Ryan and Kate Rhoden
2334 Stillwater Ct
Medford, OR. 97501

CITY OF MEDFORD
EXHIBIT # P
File # CUP-17-067

8-23-17 Edelmira Miranda
en donde se junta los
Jovenes Estoy de acuerdo
ll. se estranda las horas
k. ellos se encuentren
de encuentro al lado
de mi casa. ^{AT} Edelmira MA
no me importa el ruido
k agan asta las nueve de
la-noche

-At ~~Edelmira~~ *Edelmira*

2339 Roberts Rd.
Medford OR
97504

RECEIVED
AUG 24 2017
PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # Q-1/2
File # CUP-17-067

8-23-17

Edelmira Miranda, I agree that the hours should be extended where the youth gather. They meet next to my house. I do not mind the noise they make until 9 P.M.

From: Edelmira Miranda

2339 Roberts Rd
Medford, OR 97504

RECEIVED
AUG 24 2017
PLANNING DEPT.

Translated By: Cinthya Y. Perezchica 8/24/17

CITY OF MEDFORD
EXHIBIT # Q-2/2
File # CUP-17-067



Planning Commission Minutes

From Public Hearing on **August 24, 2017**

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

David McFadden, Vice Chair
David Culbertson
Joe Foley
Bill Mansfield
Mark McKechnie
E.J. McManus
Alex Poythress
Jared Pulver

Staff Present

Kelly Akin, Assistant Planning Director
Eric Mitton, Senior Assistant City Attorney
Alex Georgevitch, City Engineer
Greg Kleinberg, Fire Marshal
Terri Rozzana, Recording Secretary
Sarah Sousa, Planner IV
Dustin Severs, Planner III
Steffen Roennfeldt, Planner III
Praline McCormack, Planner II

Commissioners Absent

Patrick Miranda, Chair, Excused Absence

10. Roll Call
20. Consent Calendar/Written Communications. None.
30. Minutes
- 30.1. The minutes for August 10, 2017, were approved as submitted.
40. Oral and Written Requests and Communications. None.

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

50. Public Hearings – **Continuance Request**

50.1 SV-17-069 Consideration of a request for the vacation of an approximate 60-foot wide strip of public right-of-way along with the adjacent Public Utility Easements, being a portion of Myers Lane, running north from Garfield Avenue approximately 1743 feet in length, within the Stewart Meadows Village Planned Unit Development. (KOGAP Enterprises, Applicant; Maize & Associates, Agent; Dustin Severs, Planner III). **The applicant has requested this item be continued to the September 14, 2017, Planning Commission meeting.**

Motion: The Planning Commission continued SV-17-069, per the applicant's request, to the Thursday, September 14, 2017, Planning Commission meeting.

Moved by: Commissioner Mansfield

Seconded by: Commissioner Foley

Roll Call Vote: Motion passed, 8-0.

Old Business

50.2 SV-17-039 Consideration of a request to vacate a portion of Belknap Road, located south of the intersection of Garfield Street and Center Drive. (C.A. Galpin, Applicant/Agent; Sarah Sousa, Planner IV).

Vice Chair McFadden inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Pulver stated that he had a conflict and recused himself. Vice Chair McFadden disclosed that he has had contacts with agents dealing with the project that have been work related but it would not affect his decision.

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

Sarah Sousa, Planner IV, stated that the vacation criteria can be found in the Medford Land Develop Code Section 10.202. The applicable criteria was included in the staff report, property owner notices and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Sousa gave a staff report.

Commissioner McKechnie thanked staff and the two property owners for being able to bring this application to a happy resolution that both parties agree with.

The Public Hearing was opened.

a. C.A. Galpin, 744 Cardley Avenue, Suite 100, Medford, Oregon, 97504. Mr. Galpin reported that he had no comments and was available for questions.

The Public Hearing was closed.

Motion: The Planning Commission, based on the findings and conclusions that all of the approval criteria are met or are not applicable, forwards a favorable recommendation to the City Council for approval of SV-17-039, per the staff report dated August 17, 2017, including Exhibits A through P including the following conditions of approval: 1. Comply with Public Works Report, related to the reservation of a public utility easement over the vacated area (Exhibit D); and 2. Comply with the Medford Water Commission Memo (Exhibit F).

Moved by: Commissioner McKechnie

Seconded by: Commissioner Poythress

Roll Call Vote: Motion passed, 7-0-1, with Commissioner Pulver recusing himself.

50.3 LDS-17-050 Consideration of a request for tentative plat approval for Jam Industrial Park, a proposed 9-lot industrial Pad Lot Development on a 17.13 acre lot located at 301 Ehrman Way, In the General Industrial (I-G) zoning district (372W14 TL 1400). (Fjarli Merlin, Applicant; Richard Stevens & Associates, Inc., Agent; Dustin Severs, Planner III).

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

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

Dustin Severs, Planner III, stated that the land division criteria can be found in the Medford Land Develop Code Section 10.270. The applicable criteria was included in the staff report, property owner notices and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Severs gave a staff report.

The Public Hearing was opened.

a. Joe Slaughter, Richard Stevens & Associates, Inc., P. O. Box 4368, Medford, Oregon, 97504-0168. Mr. Slaughter reported that the revised tentative plat is based on discussions from the last meeting. There may have been some unclearness on whether or not the previous tentative plat met the strict definition of a pad lot not being contained within a common area. Now, each pad lot is contained within the common area. This tentative plat meets the concerns that some of the Planning Commissioners had regarding access out of the buildings and encroaching onto other properties to maneuver in and out. The common areas provide the additional buffer between properties to allow maneuvering between buildings. It also covers some of the existing easements in the common areas.

Commissioner McKechnie asked, will fencing be prohibited in the CC&Rs? Mr. Slaughter stated that fencing would not be prohibited. However, the fencing would have to be discussed with the association on where it is to be located even if it is within the pad lot to make sure it is not interfering with utilities, access, etc. That is how it is currently handled in the lease process.

Commissioner McKechnie stated that it is his opinion the applicant has done little less than absolute minimum possible. This is basically the same proposal that they presented originally except now there is 10 feet between the property lines instead of zero. It seems to him this is something trying to avoid the strict adherence to the code. He does agree that a 4 foot offset from the building is problematic when there is a 10 foot overhang. A

10 foot offset from the building that encompasses a loading dock is his idea of what this should be as a pad lot.

Mr. Slaughter clarified that the distance between lots is 20 feet not 10 so that traffic can circulate through the site without crossing onto individual properties.

Commissioner McKechnie interrupted that 20 feet does not count. The City requires 24 feet access for two-way accesses. That is an issue.

Mr. Slaughter stated that the maneuvering areas to access the docks was covered in greater detail at the last meeting. These are large trucks, semi-trucks. The docks being located within the property makes sense. If there is only 4 feet from that area then someone could park 4 feet from the end of the dock.

Commissioner McKechnie stated the entire site does not work unless there is no fencing. If this was truly a pad lot situation, one would own the pad lot however it is defined that includes the loading dock or the roof overhang and the rest is common area that is controlled by all the people with no fences inside of it. The trucks are going to move around however they are going to move. Putting a 20 foot space between these with the possibility of a fence makes this site not work. In his opinion he is not sure the reasoning is valid.

Commissioner Foley asked, why are there three different common areas? Mr. Slaughter reported it is a mechanism to address the maintenance of the common areas in the CC&R's. The CC&R's will have to dictate who maintains each of the different areas.

The Public Hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of LDS-17-050, per the staff report dated August 17, 2017, including Exhibits A through R and the discretionary requests of the agricultural buffering and locating all lot-lines within four feet of the exterior walls of the buildings.

Moved by: Commissioner McKechnie

Seconded by: Commissioner Pulver

Commissioner McKechnie will vote against the motion for the exact reasons he mentioned earlier. He is not opposed to these kinds of developments. If a pad lot development is done correctly on this site, makes perfect sense. What the Commissioners were shown seems to skirt the very edge to get staff to approve something he does not think is reasonable.

Commissioner Pulver was opposed to this application the last time it was presented to the Planning Commission. He does not disagree that some property lines could be moved. Some effort was made to try and make this more consistent with a pad lot while keeping in mind the special purposes specific to this site and the use. A pad lot of offices would be easier to comply with the strict letter of the code. With some of the uses that come with industrial pad lot development he can generally speaking buy into this. He does not think the applicant has the intent of trying to do something that is not going to work whether he owns all nine, one or none of these. The people that owns these will come to the applicant for answers and remedies if it does not function right. He thinks a condition of approval is the creation of CC&R's hoping they would take into consideration Commissioner McKechnie's comments regarding fencing and the like. He will be voting in favor.

Commissioner Poythress backs up Commissioner Pulver's comments. It is up to the prerogative of the buyer to work through some of these things and to take into consideration when making the purchase. The applicant has gone around with this more than one or two rounds. He has done his due diligence. The consideration for fencing is worth noting. In an industrial situation the circumstances are a little different than an office situation or a heavily traffic area for the average consumer or public facing retail but this is utility and that has been taken into consideration by the applicant. He will be voting in favor.

Commissioner Culbertson last time believed that either Mr. Severs' previous layout or this one are both functional. He thinks it is asinine to assume that somebody is going to obey an imaginary line. The common area without a fence, one does not know where the common areas are. The turning radius on a truck is more important. Lot 4 already has fencing around it. He hopes it is married up where the property lines are going to be otherwise they are going to have to move their fence. On a hot summer day, one is going to park in the shade on Lot 9 and walk over to Lot 8. Is someone going to tow the car? Probably not because they are all patrons. They are looking at functionality. He thinks it turns the corner on the fact that staff is willing to sign off. It is a workable, functional plan. He is going to vote in favor.

Commissioner Mansfield stated that Commissioner McKechnie suggested in his debate that the fences could be built. He is not suggesting that they can be built in the common area. Commissioner McKechnie replied no. There is no way a fence could be built inside the common area.

Commissioner Mansfield asked, is there enough space in the common area for the vehicles to do their turning? Commissioner McKechnie stated that the way it is drawn right now, no. If there is a fence, one could not drive a truck down one of those common areas. There is enough space between the buildings to do the turning movements a truck

needs to do but it requires the entire area between one building and the other to make it work.

Commissioner Culbertson disagrees with that. It depends on what type of truck. If it is a standard service panel van, there would be more than ample turning radius to get into one of those loading docks. If one is talking about a full semi, he agrees with Commissioner McKechnie. One is not going to get a turn without going across the common area. But it depends on the type of service.

Vice Chair McFadden, in his experience, CC&R's get broached every day. They have very little teeth for the most part. Therefore, it makes him nervous on what one can and cannot do with a fence. He agrees with both sides of the discussion they are having. He does not know how he is going to vote.

Commissioner McManus is in favor of voting on this. He appreciates the applicant as well as staff from the prior presentation they showed, because of the existing elements within each lot, a special purpose.

Commissioner McManus does not know if this would be relevant to the motion but he does not know if they need to note the discretionary requests of the agricultural buffering and locating all lot-lines within four feet of the exterior walls of the buildings.

Roll Call Vote: Motion passed, 6-2, with Commissioner Foley and Commissioner McKechnie voting no.

New Business

50.4 ZC-17-075 Consideration of a zone change on 1.30 acre parcel located immediately southwest of the intersection of Stewart Avenue and Lozier Lane in Southwest Medford from SFR-00 (Single Family Residential – 1 dwelling unit per lot) to MFR-20 (Multi-Family Residential – 20 dwelling units per acre). (372W35AD1900) (Scott Becker, Applicant; Richard Stevens & Associates, Agent; Steffen Roennfeldt, Planner III).

Vice Chair McFadden inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Culbertson stated that he lives on Alex Way which is immediately to the south. He has discussed this project with his wife and recused himself. Vice Chair McFadden drove by the area today to become familiar with it.

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

Steffen Roennfeldt, Planner III, stated staff received a letter late this afternoon from the Fair Housing Council of Oregon and the Housing Land Advocates. It will be submitted into

the record as Exhibit I. What they are asking for has been addressed in the past as part of the GLUP amendment. A copy of the letter was placed at the Commissioner's seats. The zone change criteria can be found in the Medford Land Development Code Section 10.227. The applicable criteria was included in the staff report, property owner notices and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report.

Commissioner McKechnie stated that he is at a loss regarding the letter submitted by the Fair Housing Council of Oregon. Kelly Akin, Assistant Planning Director, stated that staff has seen these letters fairly often in the last year or so. They are asking for Goal 10 Analysis which happens at the time of the amendment to the General Land Use Plan map. She is not sure why staff continues to see these. Staff acknowledges the receipt of the letter and gives the information to the Planning Commission that this analysis is something that happens in a previous decision. It becomes part of the record.

The Public Hearing was opened.

a. Joe Slaughter, Richard Stevens & Associates, Inc., P. O. Box 4368, Medford, Oregon, 97504-0168. Mr. Slaughter reported that this property was identified as a possibility for meeting some of the City's need for housing within the existing urban growth boundary prior to expanding the urban growth boundary. This is consistent with the Oregon Transportation rule and the Transportation System Plan. This is also consistent with the General Land Use Plan map designation. The property has adequate capacity to serve the requested zone.

Vice Chair McFadden asked, when was this property changed to the current General Land Use Plan map designation? Mr. Slaughter reported it started in 2013 and was approved in 2014.

Commissioner Pulver asked, has the applicant had any dialogue with the property owner to the west? Mr. Slaughter stated that he was unaware with any dialogue with any adjacent property owners.

Commissioner McKechnie asked, if and when this gets developed, will a traffic study be required? Mr. Slaughter reported that it is under the threshold. There may be some analysis required for access, etc. It is his understanding there should not be a traffic analysis required.

b. Brad Bennington, Executive Officer, Builders Association of Southern Oregon, 1006 E. Jackson, Medford, Oregon, 97504. Mr. Bennington serves as council liaison to the Planning Commission of the City of Jacksonville. He serves on the Jackson County Planning Commission and he serves on the Board of Directors for the American Planning Association of Oregon. He is pretty familiar with this part of town and with the particular

set of circumstances. He talked about the letter from the Fair Housing Council of Oregon. It encourages him that these folks understands there is an Oregon that exists outside of Portland and Salem. It is unfortunate that they think they can perhaps influence opinions in other parts of the State. If they can figure out how to straighten out their affordable housing problem in Portland maybe they can come down here and visit with us a little more. This is a form letter that they send out as part of their agenda. Staff has dealt with that appropriately. Lozier Lane is undergoing a seismic redo currently that will tremendously increase capacity. Stewart Avenue is already robustly serving this area. There is high density construction just to the east that has been in service and quite a bit that is coming to completion.

The Public Hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of ZC-17-075, per the staff report dated August 17, 2017, including Exhibits A through I.

Moved by: Commissioner Pulver

Seconded by: Commissioner Mansfield

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

50.5 CUP-17-067 Consideration of a request to revise a previously approved Conditional Use Permit to extend the days and hours of operation of a youth center on a 0.62 acre parcel located on the north side of Roberts Road within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district (371W17CA Tax Lot 2200). (Rogue Valley Youth for Christ, Applicant; Praline McCormack, Planner II).

Vice Chair McFadden inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Vice Chair McFadden disclosed that he was on the Planning Commission when this was previously brought to the Commission.

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

Praline McCormack, Planner II, stated that a revised memo was submitted by the Medford Water Commission and will be submitted into the record as Exhibit E-1. The third condition of that memo was revised to note that the existing meter will need to be relocated unless the driveway is widened or altered. Also, this afternoon staff received two letters of support that will be entered into the record as Exhibit P and Exhibit Q. Exhibit Q is written in Spanish and an English translation is attached. Ms. McCormack stated that the conditional use permit criteria can be found in the Medford Land Develop Code Section 10.248. The applicable criteria was included in the staff report, property

owner notices and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. McCormack gave a staff report.

The Public Hearing was opened.

a. Bud Amundsen, Rogue Valley Youth for Christ, 529 Edwards Street, Medford, Oregon, 97501. Mr. Amundsen addressed the Planning Commission that the Google street view from April 2012 is making them look bad. The date the Google photograph was taken, there were a group of volunteers working on the landscaping in the back of the facility. That is not the normal way in which they park in the parking area.

Commissioner McManus asked for the location of the outside lighting. Mr. Amundsen stated that there are lights on the southeast and southwest corners of the front of the building. All of those light fixtures are hooded and directed down towards the parking lot. They are on a timer.

Commissioner McKechnie asked, what about security lighting? Mr. Amundsen reported they do not have security lighting at this point. They try to keep it as dark as possible in terms of the neighbors. He believes there are street lights across the street. It is not completely dark.

Commissioner Culbertson stated that he read the letter of opposition from the Merrill's. The letter states they have called the office many times. Can Mr. Amundsen address that? Has he spoken with them? Mr. Amundsen stated that he personally has not spoken with them but the director of the facility has.

Missy Masterjohn, former Director of North Medford Campus Life, 342 N. Ivy Street, Medford, Oregon, 97501. Ms. Masterjohn reported that she received two phone calls from the Merrill's a few years ago in regards to children playing football in the backyard being loud. It was after school, approximately 4:00 p.m. They tried to accommodate the Merrill's by asking the children to play on the basketball court or inside. She does not believe the noise is any different than children playing in a cul-de-sac in the afternoon after school.

b. Brad Bennington, Executive Officer, Builders Association of Southern Oregon, 1006 E. Jackson, Medford, Oregon, 97504. Mr. Bennington reported that his organization does not have interest in this application as a building project. They do along with the other work they do for education advocacy, policy and construction industry support several non-profits that they feel add value to the community. Rogue Valley Youth for Christ is one of them, mostly for the work they do with children and young teenage children in the Medford urban area.

The Medford we live in today is different than it used to be. Crime is a factor. Crime is a 24-hour a day problem. When there is a facility like the Rogue Valley Youth for Christ that is well managed and staffed it is a safe harbor for parents where they know their children are safe and attended. This seems to him the kind of facility that one would want more access to rather than less access. Also, this area is not your typical neighborhood. There is a large commercial area to the west with North Medford High School a baseball's throw away. It is an area that has a lot of activity anyway.

c. Mike Thorton, P. O. 1618, Jacksonville, Oregon, 97530. Mr. Thorton stated that he, like Vice Chair McFadden, was present the first time around helping the applicant. He is not representing the applicant today or his business. He passed along that Mr. Amundsen contacted him several weeks ago and sent him the application that is before the Planning Commission today. Mr. Thorton read through it. He read the letter of opposition. The letter states the applicant is not playing by the rules and is present under a conditional use permit. Mr. Amundsen stated that was an isolated incident. They looked into it and found it really was not an on-going issue. Mr. Amundsen contacted other neighbors that submitted letters of support. Mr. Thorton believes the Planning Commission has before them testimony and evidence that provide findings to support the decision to approve the change of the conditional use permit.

The Public Hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of CUP-17-067, per the staff report dated August 17, 2017, including Exhibits A through Q, replacing Exhibit E with Exhibit E-1, and striking discretionary condition number 2 and other minor corrections.

Moved by: Commissioner McKechnie

Seconded by: Commissioner Foley

Commissioner Pulver is struggling that the Planning Commission's task is to look at the conditional use permit criteria and he is putting himself as being a neighbor. His suggestion is to modify the hours proposed and cut back Monday through Thursday to 9:00 p.m. as opposed to 10:00 p.m.

Commissioner McKechnie stated that the outdoor activities are limited to 9:00 p.m. It is the indoor activities that are 10:00 p.m.

Commissioner Pulver understands that but it is his opinion that they have to leave at some point. Kids tend to loiter often times. If he was a neighbor it would be an irritant.

Amended motion: To modify the hours from 10:00 p.m. to 9:00 p.m. Monday through Thursday.

Moved by: Commissioner Pulver

The amendment failed due to no second.

Commissioner Culbertson raised the question of how intensive was the dissenting letter. It was striking that the two neighbors that are the closest to the basketball court and play area are whole heartedly behind the Rogue Valley Youth for Christ facility and extending the hours. It is interesting there is one person sending such a volatile letter. It is like the squeaky wheel gets the grease. In this case, it is his opinion, they should be granted. If they really have a dissenting opinion they should be in the audience.

Vice Chair McFadden replied that maybe they were unable to attend therefore they submitted a letter. When the Planning Commission looked at this in 2008 one of his comments was that he lived in Central Point with the house backed up to a park. He found it grating that on a warm summer night about midnight there would be someone bouncing a basketball in the middle of the park because the basketball court was right in the middle of the park. Parks do not make good neighbors. He believes this project makes a much better neighbor than that city park will ever make.

Commissioner McManus is favorable of the hours and necessary for the community they are serving. For enforceability it is more consistent and easier to address. He questioned the lighting. If there is an indoor activity ending at 10:00 p.m. getting everyone out by 10:00 p.m. in the winter it will be really dark. It is great if there are street lights. Pathway lights help. He is wondering if they need to change the requirement on the lighting to be consistent with their overall operations. They do not want to over react of putting the applicant in a situation where they have a liability issue of not having adequate outside lighting.

Commissioner McKechnie thinks it is more of a liability for the organization than it is for the Planning Commission. They are going to make sure they have adequate lighting for the parking lot.

Vice Chair McFadden believes that there is a street light across the street because there is so much traffic that often comes out of the high school in the north direction onto Roberts Road.

Mr. Amundsen testified from the audience that there is a street light across the street from the Rogue Valley Youth for Christ.

Mr. Mitton asked, if the Commission thought they need to reopen the Public Hearing to put that testimony in the record? He thinks there were already some comments to that affect and so reopening the Public Hearing is not necessary. He just wanted to raise the question.

Commissioner Culbertson reported that the aerial map shows there is a street light at each corner of that property on the street.

Roll Call Vote: Motion passed, 7-1, with Commissioner Pulver voting no.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural Commission met Friday, August 18, 2017. He was unable to attend the meeting.

60.2 Report of the Joint Transportation Subcommittee.

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

60.3 Planning Department

Kelly Akin, Assistant Planning Director, reported that the Site Plan and Architecture Commission approved two projects. One was Stewart Meadows. They are proposing 134 units between Myers Lane alignments.

Commissioner Pulver asked, why has Myers Lane been closed so long? Ms. Akin stated that the street vacation was continued to the September 14, 2017, Planning Commission meeting. Before it will go to the City Council for final approval the applicant has to do some work. They are either going to bond for the improvements and dedicate the new right-of-way. They want building permits that they cannot obtain until they vacate the right-of-way because the buildings are placed on the right-of-way.

The Site Plan and Architectural Commission approved a project on Gilman Road to add approximately 13,000 square feet of new industrial buildings.

The Planning Commission study session scheduled for Monday, August 28, 2017, is cancelled.

There is business for the Planning Commission study sessions on Monday, September 11, 2017. Discussion will be on transitional housing. Monday September 18, 2017, there is a joint study session with the City Council to discuss food trucks. Monday, September 25, 2017, discussion will be on the Transportation System Plan work.

There is business for the Planning Commission on Thursday, September 14, 2017, Thursday, September 28, 2017 and Thursday, October 12, 2017.

City Council approved the Foothills Road transportation facility. Landscaping down the center was approved as part of that proposal. They also approved a Citizen Advisory Committee for the Transportation System Plan work.

Next week the City Council will hear Article II reorganization that the Planning Commission recommended. Staff is proposing to change the number of members required for the Landmarks and Historic Preservation Commission from seven to five. They had several people resign and are having a problem getting a quorum.

On September 7, 2017, the City Council will hear the revised and hopefully final Urban Growth Boundary amendment findings.

LCDC is supposed to hear the Urban Growth Boundary amendment in February or March 2018.

Commissioner McKechnie requested that maps of the project be put right after the staff report. Ms. Akin reported that there is the staff report, conditions and then the map of the proposal. Commissioner McKechnie stated it is not. It is all the reports, findings from the applicant and the map is way down in the report. If the map could be put within the first two pages of the staff report it would be wonderful. Ms. Akin stated staff would review how they can make that happen. She is not sure how or if they can make it happen. Staff goes through the effort of bookmarking all the exhibits so it is easy for the Commissioners to maneuver around.

Vice Chair McFadden stated that the exhibits are stamped only once. He requested to stamp each page and mark 1 of 12 or maybe a blank sheet ever so often so one sees the difference in Exhibits. Ms. Akin asked, is it a question of the iPad? Commissioner Poythress commented that after the meeting he could show Vice Chair McFadden an easier way to navigate through. Vice Chair McFadden likes Commissioner McKechnie's recommendation better than his. Staff stated that they would see what they could do to make it easier for the Commissioners.

Vice Chair McFadden asked, is the City recommending the pamphlet of the Oregon Land Use Law or is it address to him and staff forwards it to him? Ms. Akin reported that if a Commissioner is interested in training to let staff know and they will see if they can fund it. October 7, 2017 is a training in Central Point.

70. Messages and Papers from the Chair. None.

80. Remarks from the City Attorney.

80.1 Mr. Mitton, thanked everyone for him being present. Kevin McConnell has left the City and gone to exciting adventures. In the short term Mr. Mitton will be handling everything Planning Commission related. If anyone has any questions, feel free to reach out to him. They are currently advertising for Deputy City Attorney position. Long term, this may or may not be his Commission but until they hear otherwise he is happy to help them out with anything they need.

90. Propositions and Remarks from the Commission. None.

100. Adjournment

The meeting was adjourned at 7:30 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Rozzana
Recording Secretary

David McFadden
Planning Commission Vice-Chair

Approved: September 14, 2017



STAFF REPORT

for a Class-B decision: Street Vacation

Project Myers Lane Street Vacation
Applicant: KOGAP Enterprises
Agent: Maize & Associates

File no. SV-17-069

To Planning Commission for September 14, 2017 hearing

From Dustin Severs, Planner III

Reviewer Kelly Akin, Assistant Planning Director

Date September 7, 2017

BACKGROUND

Proposal

Consideration of a request for the vacation of a portion of Myers Lane, an approximate 60-foot wide strip of public right-of-way along with the adjacent Public Utility Easements, running north from Garfield Avenue approximately 1743 feet in length, within the Stewart Meadows Village Planned Unit Development.



History

The portion of Myers Lane proposed to be vacated is located within the Stewart Meadows Village Planned Unit Development (PUD), a mixed-use commercial and residential community located on the old KOGAP mill site in South Medford, originally approved in 2007. An approved revision to the PUD in 2009 included a proposed realignment of Myers Lane eliminating an existing offset of the Myers Lane intersection across Garfield Avenue, thereby allowing for improvements to the PUD's development to be internally located with dwelling units located on both sides of Myers Lane. The Site Plan and Architectural Commission (SPAC) approved the applicant's request for the development of 134 multi-family dwelling units to be located west of the new Myers Lane alignment on August 18, 2017, which included a condition of approval requiring that the applicant obtain approval for the vacation of the existing Myers Lane right-of-way prior to the issuance of building permits for the development (AC-17-066).

An application to vacate the subject portion of Myers Lane was submitted on June 9, 2017. The application was initiated by petition, with the applicant including the requisite material and Consent to Vacation documents pursuant to ORS 271.080.

Authority

This proposal is a Class-B application for vacation of public right-of-way. The Planning Commission is authorized to act as the advisory agency to the City Council for vacations, providing a recommendation to the City Council, and with the City Council serving as the approving authority under Medford Municipal Code Sections 10.102–122, 10.165, and 10.185.

ISSUES AND ANALYSIS

Agency Comments

Per the agency comments submitted to staff (Exhibits K-M), it can be found that the submitted legal description accurately describes the area to be vacated, and that public facilities can be made adequate to support the vacation request through the imposition of conditions listed in the Recommend Action section below.

Other Agency Comments

Jackson County Roads: Staff received comments from Jackson County Roads (Exhibit O) stating that the County has no plans for improvements to Myers Lane, and recommending that the city request jurisdiction of the road. Jackson County further stated that the portion of Myers Lane proposed for vacation is a County road within the City of Medford's City Limits; therefore, the applicant must also obtain approval from Jackson County for the proposed vacation.

Committee Comments

No comments were received from committees such as BPAC.

FINDINGS AND CONCLUSIONS

The criteria that apply to vacations are in Medford Municipal Code Section 10.202.

Vacation Criteria. A request to vacate shall be approved by the approving authority (City Council) when the following criteria have been met:

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

Findings

A review of the goals and policies in the Comprehensive Plan that relate to public facilities, transportation and the Transportation System Plan (TSP) do not specifically address the topic of right-of-way vacation.

The subject right-of-way is classified as a lower-order street and is identified as part of the Southwest Medford Circulation Plan.

Conclusion

Since the goals and policies of the comprehensive plan are silent on right-of-way vacations, using the Comprehensive Plan directly for approval is unnecessary in this instance. However, per the agency comments submitted to staff (Exhibits K-M), it can be found that public facilities can be made adequate to support the vacation request through the imposition of conditions listed in the Recommend Action section below. Therefore, this criterion is satisfied.

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

Findings

The application was initiated by petition per the requirements in ORS 271.080(2).

Conclusion

The submitted application contains the requisite material and provides a petition conforming to the standards of ORS 271.080, including the signed *Consent to Vacation* documents from 100 percent of all abutting real property owners, and the signed consent to vacate documents from 85 percent (19.86 acres of 23.34 acres) of all affected real property owners (Exhibit A). This criterion is satisfied.

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

Findings

The applicant has chosen to initiate the vacation by submitting a petition as allowed per ORS 271.080; therefore, initiation by the Council is not requested.

Conclusion

This criterion is not applicable to the project.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the approval criteria are met or are not applicable, forward a favorable recommendation to the City Council for approval of the street vacation per the staff report dated September 7, 2017, including Exhibits A through O, and including the following conditions of approval:

The applicant shall:

1. Comply with the requirements of the Public Works Department, including but not limited to the condition that the new right-of-way and public utility easement dedications for the new alignment of Myers Lane be approved by the City Engineer prior to this application going to the City Council and that these dedications be simultaneously recorded with this vacation (Exhibit K).
2. Comply with the conditions of the Medford Water Commission (Exhibit M).
3. Submit a vacation application to Jackson County and receive Jackson County approval to vacate the proposed portion of Myers Lane (Exhibit O).

EXHIBITS

- A Consent to Vacation with map and list of affected lots owned by KOGAP.
- B Legal description and associated Map of Survey of area of Myers Lane to be vacated, received August 28, 2017.
- C Legal descriptions and associated Maps of Survey of PUE areas to be vacated, received August 28, 2017.
- D Legal description and associated Map of Survey of Myers Lane right-of -way to be dedicated, received August 28, 2017.
- E Legal description and associated Maps of Survey for PUE areas to be dedicated, received August 28, 2017.
- F Map showing area proposed for vacation, received June 9, 2017.
- G Master plan for Stewart Meadows Village drafted October 17, 2008.
- H Approved Preliminary PUD Plan, received June 9, 2017.
- I Southwest Medford Circulation Plan, received June 9, 2017.
- J Applicant's Findings of Fact and Conclusions of Law, received August 28, 2017.
- K Medford Public Works Department Staff Report, received July 26, 2017.
- L Medford Fire Department Report, received July 26, 2017.
- M Medford Water Commission Memo and Facility Map, received July 7, 2017.
- N City Surveyor comments received June 21, 2017.
- O Jackson County Roads Letter, received July 5, 2017.

Vicinity map

PLANNING COMMISSION

SEPTEMBER 14, 2017

"C"

ABUTTING AND AFFECTED TAX LOTS OWNED BY KOGAP ENTERPRISES, INC.

37-1W-31A

2802

3700

3800

3900

4000

37-1W-31D

200

400

401

500

800

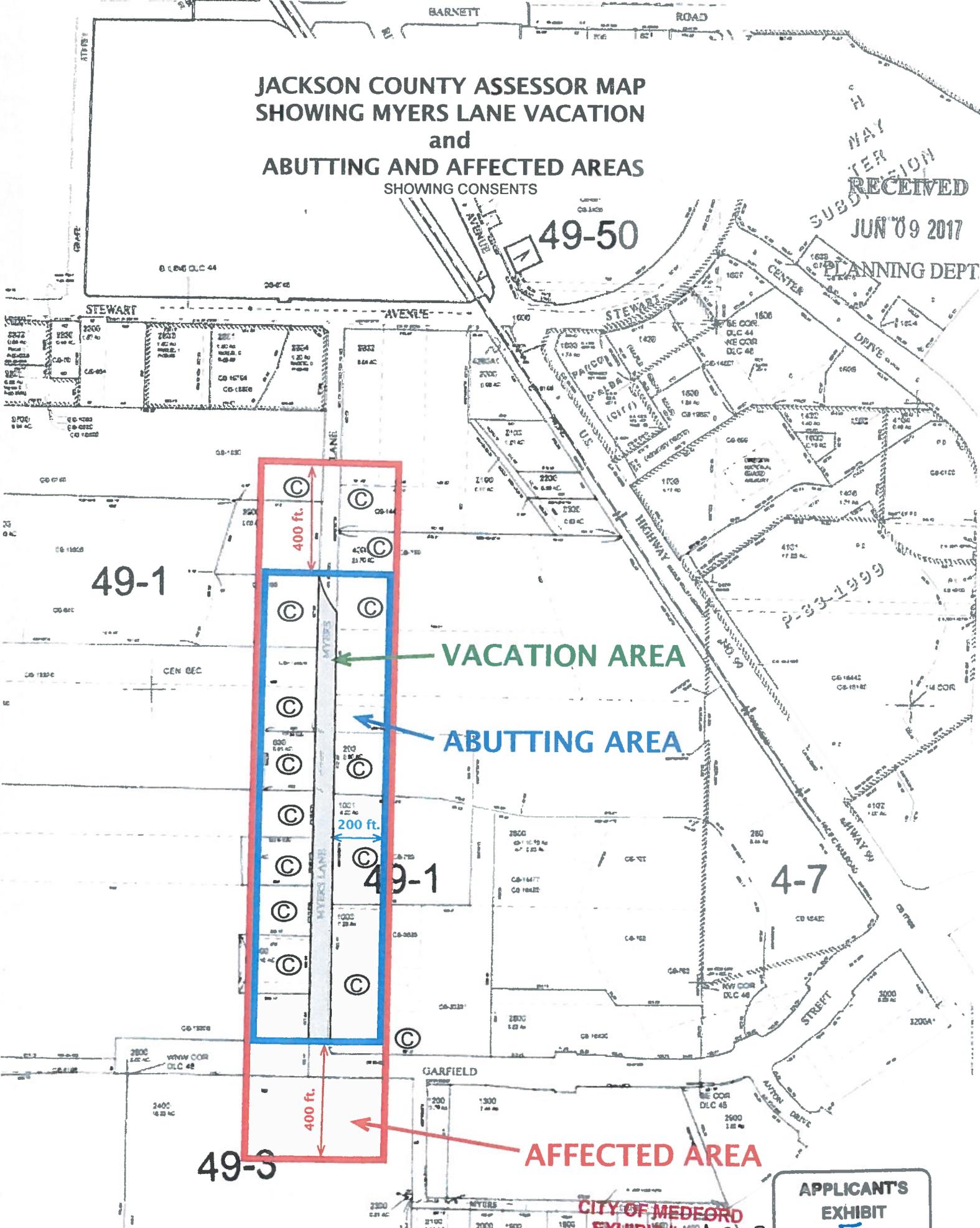
900

1000

1001

JACKSON COUNTY ASSESSOR MAP
SHOWING MYERS LANE VACATION
and
ABUTTING AND AFFECTED AREAS
SHOWING CONSENTS

RECEIVED
JUN 09 2017
PLANNING DEPT



VACATION AREA

ABUTTING AREA

AFFECTED AREA

CITY OF MEDEORD
EXHIBIT # A 3 of 3
File # SV-17-069

APPLICANT'S
EXHIBIT
" 5 "

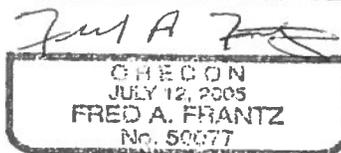
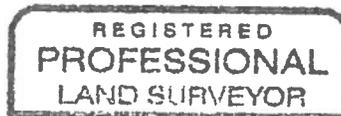
APPLICANT'S
EXHIBIT

" 10 "

~~EXHIBIT A~~

Commencing at the Northeast corner of Donation Land Claim Number 45, located in Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon: thence North 89°59'22" West, along the north line of said Donation Land Claim 45, a distance of 1360.48 feet to the Northwest corner of that tract described in Instrument Number 75-03262 of the Official Records of Jackson County, Oregon; thence South 0°03'00" East, along the west line of said tract, a distance of 783.76 feet, to the POINT OF BEGINNING; thence continue South 0°03'00" East, along said west line, a distance of 1743.15 feet, to a point on the north line of that tract described in Instrument Number 00-32491 of said Official Records; thence North 89°59'28" East, along said north line and its easterly extension, a distance of 60.06 feet, to a point on the west line of that tract described in Instrument Number 98-02983 of said Official Records; thence along said west line, along the arc of a curve to the right having a radius of 54.56 feet, a central angle of 2°33'08", a length of 2.43 feet and a long chord bearing and distance of North 1°29'28" West, 2.43 feet, to a point on the east line of said tract described in Instrument Number 75-03262; thence North 0°03'00" West, along said east line, a distance of 1471.75 feet; thence North 24°00'19" West, leaving said east line, a distance of 13.80 feet; thence along the arc of a curve to the right having a radius of 631.50 feet, a central angle of 23°57'19", a length of 264.03 feet and a long chord bearing and distance of North 12°01'40" West, 262.11 feet, to the POINT OF BEGINNING.

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



Renewal _____

CITY OF MEDFORD
EXHIBIT # B 1 of 2
File # SV-17-069

N.W. CORNER
INST.No.
75-03262

EXHIBIT 'B'

N.E. CORNER
DLC 45

N89°59'22"W 1360.48'

CENTER LINE STEWART AVENUE

17.5'
42.5'
783.76'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	54.56'	2.43'	2°33'08"	N01°29'28"W	2.43'
C2	631.50'	264.03'	23°57'19"	N12°01'40"W	262.11'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°59'28"E	60.06'
L2	N24°00'19"W	13.80'

POINT OF BEGINNING

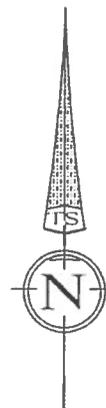
S00°03'00"E

1743.15'

M Y E R S L A N E

N00°03'00"W 1471.75'

INDICATES
AREA TO BE VACATED



SCALE: 1" = 300'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Fred A. Frantz

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

Renewal 12-31-17

NORTH LINE
INST.No. 00-32491

INST.No. 02-61939

GARFIELD

STREET

INST.No. 75-03262 INST.No. 98-02983
N89°59'28"E 1492.60'

W.N.W. CORNER
DLC 46

S.E. CORNER
DLC 45

TERRASURVEY, INC.

PROFESSIONAL LAND SURVEYORS

274 FOURTH STREET
ASHLAND, OREGON 97520

APPLICANT'S
EXHIBIT

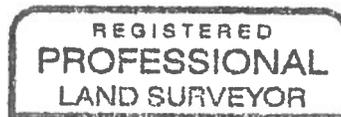
"11 1/2"

PUBLIC UTILITY VACATION DESCRIPTION
FOR INSTRUMENT No. 98-10481

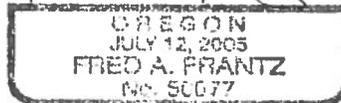
This description is for the vacation of the 15 foot wide public utility easement as described in Instrument Number 98-10481 of the Official Records of Jackson, County, Oregon, being 15 feet wide the western and northern line of which is coincident with the following described line:

Commencing at the southeast corner of Donation Land Claim Number 45 in Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence South 89°59'28" West, a distance of 972.97 feet, to the eastern line of Myers Lane as described in Instrument Number 75-03262 of the Official Records of Jackson County, Oregon; thence along said eastern line, North 0°20'18" East, a distance of 40.00 feet; thence South 89°59'28" West, a distance of 251.94 feet; thence along the arc of a curve to the right having a radius of 84.59 feet, a central angle of 89°57'32", a length of 132.80 feet and a long chord bearing and distance of North 45°01'46" West, 119.58 feet; thence North 0°03'00" West, a distance of 1074.47 feet to the southwest corner of that tract described in Instrument Number 95-06852 of said Official Records and the POINT OF BEGINNING of the line to be described; thence North 0°03'00" West, a distance of 1409.99 feet, to a point which bears South 0°0'38" West, a distance of 40.00 feet, from the north line of said Donation Land Claim Number 45; thence South 89°59'22" East, parallel with said north line a distance of 433.40 feet, to the southwest corner of that TRACT A as described in Instrument Number 95-04268 of said Official Records; thence South 89°59'22" East, a distance of 54.98 feet to the southeast corner there of and the point of termination of the line described.

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



Fred A. Prantz



Renewal 12-31-17

CITY OF MEDFORD
EXHIBIT # C 1 of 5
File # SV-17-069

EXHIBIT 'B'

FOR VACATION OF INST.No. 98-10481
A PUBLIC UTILITY EASEMENT

N.E. CORNER
DLC 45

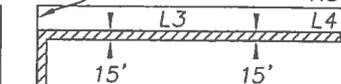
500'00'38"W
40.00'

N89'59'22"W 1300.44'

CENTER LINE STEWART AVENUE

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	84.59'	132.80'	89'57'32"	N45'01'46"W	119.58'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00'20'18"E	40.00'
L2	S89'59'28"W	251.94'
L3	S89'59'22"E	433.40'
L4	S89'59'22"E	54.98'



15'

500'03'00"E 1409.99'

INST.No. 98-10481
TO BE VACATED

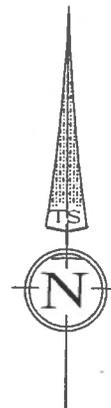
EAST LINE MYERS
LN. PER INST.No
75-03262

15'

MYERS LANE

SOUTHWEST CORNER
INSTRUMENT No. 95-06852

N00'03'00"W 1074.47'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

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

SCALE: 1" = 300'

Renewal 12-31-17

TERRASURVEY, INC.
PROFESSIONAL LAND SURVEYORS
274 FOURTH STREET
ASHLAND, OREGON 97520

W.N.W. CORNER
DLC 46

GARFIELD

STREET

S89'59'28"W 972.97'

INST.No. 75-03262
S89'59'28"W 2002.80'

S.E. CORNER
DLC 45

APPLICANT'S
EXHIBIT
" 11 1/2 "

PUBLIC UTILITY VACATION DESCRIPTION
INSTRUMENT No. 95-25760
EXHIBIT "A" AND A PORTION OF EXHIBIT "B"

This description is for the vacation of the public utility easements for the installation and maintenance of public utilities, as described in Instrument Number 95-25760, of the Official Record of Jackson County, Oregon and includes Exhibit "A" and a portion of Exhibit "B" of said Instrument Number.

Exhibit "A"

Vacation of an easement for the installation and maintenance of public utilities:
Commencing at the northeast corner of Donation Land Claim Number 45, located in the Township 37 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon: thence North 89°59'22" West, a distance of 1300.48 feet, to a point which bears North 0°03'00" West, a distance of 40.00 feet, from the Southwest corner of that tract described in Instrument Number 97-45264 of the Official Record of Jackson County, Oregon: thence South 0°03'00" East, along the west line of said tract and the East line of Myers Lane as described in Instrument Number 75-03262 of said Official Record, a distance of 1662.04 feet to the POINT OF BEGINNING; thence South 88°11'45" East, leaving said east line, a distance of 15.01 feet; thence North 0°03'00" West, a distance of 50.03 feet; thence South 88°11'45" East, a distance of 370.28 feet; thence South 78°53'49" East, a distance of 73.45 feet; thence along the arc of a curve to the left, having a radius of 15.00 feet, a central angle of 42°02'12", a length of 11.00 feet and a long chord bearing and distance of North 73°55'29" East, 10.76 feet; thence along the arc of a curve to the right, having a radius of 45.00 feet, a central angle of 30°59'53", a length of 24.35 feet and a long chord bearing and distance of North 68°24'59" East, 24.05 feet; thence North 0°15'34" East, a distance of 15.07 feet; thence along the arc of a curve to the left, having a radius of 60.00 feet, a central angle of 32°35'24", a length of 34.13 feet and a long chord bearing and distance of South 68°12'41" West, 33.67 feet; thence North 78°53'49" West, a distance of 73.05 feet; thence North 88°11'45" West, a distance of 387.20 feet, to the East line of said Myers Lane; thence South 0°03'00" East, a distance of 64.41 feet to the POINT OF BEGINNING.

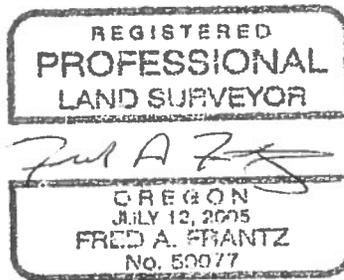
A portion of Exhibit "B"

Vacation of an easement for the installation and maintenance of public utilities:
Commencing at the northeast corner of Donation Land Claim Number 45, located in the Township 37 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon: thence North 89°59'22" West, a distance of 1300.48 feet, to a point which bears North 0°03'00" West, a distance of 40.00 feet, from the Southwest corner of that tract described in Instrument Number 97-45264 of the Official Record of Jackson County, Oregon: thence South 0°03'00" East, along the west line of said tract and the East line of Myers Lane as described in Instrument Number 75-03262 of said Official Record, a distance of 1662.04 feet to the POINT OF

C. 30FS

BEGINNING: thence South 88°11'45" East, leaving said east line, a distance of 15.01 feet; thence South 0°03'00" East, a distance of 861.62 feet; thence along the arc of a curve to the left, having a radius of 39.57 feet, a central angle of 63°18'20", a length of 43.72 feet and a long chord bearing and distance of South 31°41'58" East, 41.53 feet, to a point on the north line of that tract described in Instrument Number 02-61939 of said Official Records; thence along said north line through the following courses; North 89°33'55" West, a distance of 24.10 feet: thence along the arc of a curve to the right, having a radius of 54.56 feet, a central angle of 37°10'12", a length of 35.40 feet and a long chord bearing and distance of North 21°21'08" West, 34.78 feet, to a point on the East line of said Myers Lane; thence North 0°03'00" West, a distance of 862.42 feet, to the POINT OF BEGINNING.

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



Renewal 12-31-17

C 4 of 5

EXHIBIT 'B'

FOR VACATION OF INST.No. 95-25760
A PUBLIC UTILITY EASEMENT
EXHIBIT "A" AND A PORTION OF EXHIBIT "B"

N.E. CORNER
DLC 45

N89°59'22"W 1300.48'

S.W. CORNER
INSTR.No.
97-45264
60'
CENTER LINE STEWART AVENUE

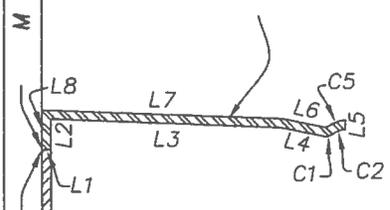
MYERS LANE
S00°03'00"E 1662.04'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	15.00'	11.00'	42°02'12"	N73°55'29"E	10.76'
C2	45.00'	24.35'	30°59'53"	N68°24'59"E	24.05'
C3	39.57'	43.72'	63°18'20"	S31°41'58"E	41.53'
C4	54.56'	35.40'	37°10'12"	N21°21'08"W	34.78'
C5	60.00'	34.13'	32°35'24"	S68°12'41"W	33.67'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S88°11'45"E	15.01'
L2	N00°03'00"W	50.03'
L3	S88°11'45"E	370.28'
L4	S78°53'49"E	73.45'
L5	N00°15'34"E	15.07'
L6	N78°53'49"W	73.05'
L7	N88°11'45"W	387.20'
L8	S00°03'00"E	64.41'
L9	N89°33'55"W	24.10'

EAST LINE MEYERS LN. PER
INST.No 75-03262

INST.No. 95-25760, EXHIBIT "A"
TO BE VACATED



PORTION OF INST.No. 95-25760
EXHIBIT "B"
TO BE VACATED

NORTH LINE
INST.No.02-61939

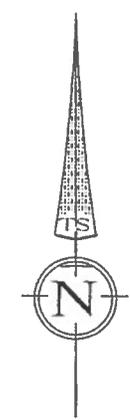
PORTION OF INST.No.
95-25760, EXHIBIT "B"
SOUTH OF GARFIELD
RIGHT OF WAY

NORTH LINE
INST.No. 00-32491

W.N.W. CORNER
DLC 46
GARFIELD STREET

S.E. CORNER
DLC 45

S89°59'28"W 2002.80'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Fred A. Frantz

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

SCALE: 1" = 300' Renewal 12-31-17

TERRASURVEY, INC.
PROFESSIONAL LAND SURVEYORS

274 FOURTH STREET
ASHLAND, OREGON 97520

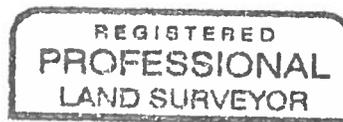
C 5 of 5

~~EXHIBIT A~~

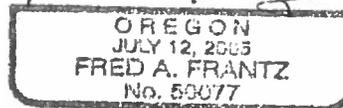
A roadway dedication, located in the east half of Section 31, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon, being 63 feet in width, 31.50 feet on both sides of the following described center line:

Commencing at the Northeast corner of Donation Land Claim Number 45, located in Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon: thence North 89°59'22" West, a distance of 1317.98 feet, to a brass disk, being a point on the north line of that tract described in Instrument Number 75-03262 of the Official Records of Jackson County, Oregon, thence continuing along said north line, a distance of 11.00 feet, to a point which bears South 89°59'22" East, a distance of 31.50 feet from the northwest corner of said tract and the POINT OF BEGINNING; thence South 0°03'00" East, 31.50 feet East of and parallel with the west line of said tract, a distance of 783.73 feet to a 5/8" iron pin; thence, along the arc of a curve to the left having a radius of 600.00 feet, a central angle of 23°57'19", a length of 250.86 feet and a long chord bearing and distance of South 12°01'40" East, 249.04 feet to a 5/8" iron pin; thence South 24°00'19" East, a distance of 553.65 feet to a 5/8" iron pin; thence along the arc of a curve to the right, having a radius of 800.00 feet a central angle of 24°00'19", a length of 335.18 feet and a long chord bearing and distance of South 12°00'10" East, 332.73 feet to a 5/8" iron pin; thence South 0°00'00" East, a distance of 703.26 feet, to a 5/8" iron pin, said 5/8" iron pin being a point on the north line of that tract described in Instrument Number 02-61939 of said Official Records and the terminus of this dedication, the side lines of which shall be lengthened or shortened to meet the north line of said Instrument Number 75-03262 and the north line of said Instrument Number 02-61939.

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



Fred A. Frantz



Renewal 12-31-17

EXHIBIT 'B'

N.W. CORNER
INST.No.
75-03262

N.E. CORNER
DLC 45

N89°59'22"W 1328.98'

CENTER LINE STEWART AVENUE

31.5'
31.5'

783.73'
S00°03'00"E

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	600.00'	250.86'	23°57'19"	S12°01'40"E	249.04'
C2	800.00'	335.18'	24°00'19"	S12°00'10"E	332.73'

WEST LINE
INST.No.
75-03262

OLD MYERS LANE PER INST.No. 75-03262

S24°00'19"E

553.65'

CENTER LINE NEW
63' WIDE DEDICATION

C2

703.26'

S00°00'00"E

31.5'
31.5'

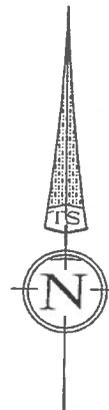
INST.No. 02-61939

GARFIELD

STREET

INST.No. 98-02983

INST.No. 75-03262



SCALE: 1" = 300'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Fred A. Frantz

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

Renewal 12-31-17

TERRASURVEY, INC.
PROFESSIONAL LAND SURVEYORS
274 FOURTH STREET
ASHLAND, OREGON 97520

APPLICANT'S
EXHIBIT
" "

~~EXHIBIT A~~

A Public Utility Easement, located in the East half of Section 31, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon, said easement being variable in width and described as follows:

Commencing at the Northeast corner of Donation Land Claim Number 45, located in Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon: thence North 89°59'22" West, along the north line of said Donation Land Claim 45, a distance of 1297.48 feet to a point on the north line of that tract described in Instrument Number 75-03262 of the Official Records of Jackson County, Oregon, which bears South 89°59'22" East, a distance of 63.00 feet from the northwest corner of said tract and the POINT OF BEGINNING; thence South 00°03'00" East, a distance of 783.70 feet; thence, along the arc of a curve to the left having a radius of 568.50 feet, a central angle of 23°57'19", a length of 237.69 feet and a long chord bearing and distance of South 12°01'40" East, 235.96 feet; thence South 24°00'19" East, a distance of 553.65 feet; thence along the arc of a curve to the right, having a radius of 831.50 feet, a central angle of 24°00'19", a length of 348.38 feet and a long chord bearing and distance of South 12°00'10" East, 345.83 feet; thence South 00°00'00" East, a distance of 703.52 feet, to a point on the north line of that tract described in Instrument Number 02-61939 of said Official Records; thence South 89°31'54" East, along the north line of that tract described in Instrument Number 02-61939, a distance of 10.00 feet to a point on said line; thence leaving said north line, North 00°00'00" East, a distance of 75.00 feet; thence North 90°00'00" East, a distance of 5.59 feet; thence North 00°00'00" East, a distance of 23.68 feet; thence South 90°00'00" West, a distance of 5.59 feet; thence North 00°00'00" East, a distance of 145.12 feet; thence North 90°00'00" East, a distance of 9.02 feet; thence North 00°00'00" East, a distance of 14.50 feet; thence South 90°00'00" West, a distance of 9.02 feet; thence North 00°00'00" East, a distance of 190.79 feet; thence North 90°00'00 East, a distance of 6.58 feet; thence North 00°00'00" East, a distance of 8.93 feet; thence South 90°00'00' West, a distance of 6.58 feet; thence North 00°00'00" East, a distance of 199.16 feet; thence North 90°00'00" East, a distance of 6.18 feet; thence North 00°00'00' East, a distance of 8.87 feet; thence South 90°00'00" West, a distance of 6.18 feet; thence along the arc of a curve to the left having a radius of 841.50', a central angle of 18°44'35", a length of 275.28 feet, and a long chord bearing and distance of North 09°22'18" West, 274.05 feet; thence North 69°45'39" East, a distance of 17.01 feet; thence along the arc of a curve to the left having a radius of 858.50', a central angle of 01°40'08", a length of 25.01 feet,

CITY OF MEDFORD
EXHIBIT # E 1065
File # SV-17-069

and a long chord bearing and distance of North 19°36'26" West, 25.01 feet; thence South 70°24'16" West, a distance of 17.00 feet; thence along the arc of a curve to the left having a radius of 841.50', a central angle of 03°32'48", a length of 52.09 feet, and a long chord bearing and distance of North 22°13'55" West, 52.08 feet; thence North 24°00'19" West, a distance of 387.63 feet; thence North 65°59'41" East, a distance of 6.64 feet; thence North 24°00'19" West, a distance of 14.56 feet; thence South 65°59'41" West, a distance of 6.64 feet; thence North 24°00'19" West, a distance of 56.72 feet; thence North 65°59'41" East, a distance of 4.35 feet; thence North 24°00'19" West, a distance of 9.07 feet; thence South 65°59'41" West, a distance of 4.35 feet; thence North 24°00'19" West, a distance of 85.68 feet; thence along the arc of a curve to the right having a radius of 558.50', a central angle of 23°57'19", a length of 233.51 feet, and a long chord bearing and distance of North 12°01'40" West, 231.81 feet; thence North 00°03'00" West, a distance of 12.70 feet; thence North 89°57'00" East, a distance of 4.38 feet; thence North 00°03'00" West, a distance of 23.48 feet; thence South 89°57'00" West, a distance of 4.38 feet; thence North 00°03'00" West, a distance of 69.13 feet; thence North 89°57'00" East, a distance of 7.60 feet; thence North 00°03'00" West, a distance of 14.50 feet; thence South 89°57'00" West, a distance of 7.60 feet; thence North 00°03'00" West, a distance of 33.92 feet; thence North 89°57'00" East, a distance of 8.41 feet; thence North 00°03'00" West, a distance of 8.76 feet; thence South 89°57'00" West, a distance of 8.41 feet; thence North 00°03'00" West, a distance of 621.20 feet; thence North 89°59'22" West, a distance of 10.00 feet to the POINT OF BEGINNING and the terminus of this Public Utility Easement.

TOGETHER WITH THE FOLLOWING:

A Public Utility Easement, located in the East half of Section 31, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon, said easement being variable in width and described as follows:

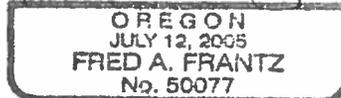
Commencing at the Northeast corner of Donation Land Claim Number 45, located in Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon: thence North 89°59'22" West, along the north line of said Donation Land Claim 45, a distance of 1360.48 feet to the northwest corner of that tract described in Instrument Number 75-03262 of the Official Records of Jackson County, Oregon, and the POINT OF BEGINNING; thence South 0°03'00" East, along the west line of said tract, a distance of 783.76 feet; thence, along the arc of a curve to the left having a radius of 631.50 feet, a central angle of 23°57'19", a length of 264.03 feet and a long chord bearing and distance of South 12°01'40" East, 262.11 feet; thence South 24°00'19"

East, a distance of 553.65 feet; thence along the arc of a curve to the right, having a radius of 768.50 feet, a central angle of 24°00'19", a length of 321.98 feet and a long chord bearing and distance of South 12°00'10" East, 319.63 feet; thence South 00°00'00" East, a distance of 703.01 feet, to a point on the north line of that tract described in Instrument Number 02-61939 of said Official Records ; thence North 89°31'54" West, along the north line of that tract described in Instrument Number 02-61939, a distance of 10.00 feet to a point on said line; thence leaving said north line, North 00°00'00" East, a distance of 702.93 feet; thence, along the arc of a curve to the left having a radius of 758.50 feet, a central angle of 24°00'19", a length of 319.79 feet and a long chord bearing and distance of North 12°00'10" West, 315.47 feet; thence North 24°00'19" West, a distance of 553.65 feet; thence along an arc to the right, having a radius of 641.50 feet, a central angle of 23°57'19", a length of 268.21 feet and a long chord bearing and distance of North 12°01'40" West, 266.26 feet; thence North 00°03'00" West, a distance of 28.17 feet; thence South 89°57'00" West, a distance of 4.14 feet; thence North 00°03'00" West, a distance of 8.64 feet; thence North 89°57'00" East, a distance of 4.14 feet; thence North 00°03'00" West, a distance of 93.26 feet; thence South 89°57'00" West, a distance of 16.69 feet; thence North 00°03'00" West, a distance of 8.36 feet; thence North 89°57'00" East, a distance of 16.69 feet; thence North 00°03'00" West, a distance of 645.34 feet; thence South 89°59'22" East, a distance of 10.00 feet to the POINT OF BEGINNING and the terminus of this Public Utility Easement.

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



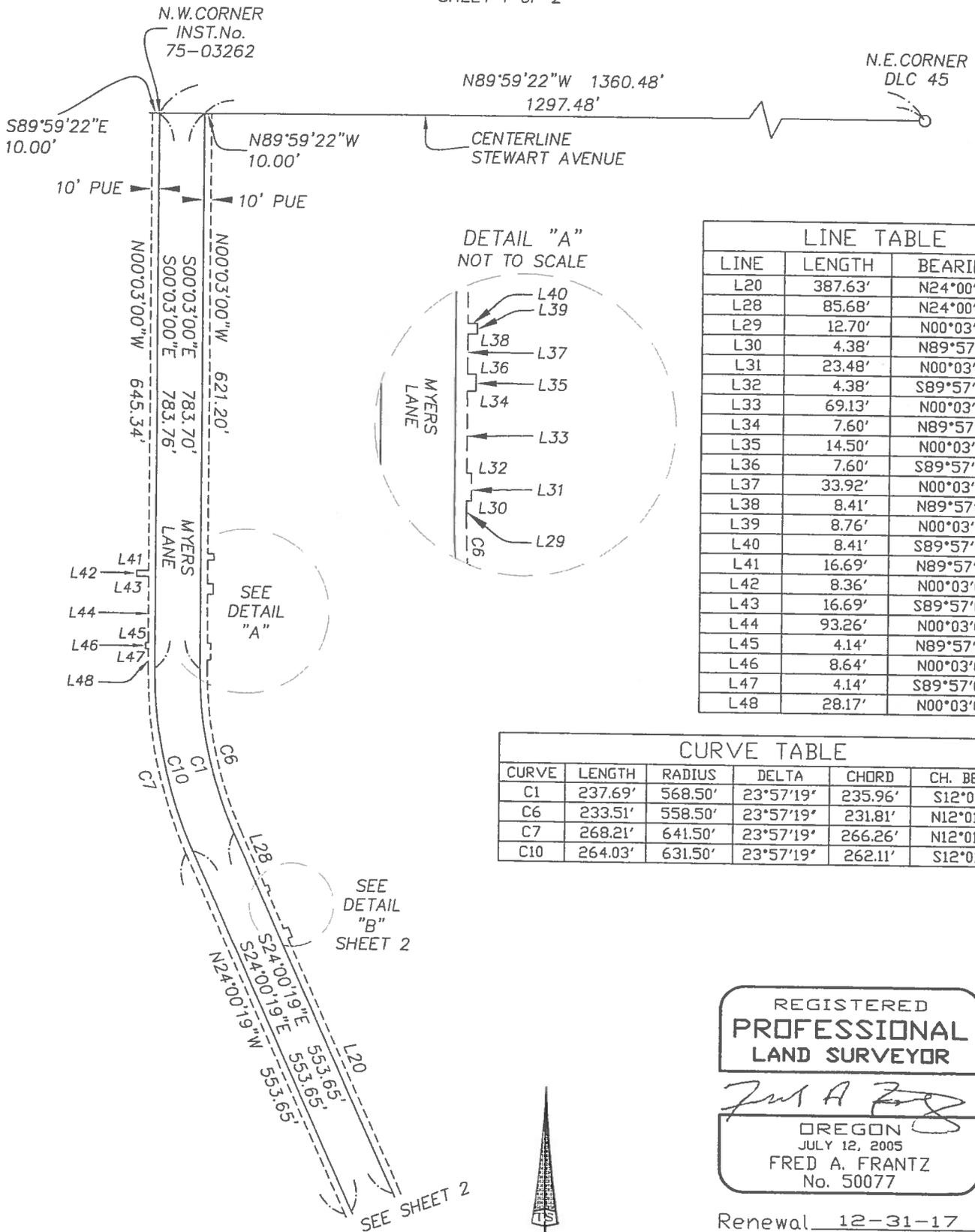
Fred A. Frantz



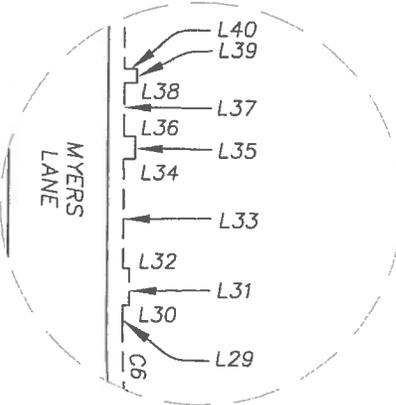
Renewal 12-31-17

EXHIBIT 'B'

SHEET 1 OF 2



DETAIL "A"
NOT TO SCALE



LINE TABLE

LINE	LENGTH	BEARING
L20	387.63'	N24°00'19"W
L28	85.68'	N24°00'19"W
L29	12.70'	N00°03'00"W
L30	4.38'	N89°57'00"E
L31	23.48'	N00°03'00"W
L32	4.38'	S89°57'00"W
L33	69.13'	N00°03'00"W
L34	7.60'	N89°57'00"E
L35	14.50'	N00°03'00"W
L36	7.60'	S89°57'00"W
L37	33.92'	N00°03'00"W
L38	8.41'	N89°57'00"E
L39	8.76'	N00°03'00"W
L40	8.41'	S89°57'00"W
L41	16.69'	N89°57'00"E
L42	8.36'	N00°03'00"W
L43	16.69'	S89°57'00"W
L44	93.26'	N00°03'00"W
L45	4.14'	N89°57'00"E
L46	8.64'	N00°03'00"W
L47	4.14'	S89°57'00"W
L48	28.17'	N00°03'00"W

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CH. BEARING
C1	237.69'	568.50'	23°57'19"	235.96'	S12°01'40"E
C6	233.51'	558.50'	23°57'19"	231.81'	N12°01'40"W
C7	268.21'	641.50'	23°57'19"	266.26'	N12°01'40"W
C10	264.03'	631.50'	23°57'19"	262.11'	S12°01'40"E

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Fred A. Frantz

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

Renewal 12-31-17



SCALE: 1" = 200'

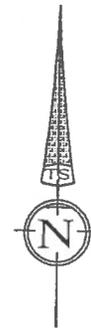
TERRASURVEY, INC.
PROFESSIONAL LAND SURVEYORS
274 FOURTH STREET
ASHLAND, OREGON 97520

SHEET 1 OF 2

F.485

EXHIBIT 'B'

SHEET 2 OF 2

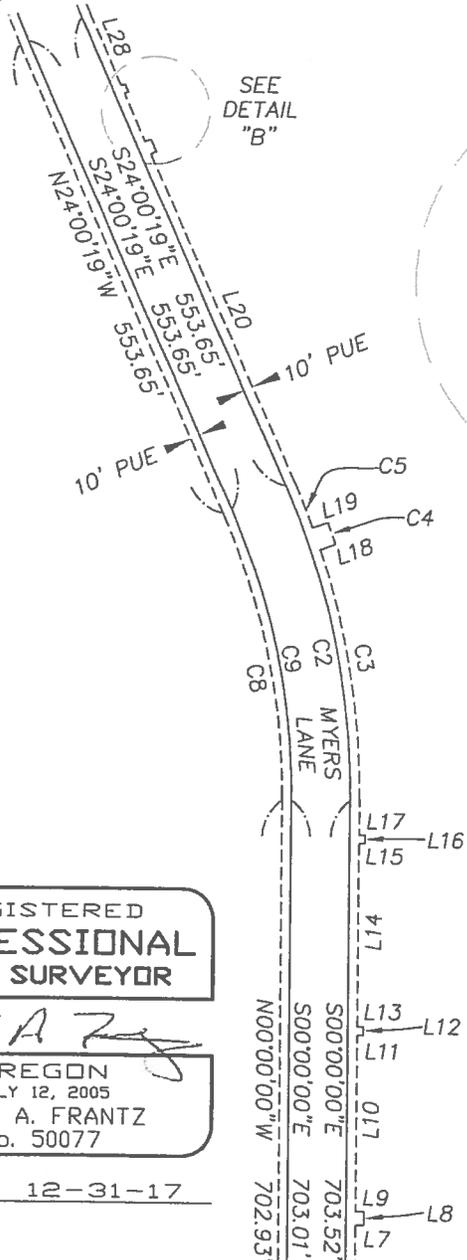
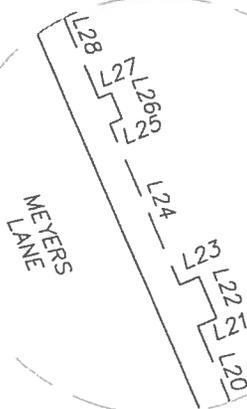


SCALE: 1" = 200'

SEE SHEET 1

SEE
DETAIL
"B"

DETAIL "B"
NOT TO SCALE



LINE TABLE		
LINE	LENGTH	BEARING
L1	10.00'	S89°31'54"E
L2	75.00'	N00°00'00"E
L3	5.59'	N90°00'00"E
L4	23.68'	N00°00'00"E
L5	5.59'	S90°00'00"W
L6	145.12'	N00°00'00"E
L7	9.02'	N90°00'00"E
L8	14.50'	N00°00'00"E
L9	9.02'	S90°00'00"W
L10	190.79'	N00°00'00"E
L11	6.58'	N90°00'00"E
L12	8.93'	N00°00'00"E
L13	6.58'	S90°00'00"W
L14	199.16'	N00°00'00"E
L15	6.18'	N90°00'00"E
L16	8.87'	N00°00'00"E
L17	6.18'	S90°00'00"W
L18	17.01'	N69°45'39"E
L19	17.00'	S70°24'16"W
L20	387.63'	N24°00'19"W
L21	6.64'	N65°59'41"E
L22	14.56'	N24°00'19"W
L23	6.64'	S65°59'41"W
L24	56.72'	N24°00'19"W
L25	4.35'	N65°59'41"E
L26	9.07'	N24°00'19"W
L27	4.35'	S65°59'41"W
L28	85.68'	N24°00'19"W
L49	10.00'	N89°31'54"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH. BEARING
C2	348.38'	831.50'	24°00'19"	345.83'	S12°00'10"E
C3	275.28'	841.50'	18°44'35"	274.05'	N09°22'18"W
C4	25.01'	858.50'	1°40'08"	25.01'	N19°36'26"W
C5	52.09'	841.50'	3°32'48"	52.08'	N22°13'55"W
C6	233.51'	558.50'	23°57'19"	231.81'	N12°01'40"W
C8	317.79'	758.50'	24°00'19"	315.47'	N12°00'10"W
C9	321.98'	768.50'	24°00'19"	319.63'	S12°00'10"E

REGISTERED
PROFESSIONAL
LAND SURVEYOR

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

Renewal 12-31-17

INST.No. 02-61939

GARFIELD ST.

INST.No. 98-02983

INST.No. 75-03262

TERRASURVEY, INC.
PROFESSIONAL LAND SURVEYORS
274 FOURTH STREET
ASHLAND, OREGON 97520

SHEET 2 OF 2

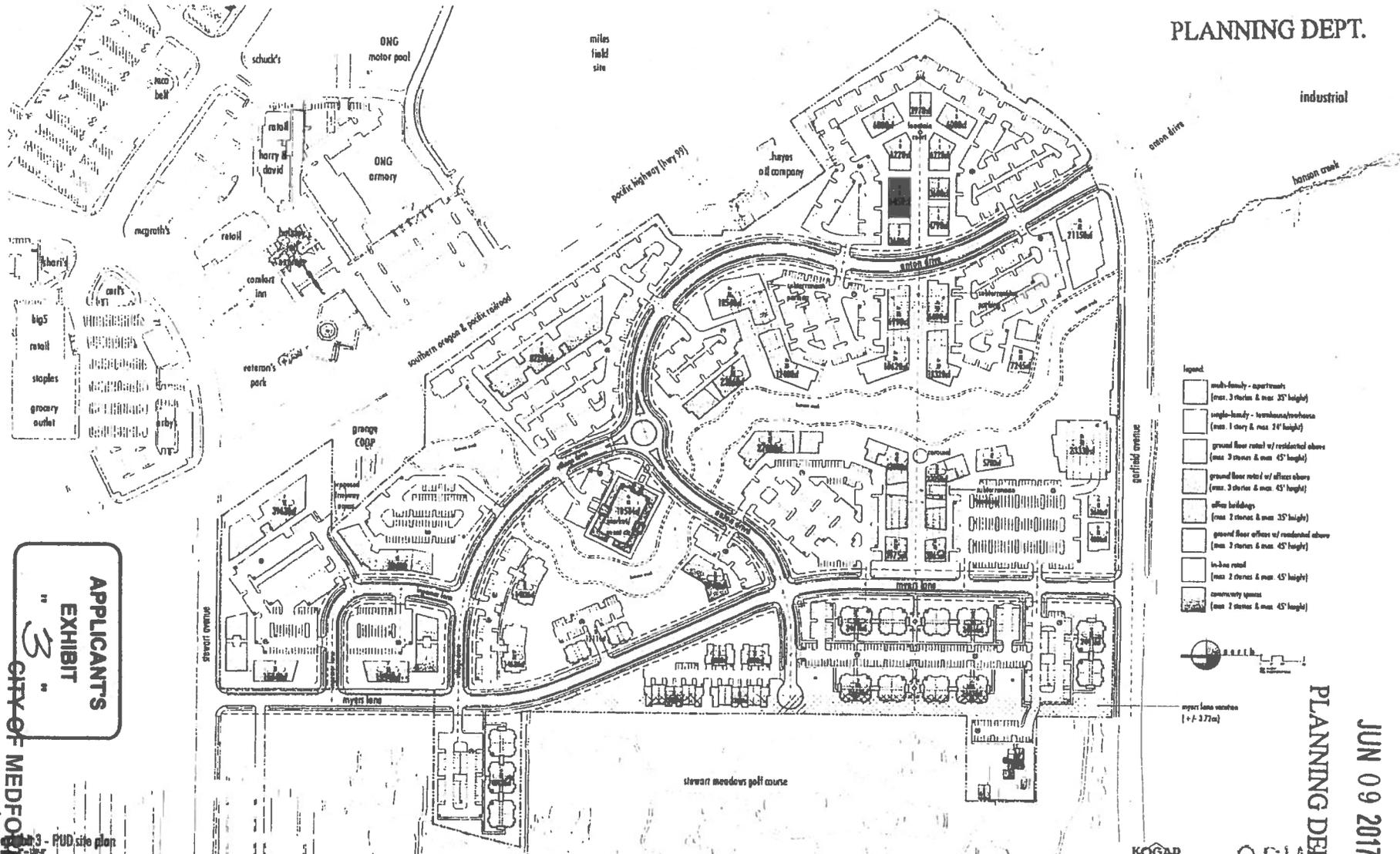
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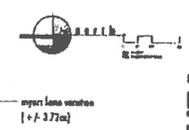
OCT 23 2008

PLANNING DEPT.

industrial



- Legend
- multi-family - apartment
(max. 3 stories & max. 35' height)
 - single-family - townhome/condominium
(max. 1 story & max. 24' height)
 - ground floor retail w/ residential above
(max. 3 stories & max. 45' height)
 - ground floor retail w/ office above
(max. 3 stories & max. 45' height)
 - office buildings
(max. 2 stories & max. 35' height)
 - ground floor offices w/ residential above
(max. 3 stories & max. 45' height)
 - in-home retail
(max. 2 stories & max. 45' height)
 - community spaces
(max. 2 stories & max. 45' height)



PLANNING DEPT.

JUN 09 2017

RECEIVED

KOGAP Enterprises



Ogden Rømer Wilkerson

COLLABORATIVE APPROACH. HONEST DESIGN.

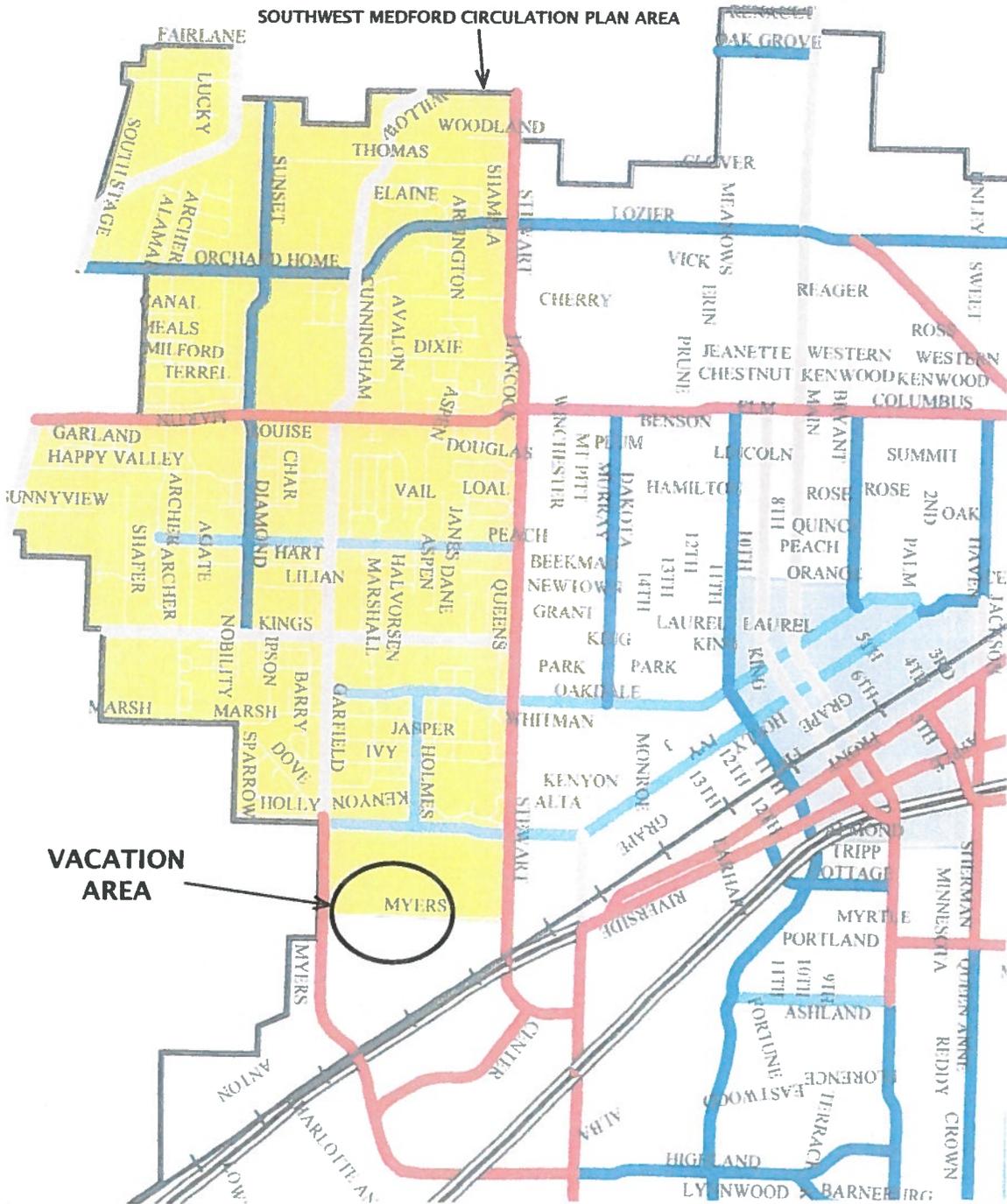
Sheet 3 - PUD site plan
KOGAP enterprises - master plan for stewart meadows village
 nw corner garfield and pacific highway; medford, oregon
 17 october, 2008

APPLICANTS
 EXHIBIT # 3
 CITY OF MEDFORD
 EXHIBIT # 4
 File # SV-17-069

CITY OF MEDFORD
 PUD-06-141
 Myrtle Avenue

RECEIVED
JUN 09 2017
PLANNING DEPT.

MEDFORD STREET FUNCTIONAL CLASSIFICATION PLAN



CITY OF MEDFORD
EXHIBIT # I
File # SV-17-069

APPLICANT'S
EXHIBIT
" 8 "

REVISED FINDINGS OF FACT AND CONCLUSIONS OF LAW

**BEFORE THE CITY OF MEDFORD
CITY COUNCIL**

**IN THE MATTER OF AN APPLICATION FOR THE) APPLICANT'S
VACATION OF PUBLIC RIGHT-OF-WAY AND PUBLIC) EXHIBIT "1"
UTILITY EASEMENT)**

APPLICATION: Request for the vacation of an approximate 60-foot wide strip of public right-of-way, being a portion of Myers Lane, running north from Garfield Avenue approximately 1,743 feet in length, together with the vacation of a Public Utility Easement abutting the vacated right-of-way, within the Stewart Meadows Village Planned Unit Development.

APPLICANT: KOGAP Enterprises, Inc.
115 W. Stewart Avenue #202
Medford, OR 97501

AGENT: Maize & Associates, Inc.
P.O. Box 628
Medford, OR 97501

A. BACKGROUND AND GENERAL INFORMATION

On March 26, 2009, the Medford Planning Commission approved a revision to the Preliminary PUD Plan and Tentative Plat for Stewart Meadows Village PUD (Files PUD-06-141 and LDS-08-161). That approval included a realignment of Myers Lane as shown on the Preliminary PUD Plan (Exhibit "3"). The new alignment eliminates an existing offset of the Myers Lane intersection on Garfield Avenue and allows for improvements to the development's design whereby Myers Lane will be more internally located to the development and dwellings will be able to be located on both sides of Myers Lane.

The Preliminary PUD Plan has been revised several times since 2009, however the Myers Lane location has not been altered since its 2009 approval. The most recent revision approved in April 2017, is included as Exhibit "4".

The new realignment sweeps Myers Lane away from the Stewart Meadows Golf Course boundary to intersect Garfield Avenue and align at an existing intersection of a small piece of Myers Lane on the south side of Garfield Avenue, thus eliminating an approximate 180-foot, unsafe intersection offset. The Stewart Avenue/Myers Lane intersection will not be changed other than the construction of new street improvements.

B. PURPOSE AND SCOPE OF THE APPLICATION:

One of the conditions of approval of Stewart Meadows Village PUD is to submit an application to the City of Medford for the vacation of that portion of Myers Lane that will be relocated. As the existing Myers Lane was originally deeded to Jackson County and is presently under their jurisdiction, the applicant has also submitted a vacation application to Jackson County for approval by the Board of Commissioners.

The Jackson County Assessor will determine the private ownership of the vacated right-of-way, and discussions with the County Surveyor and Assessor indicate that the right-of-way will revert to the owners of the abutting parcels upon vacation. The sole abutting property owner is KOGAP Enterprises, Inc.

As Section 10.200 of the Medford Land Development Code has been interpreted to require that the extinguishment of deeded PUEs be accomplished by the City and State vacation process and procedure, the application has now been revised to include two Public Utility Easements (PUE) abutting the vacated Myers Lane right-of-way – as shown on Exhibit “2” and described in Exhibit “11”.

C. PROCEDURE AND SUBMITTAL REQUIREMENTS:

Section 10.185 of the Medford Land Development Code requires that the vacation of a public street or alley be reviewed as a Class “B” procedural action, which specifies the review procedures and approval process for such an action. Section 10.200, below, also requires that such a vacation be subject to Chapter 271 of the Oregon Revised Statutes, more specifically ORS 271.080 with this application, as discussed below.

Medford Land Development Code - Section 10.201 Application Form

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

- 1. Vicinity Map drawn at a scale of 1" = 1,000' identifying the proposed area of vacation.*
- 2. Legal description of area proposed to be vacated in electronic form per the instructions of the City of Medford Planning Department.*
- 3. A letter requesting City Council initiation, or, if initiated by petition rather than by Council, consent to vacate forms completed and signed by owners of all abutting property and of not less than two-thirds in area of the real property affected as defined in ORS 271.080.*
- 4. Assessor's maps of the proposed vacation area identifying abutting and affected properties. The assessor's maps shall identify those parcels for which consents to vacate have been acquired.*

5. *Names and addresses of property owners within the area of a plat vacation or all abutting property and all attached real property within 200 feet laterally and 400 feet beyond the terminus of each right-of-way to be vacated, including map and tax lot numbers typed on mailing labels.*
6. *Findings that address the approval criteria in Section 10.202, Vacation Criteria.*

D. RELEVANT APPROVAL CRITERIA:

The City of Medford and the State of Oregon have established criteria that must be met before an application for a vacation can be approved. The applicant has addressed each of the relevant approval criteria in Section "F" of this document, which follows.

MEDFORD LAND DEVELOPMENT CODE

10.202 Vacation Criteria

A request to vacate shall only be approved by the approving authority (City Council) when the following criteria have been met:

1. *Compliance with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan.*
2. *If initiated by petition under ORS 271.080, the findings required by ORS 271.120.*
3. *If initiated by the Council, the applicable criteria found in ORS 271.130.*

Medford Land Development Code - Section 10.200 Application, Vacation

A request to vacate a public street, alley, easement, plat, or public place shall, in addition to the requirements contained herein, be subject to ORS Chapter 271. Vacation shall be initiated either by petition under ORS 271.080 or by City Council under ORS 271.130.

OREGON REVISED STATUTES

271.080 Vacation in incorporated cities; petition; consent of property owners.

- (1) *Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefor setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.*
- (2) *There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel*

street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing.

271.120 Hearing; determination.

At the time fixed by the governing body for hearing the petition and any objections filed thereto or at any postponement or continuance of such matter, the governing body shall hear the petition and objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.

E. APPLICANT'S SUBMITTALS:

- Exhibit "1" Revised Findings of Fact and Conclusions of Law
- Exhibit "2" Revised Map Showing Area of Myers Lane Right-of-Way and Public Utility Easement to be Vacated
- Exhibit "3" Preliminary PUD Plan for Stewart Meadows Village PUD (2009)
- Exhibit "4" Current Preliminary PUD Plan for Stewart Meadows Village (2017)
- Exhibit "5" Revised Assessor Map showing Area to be Vacated, Including Abutting and Affected areas as defined by ORS 271.080
- Exhibit "6" Vicinity Map of Vacation Area
- Exhibit "7" Revised Consent to Vacate Form
- Exhibit "8" Medford Street Functional Classification Plan (Southwest Medford Street Circulation Map) showing subject area
- Exhibit "9" Typed Mailing Labels for all Abutting and Affected Property Owners
- Exhibit "10" Revised Legal Description of Right-of-Way Area to be Vacated
- Exhibit "11" Legal Description of Public Utility Easement Area to be Vacated

F. FINDINGS OF FACT AND CONCLUSIONS OF LAW

CITY OF MEDFORD

SUBMITTAL REQUIREMENTS - SECTION 10.191

10.201 Application Form

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

- 1. Vicinity Map drawn at a scale of 1" = 1,000' identifying the proposed area of vacation.*
- 2. Legal description of area proposed to be vacated in electronic form per the instructions of the City of Medford Planning Department.*
- 3. A letter requesting City Council initiation, or, if initiated by petition rather than by Council, consent to vacate forms completed and signed by owners of all abutting property and of not less than two-thirds in area of the real property affected as defined in ORS 271.080.*
- 4. Assessor's maps of the proposed vacation area identifying abutting and affected properties. The assessor's maps shall identify those parcels for which consents to vacate have been acquired.*
- 5. Names and addresses of property owners within the area of a plat vacation or all abutting property and all attached real property within 200 feet laterally and 400 feet beyond the terminus of each right-of-way to be vacated, including map and tax lot numbers typed on mailing labels.*
- 6. Findings that address the approval criteria in Section 10.202. Vacation Criteria.*

Findings of Fact

The submitted application includes a vicinity map (Exhibit "6") and legal descriptions (Exhibits "10" and "11") of the areas proposed to be vacated.

The application also includes an assessor map showing the proposed vacation areas, and identifying those properties that are abutting, and those that fall within the affected area (Exhibit "5"), as defined by ORS 271.080. The map also identifies those parcels for which written consents have been acquired.

The names and addresses of all abutting and other affected property owners, together with their map and tax lot numbers have been submitted on typed mailing labels (Exhibit "9").

Findings of Fact and Conclusions of Law, which address the relevant approval criteria, (Exhibit "1") have been prepared by the applicant's representative.

As the vacation is being initiated by petition, the application submittals include consent to vacate forms completed and signed by owners of all abutting property and more than two-thirds in area of the real property affected as defined in ORS 271.080 (Exhibit “7”).

Conclusion of Law

The City Council concludes that the application submitted by the petitioners requesting the vacation of a portion of the Myers Lane right-of-way and abutting Public Utility Easement contains the requisite material.

CITY OF MEDFORD VACATION CRITERIA – SECTION 10.202

10.202 - Vacation Criteria

A request to vacate shall only be approved by the approving authority (City Council) when the following criteria have been met:

- 1. Compliance with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan.*

Finding of Fact

The Medford City Council has considered the following facts, which are fundamental in making their decision regarding the subject application.

The City of Medford has separated the transportation goals, policies, and implementations from the Public Facilities Element with the adoption of the Transportation System Plan in 2003, which then became a separate element of Medford’s Comprehensive Plan. In addition to addressing the Public Facilities Element as required by (1) above, the applicant’s findings also address compliance with the Transportation System Plan document.

A review of the Public Facilities Element shows that there are no particular Goals, Policies, or Implementations of the element which serve as specific decisional criteria for the proposed vacation of a public street and Public Utility Easement, however a review of the following policies shows that the proposed vacation is consistent with the Public Facilities Element.

PUBLIC FACILITIES ELEMENT

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

Policy 1-A: The City of Medford shall provide, where feasible and as sufficient funds are available from public or private sources, the following facilities and services at levels appropriate for all land use types within the City:

- *Water service;*
- *Sanitary sewers;*
- *Stormwater management facilities;*
- *Fire and emergency services;*
- *Law enforcement;*
- *Parks and recreation;*
- *Planning, zoning, and subdivision control*

In conjunction with the vacation of right-of-way, Myers Lane from Stewart Avenue to Garfield Avenue will be realigned and improved to the code standards for a Standard Residential Street, including curbs, gutters, sidewalks, stormwater and sanitary sewers, water mains, and other utilities, including a required 10-foot wide Public Utility along both sides of the realigned right-of-way that will be utilized by the entitled utility providers.

The City of Medford is assured that Myers Lane will be available for traffic, as the Public Works Department holds signed and notarized vesting deeds, together with sufficient financial security from the subject property owner, KOGAP Enterprises, Inc.

In addition, a 10-foot wide PUE will be established along the realigned Myers Lane right-of-way.

The vacated portion of Myers Lane will be developed as a portion of the residential development of the Stewart Meadows Village PUD.

Goal 2: To assure that General Land Use Plan (GLUP) designations and the development approval process remain consistent with the City of Medford's ability to provide adequate levels of essential public facilities and services.

Policy 2-B: The City of Medford shall strive to ensure that new development does not create public facility demands that diminish the quality of services to current residences and businesses below established minimum levels.

All new development in and adjacent to Stewart Meadows Village has been reviewed, and continues to be subject to City of Medford standards pertaining to public facility utilization. There are no known public facility service issues that will be diminished by virtue of the vacation of the street or Public Utility Easement. Myers Lane will continue to provide a north/south connection between Stewart Avenue and Garfield Avenue and an unsafe offset intersection at Garfield Avenue will be eliminated.

A PUE will be in place alongside Myers Lane between Stewart Avenue and Garfield Avenue.

Conclusion of Law

The City Council concludes that there are no goals, policies, or implementation measures in the Public Facilities Element that serve as specific decisional criteria for the vacation of a street or PUE. The City Council recognizes however, that the proposed vacation is in conformance with Goals 1 and 2, as the vacation will not have an effect upon the quality of service to current residences and businesses.

TRANSPORTATION SYSTEM PLAN

The following sections of the Transportation System Plan deal with Medford's street system and contain Goals, Policies, and Implementations that will be addressed to show that the proposed application is in compliance with the Transportation System Plan.

Street System

GOAL 2: To provide a comprehensive street system that serves the mobility and multi-modal transportation needs of the Medford planning area.

Street System - Classification

***Policy 2-A:** The City of Medford shall classify streets so as to provide an optimal balance between mobility and accessibility for all transportation modes consistent with street function.*

***Implementation 2-A(1):** Utilize the Street Classification Map of the Medford Transportation System Plan to identify land for public rights-of-way and to give advance notice to property owners and citizens regarding future expansions of the street system.*

***Implementation 2-A(3):** Provide a grid network of interconnected lower order (local) streets that disperses traffic and supplies connections to higher order streets, employment centers, and neighborhood activity centers, and provides appropriate emergency access.*

***Implementation 2-A(4):** Develop and adopt conceptual Neighborhood Circulation Plans as stand alone plans or as part of neighborhood or area plans to be implemented as development of these areas occurs. Such Plans shall indicate the function of proposed streets and design standards needed to minimize disruption of existing neighborhoods while assuring adequate access commensurate with the intensity of planned new development and redevelopment. Such plans shall also identify key neighborhood destinations and an interconnected system of bicycle and pedestrian facilities to serve these destinations, as well as to connect with areas outside of the neighborhood.*

Findings of Fact

The Medford Street Functional Classification Plan, represented by the Southwest Medford Circulation Map (Exhibit “8”) includes Myers Lane as a lower order street, running in its current location between Stewart Avenue and Garfield Avenue. The City of Medford utilizes these street plans as conceptual plans to indicate that a street will be located in that general area and serve that functional purpose, but may not necessarily be situated exactly in that specific location. The Stewart Meadows Village PUD Preliminary Plan, which was approved by the Planning Commission after a public hearing in which neighboring properties were duly noticed, included the plan for the southern portion of Myers Lane to be realigned to intersect with a portion of Myers Lane existing on the south side of Garfield Avenue. That Planning Commission approval also included the condition that the applicant would submit an application to vacate that portion of the Myers Lane right-of-way that lies outside of the realignment.

Policy 2-C: The City of Medford shall design the street system to safely and efficiently accommodate multiple travel modes within public rights-of-way.

Implementation 2-C(11): Incorporate into the Medford Land Development Code standards to govern the spacing of street intersections, signal installation, driveway access, and sight distance.

Findings of Fact

As shown on Exhibit “5”, there is currently an approximate 180-foot offset along Garfield Avenue between the north and south legs of Myers Lane that will be eliminated by the new dedication and the subject vacation. Section 10.426 of the Medford Land Development Code contains language that pertains to street intersections.

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.

The new dedication and subject vacation of Myers Lane allow the new intersection to meet the standard of Section 10.426 of the Land Development Code.

Conclusion of Law

The City Council concludes that the vacation of a portion of Myers Lane is consistent with Goal 2, in that Myers Lane will continue to provide a street connection between Stewart Avenue and Garfield Avenue in the approximate location as shown on the City’s conceptual street plans.

The City Council also concludes that as Myers Lane will be realigned, retaining the existing north/south connection between Stewart Avenue and Garfield Avenue, while creating a safe intersection at Garfield Avenue, the City has no reason to retain the existing right-of-way lying outside of the new alignment for transportation purposes.

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

Findings of Fact

The applicant has submitted a petition conforming to the standards of ORS 271.080, and has also submitted findings which the Council can adopt at a properly noticed public hearing. These findings address all relevant decisional criteria for a vacation established by both the City of Medford and the State of Oregon.

271.120 Hearing; determination.

At the time fixed by the governing body for hearing the petition and any objections filed thereto or at any postponement or continuance of such matter, the governing body shall hear the petition and objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.

At the public hearing, the City Council considered the petition for vacation with an opportunity for objections to be raised.

Notices have been sent and posted as required by Sections 10.157 and 10.158 of the Land Development Code.

The petition includes the signed consent to vacate documents from 100 percent of all abutting real property owners as demonstrated by Exhibits "5" and "7". The sole owner of all abutting property is KOGAP Enterprises, Inc.

The petition also includes the signed consent to vacate documents from 85 percent of all affected real property owners as shown on Exhibits "5" and "7". The affected area of the vacation is calculated as 23.34 acres, with consents from the property owners representing 19.86 acres of affected real property.

The proposed vacation is not part of a plat.

Conclusion of Law

At that public hearing, the City Council heard the petition with an opportunity for objections to be made. The City Council determines that the signatures on the petition represent the owners of the requisite area, and that notice has been properly given.

The City Council also concludes that as the public interest will not be prejudiced by the vacation of the subject right-of-way and abutting Public Utility Easement, an ordinance vacating the right-of-way and Public Utility Easement shall be adopted by the Council.

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

Findings of Fact

The applicant has chosen to initiate the vacation by submitting a petition, as allowed and prescribed in ORS 271.080, and therefore, initiation by the Council is not requested

Conclusion of Law

The City Council concludes that, as the vacation has been initiated by petition, this criterion does not apply.

STATE OF OREGON CRITERIA FOR VACATION

271.080 Vacation in incorporated cities; petition; consent of property owners.

- (1) *Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefor setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.*
- (2) *There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing.*

Findings of Fact

The vacation hearing has been initiated by a petition including the written description of the area to be vacated and the purpose and reason of the vacation, and the consent of property owners representing 100 percent of the abutting property, and 85 percent (19.86 acres of 23.34 acres) of the affected area. The City of Medford (Tax Lot 2600) and The Dianna R. Ayala Trust (Tax Lot 2400) are the only other affected property owners owning approximately 3.48 acres at the south end of the Myers Lane vacation that chose not to sign a consent to vacate. The record shows that a date for vacation was set prior to the City Council's approval of the vacation and notice was given as provided by ORS 271.110. The applicant has submitted Exhibits "10" and "11" showing the legal affected area, as defined by ORS 271.080(2).

Conclusion of Law

The City Council concludes that the vacation has been initiated by a petition which includes the written consents of owners of 100 percent of the real property abutting the area proposed to be vacated. The owners of approximately 85 percent of the affected property have also consented to the vacation in writing. The City Council also concludes that a description of the area to be vacated has been included together with the purpose and reason that the area is proposed to be vacated. The City Council, then concludes that the criteria of ORS 271.080 (1) has been met.

The City Council further concludes that as the requisite percentage of abutting and affected real property owners are included on submitted consent to vacate documents, ORS 271.080 (2) has been met.

G. ULTIMATE CONCLUSION

Based upon the above Findings of Fact and Conclusions of Law, the City Council concludes that the application for vacation of the subject area as depicted in the submitted application meets with the relevant decisional criteria found in Section 10.202 of Medford's Land Development Code and Chapter 271.080 of the Oregon Revised Statutes, and can therefore be approved, and an ordinance for the vacation can be adopted by the City Council.

Respectively Submitted,
Maize & Associates, Inc.



Jim Maize
agent for applicant,
KOGAP Enterprises, Inc.

Dated: April 30, 2017
Revised: August 28, 2017



Continuous Improvement Customer Service

CITY OF MEDFORD

LD Date: 7/26/2017
File Number: SV-17-069

PUBLIC WORKS DEPARTMENT STAFF REPORT **Myers Lane Street Vacation**

Project: Consideration of a request for the vacation of an approximate 60-foot wide strip of public right-of-way, being a portion of Myers Lane, running north from Garfield Avenue approximately 1743 feet in length, within the Stewart Meadows Village Planned Unit Development.

Applicant: KOGAP Enterprises, Applicant; Maize & Associates, Agent; Dustin Severs, Planner.

Public Works concurs with the request to vacate the subject existing right-of-way, with the condition that the new right-of-way and public utility easement dedications for the realignment of Myers Lane shall be approved by the City Engineer prior to this application going to the City Council and that these dedications be simultaneously recorded with this vacation. In addition, sign-off shall be obtained from all applicable utility companies to confirm they have relocated their facilities out of the area to be vacated or an easement over the entire area shall be reserved for public utilities that exist therein. The easement shall include the right to access, maintain, and construct these utilities within the easement area. No structures shall be built over the easement area.

Prepared by: Doug Burroughs

P:\Staff Reports\SV\2017\SV-17-069 Myers Lane Street Vacation\SV-17-069 Staff Report-LD.docx

Page 1

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION

200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us

TELEPHONE (541) 774-2100
FAX (541) 774-2552

CITY OF MEDFORD
EXHIBIT #
File # SV-17-069



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire@ci.medford.or.us

LAND DEVELOPMENT REPORT - PLANNING

To: Dustin Severs

LD Meeting Date: 07/26/2017

From: Fire Marshal Kleinberg

Report Prepared: 07/24/2017

File #: SV - 17 - 69

Site Name/Description:

Consideration of a request for the vacation of an approximate 60-foot wide strip of public right-of-way, being a portion of Myers Lane, running north from Garfield Avenue approximately 1743 feet in length, within the Stewart Meadows Village Planned Unit Development; KOGAP Enterprises, Applicant; Maize & Associates, Agent; Dustin Severs, Planner.

DESCRIPTION OF CORRECTIONS

REFERENCE

Approved as Submitted

Meets Requirement: No Additional Requirements

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.

Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

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

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

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

CITY OF MEDFORD
EXHIBIT # L
File # SV-17-069



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: SV-17-069

PARCEL ID: 371W31D (Old Meyers Lane)

PROJECT: Consideration of a request for the vacation of an approximate 60-foot wide strip of public right-of-way, being a portion of Myers Lane, running north from Garfield Avenue approximately 1743 feet in length, within the Stewart Meadows Village Planned Unit Development; KOGAP Enterprises, Applicant; Maize & Associates, Agent; Dustin Severs, Planner.

DATE: July 26, 2017

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

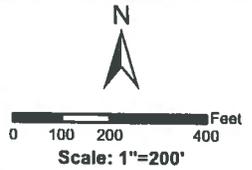
COMMENTS

1. Medford Water Commission has abandoned a portion of the existing 12-inch water line in the proposed vacated portion of Myers Lane. The remaining portion of the 12-inch water line extends north from the existing 24-inch water line in in Garfield Street to the north line of TL 371W31D owned by Kogap Enterprises Inc. There is an existing fire hydrant at the north end of this section of water line.
2. There are two (2) water services located off the existing 12-inch water line in front of the home at 1626 Meyer Lane. There is an existing 1-inch water meter serving the existing home, and a 3/4 -inch water meter to the #8 Tee Box.
3. When the new Stewart Meadows Village PUD development adjacent to this section of "active" water line to the east of existing Myers Lane is complete this existing 12-inch water line will be completely abandoned, along with the existing water meters described above.

CONDITIONS

4. MWC requires that the current access/maintenance rights of a utility located in a public right-of-way be retained until such time when water service to the residence located at 1626 Meyers Lane, and to the #8 Tee Box, and fire protection to the adjacent phased development to the east is complete and is no longer needed. Applicants' contractor shall coordinate with MWC engineering staff on timing of this water line and water meter abandonment.

CITY OF MEDFORD
EXHIBIT # M
File # SV-17-069



**Water Facility Map
for
SV-17-069**

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 digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission does not assume responsibility for errors, omissions, or portions not shown. There are no warranties, expressed or implied.
Date: 07/12/11
File: 107600000.mxd Map: SV-17-069 1 Level: 1:200

Dustin J. Severs

From: Jon M. Proud
Sent: Wednesday, June 21, 2017 1:05 PM
To: Dustin J. Severs
Subject: RE: legal description verification

Dustin, I have no comments on the description and exhibit map. I would ask that when the document is drafted for the vacation that the document refers to both the written description and the exhibit map provided by the applicants surveyor.

I also want to make mention of the obvious: Utilities exist in area to be vacated, access is going to be cut off to existing tax lots, and the curved area on the north area of the vacation was not reviewed for geometry fit with future street r/w. Thanks, Jon

From: Dustin J. Severs
Sent: Friday, June 16, 2017 8:52 AM
To: Jon M. Proud
Subject: legal description verification

Jon,

Attached is the legal description, along with other supporting documents, for the proposed street vacation of Myers Lane as part of the Stewart Meadows Village PUD. Could you please verify the accuracy of the legal description.

Thank you,

Dustin Severs

Planner III
City of Medford - Planning Department
Lausmann Annex, 200 S. Ivy Street
Medford, OR 97501
(541) 774-2389

CITY OF MEDFORD
EXHIBIT #
File # SV-17-069



JACKSON COUNTY

Roads

Roads Engineering

Kevin Christiansen
Construction Manager

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6228
Fax: (541) 774-6255
Christike@jacksoncounty.org

www.jacksoncounty.org

June 23, 2017

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

RE: Street Vacation for Meyers Lane – a County maintained road.
Planning File: SV-17-069.

Dear Dustin:

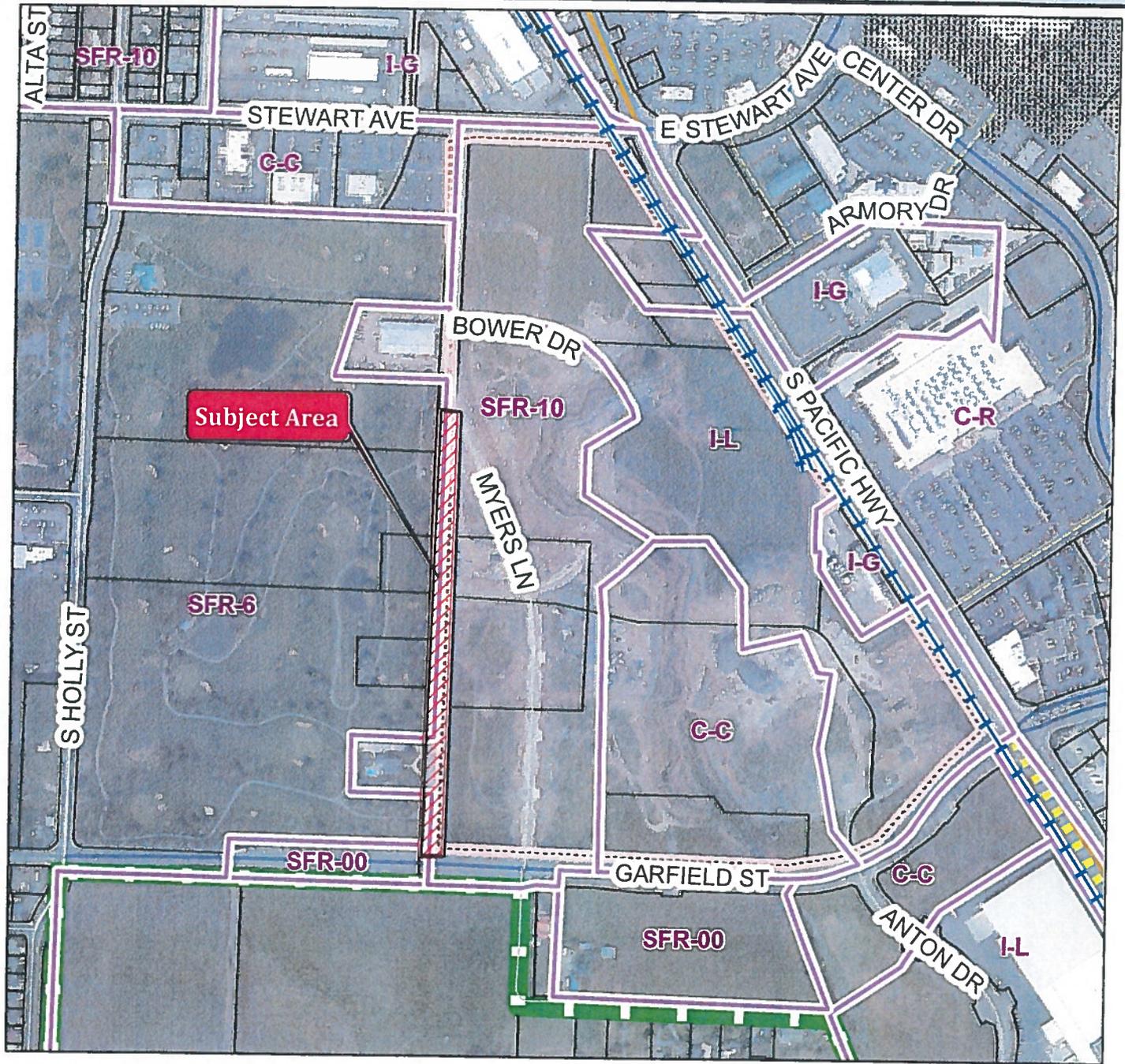
Thank you for the opportunity to comment on the consideration of a request for the vacation of approximate 60-foot wide strip of public right-of-way, being apportion of Meyers Lane, running north from Garfield Avenue approximately 1,743 feet in length, within the Stewart Meadows Village Planned Unit Development. Jackson County Roads has the following comment:

1. 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 Myers Lane. Jackson County Roads recommends that the city request jurisdiction of this road.
2. This portion of Meyers Lane is a County road within the City of Medford's city limits. Per ORS 368.361, intergovernmental vacation proceedings are required. The applicant must also obtain vacation approval from Jackson County.

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

Sincerely,

Kevin Christiansen
Construction Manager



Project Name:

**Myers Lane
 Street Vacation**

Map/Taxlot:

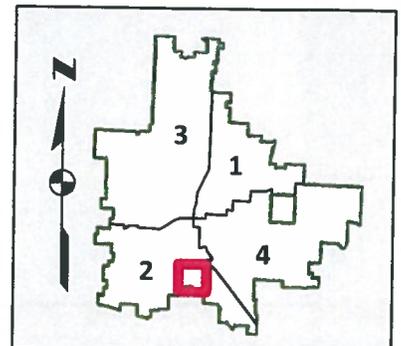
371W31D



06/20/2017

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots





STAFF REPORT

for a Type-C quasi-judicial decision: Zone Change

PROJECT Craig Horton Zone Change
Applicant: Craig Horton

FILE NO. ZC-17-089

TO Planning Commission *for September 14, 2017 hearing*

FROM Steffen Roennfeldt, Planner III

REVIEWER Kelly Akin, Assistant Planning Director *ka*

DATE September 7, 2017

BACKGROUND

Proposal

Consideration of a request for a zone change from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-6 (Single-Family Residential, 6 dwelling units per gross acre) of 0.45 acres located on the northwest corner of W McAndrews Road and Ross Lane (372W26AA3900).



Subject Site Characteristics

Zoning: SFR-00 Single-Family Residential (1 dwelling unit per existing lot)
GLUP: UR Urban Residential)
Use: Two existing single family homes

Surrounding Site Characteristics & Zoning

<i>North</i>	Zone:	SFR-00
	Use:	Single-Family homes
<i>South</i>	Zone:	SFR-00 & SFR-6 (Single-Family Residential 6 dwelling units per gross acre)
	Use:	Single-Family homes & vacant land
<i>East</i>	Zone:	SFR-00 & C-C (Community Commercial)
	Use:	Single-Family homes & vacant land
<i>West</i>	Zone:	SFR-00 & SFR-6
	Use:	Single-Family homes

Related Projects

ANNX-99-149	Annexation – 179.5 Acres (Ordinance No. 2002-192)
ZC-13-117	West Main Zone Change – County zoning SR 2.5 to SFR-00

Applicable Criteria

ZONE CHANGE APPROVAL CRITERIA – MEDFORD LAND DEVELOPMENT CODE SECTION 10.227

The zone change criteria that are not relevant to this particular application are hereby omitted from the following citation and noted by ***.

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

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

(b) For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one (1) of the following conditions must exist:

(i) At least one (1) parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or

(ii) The area to be rezoned is five (5) acres or larger; or

(iii) The subject property, and any abutting parcel(s) that is (are) in the same General Land Use Plan Map designation and is (are) vacant, when combined, total at least five (5) acres.

(2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the *Comprehensive Plan* "Public Facilities Element."

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

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

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

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

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

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

- (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
 - (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction of covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:
 - (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,
 - (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
 - (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

ISSUES AND ANALYSIS

Background

The subject property was annexed into the City in 2002 as part of 99 parcels totaling 179.5 acres plus approximately 15 acres of right-of-way located generally on the north

and south side of Jacksonville Highway/W Main Street east of Oak Grove Road to west of Lewis Avenue, on the north and south side of West McAndrews Road southwest of the intersection of Sweet Road and West McAndrews Road to west of Lozier Lane. At the time of annexation the property kept its County zoning designation of SR 2.5.

On January 14, 2014, the City Council adopted an ordinance authorizing a Class 'A' (major) amendment to the City of Medford Zoning Map to convert County zoning designations to City zoning designations for approximately 165 properties located in the West Main area. As part of this zone change application, the subject property's zoning was changed from SR 2.5 to SFR-00.

Agency Comments

Public Works Department

The Public Works Staff Report (Exhibit C) states that no traffic impact analysis (TIA) will be required for this zone change. The proposed application doesn't meet the requirements for a TIA, per Medford Land Development Code (MLDC), Section 10.461(3). Also, no conditions pertaining to streets, street capacity, or access are requested by Public Works at this time.

Medford Water Commission

Among other things, Medford Water Commission (MWC) comments (Exhibit E) on this application state that water facilities have adequate capacity to serve the subject property and that access to MWC water lines for connection is available.

Rogue Valley Sewer Services

Per a memo from Rogue Valley Sewer Services (RVSS), there is adequate capacity to serve the proposed density (Exhibit I).

Storm Drainage Facilities

The Public Works staff report (Exhibit C) also addresses storm drainage facilities and states that the City of Medford has existing storm drain facilities in the area and that the site would be able to connect to these facilities. The subject property may require to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

Jackson County Roads

Comments from Jackson County Roads (Exhibit F) states that Jackson County Roads would like to review and comment on the hydraulic report including the calculations and drainage plan and that 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.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Summarized, the criteria for zone change approval are: At least one parcel that abuts the subject property is zoned SFR-6, the proposed zone is consistent with the Oregon Transportation Rule (OAR 660), the General Land Use Plan (GLUP) Map designation and that it shall be demonstrated that Category "A" urban services and facilities are or can and will be provided to adequately serve the subject property.

Finding – Oregon Transportation Planning Rule

OAR 660 is designed to assure local agencies comply with State goals and regulations regarding transportation issues and provides an explanation to local agencies to demonstrate compliance with a Transportation System Plan (TSP). The City of Medford has an approved TSP consistent with the requirements of the State. The TSP identifies both existing and future needs, and includes improvements to meet those needs. In order to achieve those needs, the TSP has established the City's goals, policies, and implementation measures in order for the City to develop and maintain its transportation system for both the short and long-term needs. The TSP requires all modes of transportation be considered, including rapid transit, air, water, rail, highway, bicycle and pedestrian.

A review of the subject property determines that of existing transportation facilities that would provide service, ground transportation via existing City designated residential, collector and arterial streets is the sole transportation facility that is affected by this proposal. The site does not have access to rail, light rail, water, or other alternative transportation facilities or services. The parcel has frontage on W McAndrews Road and N Ross Lane. The abutting segment of W McAndrews Road is under County jurisdiction (designated as "Other Public Road") whereas N Ross Lane is designated as a Major / Urban Collector on the TSP's Street Functional Classification Map (Figure 1-2).

Per the applicant, the site is currently accessible by motor vehicle from W McAndrews Road and the future development of this property will continue to take access from W McAndrews Road.

Rogue Valley Transportation District does not provide transportation direct access to the subject site. There is currently service on W Main Street (Line 30), approximately 0.4 miles to the south of the subject property.

Closest access to Interstate 5 is approximately 2.4 miles to the northeast of the subject property by car. Rogue Valley International Medford Airport is approximately 12 minutes or 4 miles to the northeast by car.

Conclusion – Oregon Transportation Planning Rule

The Planning Commission can find the property is currently served with adequate transportation facilities as required by Oregon Transportation Rule (OAR 660 Division 12).

Finding – General Land Use Plan Map Designation

The General Land Use Plan (GLUP) Map designation for the subject property is Urban Residential (UR). The General Land Use Plan in the Comprehensive Plan indicates that the requested SFR-6 zoning is an appropriate zone under the UR designation.

Conclusion – General Land Use Plan Map Designation

The Planning Commission can find that the subject property lies within the Urban Growth Boundary and City Limits for the City of Medford, and the requested zone change to SFR-6 is consistent with the Comprehensive Plan General Land Use Plan Map designation.

Finding – Locational Criteria

MLDC Section 10.227(1)(b) contains additional locational standards applicable to zone changes to SFR-6. As outlined above, the Section states that one of the following conditions must exist:

- (i) *At least one (1) parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively, or*
- (ii) *The area to be rezoned is five (5) acres or larger; or*
- (iii) *The subject property, and any abutting parcel(s) that is (are) vacant in the same General Land Use Plan Map designation and is (are) vacant, when combined, total at least five (5) acres.*

The City of Medford's zoning map includes zoning for all parcels and rights-of-way within the city limit. The zoning of adjacent parcels is extended to the center-line of the adjacent right-of-way, consistent with the gross area for the property. As can be seen on the applicable portion of the City's zoning map (Exhibit A), the SFR-6 zone extends to the center of the W Mc Andrews Road right-of-way on the west side of the subject property, along the gross area boundary of 2352 W McAndrews Road. The proposed zone change would extend the existing SFR-6 boundary to include the subject property, the north side of the W McAndrews Road right-of-way adjacent to the site, and the west side of the N Ross Lane right-of-way adjacent to the site. In this way, the subject property abuts a parcel along the right-of-way or gross area that is zoned the same as the proposed zone, SFR-6, consistent with MLDC Section 10.227(1)(b)(i).

Conclusion – Locational Criteria

The condition, as outlined in 10.227(b)(i), for locational standards for zone changes to SFR-6 has been met.

Finding – Availability of Category A Urban Services and Facilities

The site lies within the Little Elk Creek Drainage Basin. The subject properties currently drain to the west. The City of Medford has existing storm drain facilities in the area. This site would be able to connect to the existing roadside ditch on the north side of West McAndrews Road at the time of development. This site may be required to provide stormwater quality and detention at time of development in accordance with MLDC Section 10.729 and/or 10.486.

This site lies within the Rogue Valley Sewer Service (RVSS) area and there is adequate capacity to serve the proposed density. Future development of the subject parcel will require connection to RVSS facilities (Exhibit I).

The subject property can be served by the Medford Water Commission via an existing 8-inch water line in W McAndrews Road, and a 12-inch water line in North Ross Lane. There is adequate capacity to serve this property.

The property currently takes access from W McAndrews Road which is a county road. According to the Engineering Division, the net increase will be approximately 29 Average Daily Trips (ADT). A Traffic Impact Analysis (TIA) is not required as the net increase will be less than 250 ADT. Per MLDC Section 10.461(3), a TIA is only required for proposed applications that have the potential of generating more than 250 net ADT.

Conclusion – Availability of Category A Urban Services and Facilities

The Planning Commission can find that Category A urban services and facilities are currently available or can and will be available at the time of development to adequately serve the subject property with the permitted uses under the proposed SFR-6 zoning designation.

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

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of ZC-17-089 per the staff report dated September 7, 2017, including Exhibits A through I.

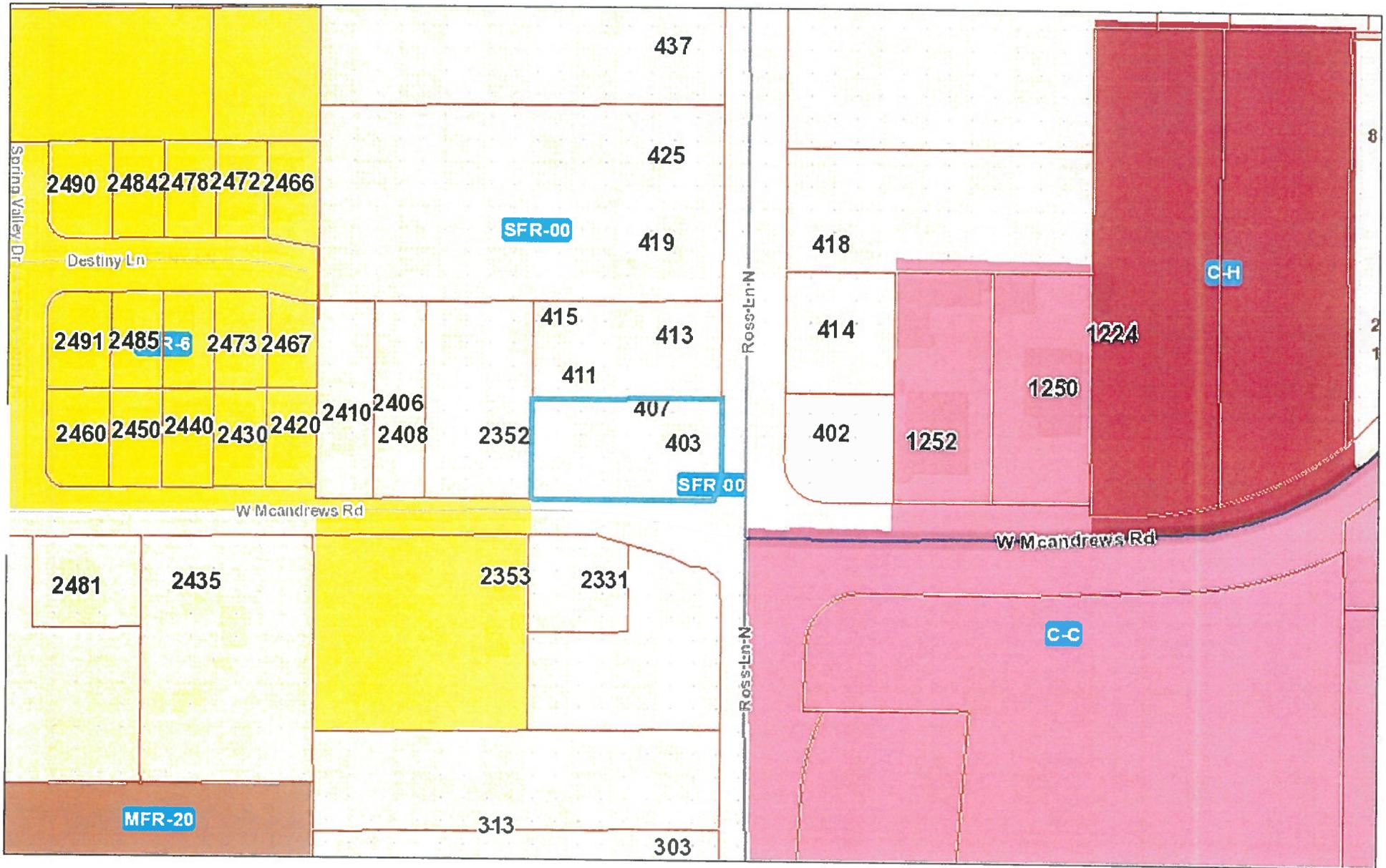
EXHIBITS

- A General Land Use Plan Map and Zoning Map with subject site highlighted.
- B Applicant's Findings of Fact received July 27, 2017.
- C Public Works Department Staff Report received August 23, 2017.
- D Medford Fire Department Land Development Report received August 23, 2017.
- E Medford Water Commission Staff Memo received August 23, 2017.
- F Jackson County Roads comments received August 21, 2017.
- G E-Mail from Building Department received August 22, 2017.
- H Memo from Engineering received July 24, 2017.
- I Rogue Valley Sewer Report received September 1, 2017.
Vicinity map

PLANNING COMMISSION AGENDA:

SEPTEMBER 14, 2017

City of Medford Zoning Map

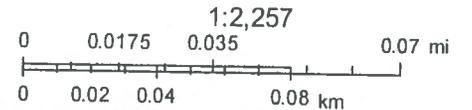


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August 28, 2017

- Site Addresses
- Taxlots

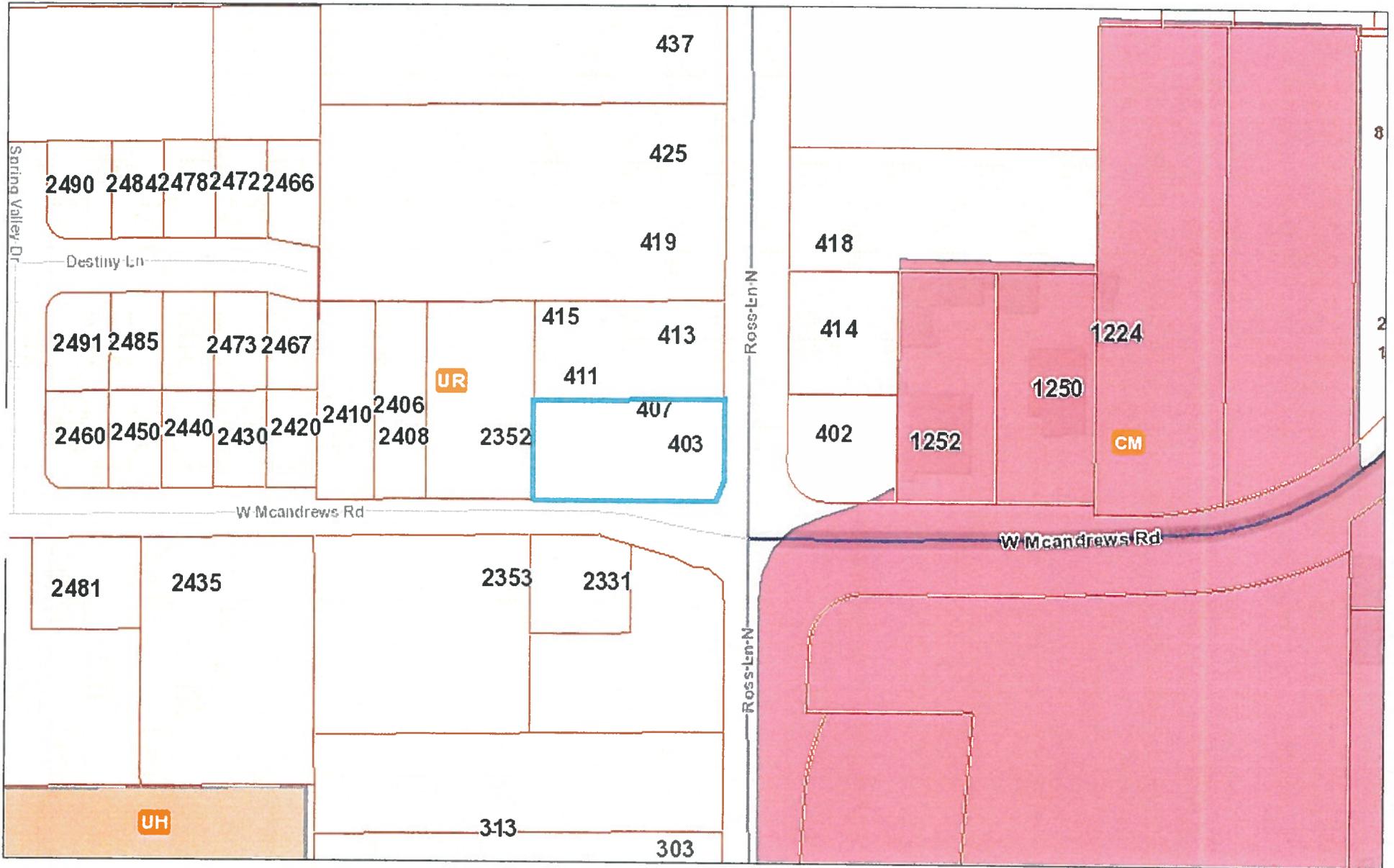
CITY OF MEDFORD
EXHIBIT # A
File # ZC-17-089



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey

City of Medford GLUP Map

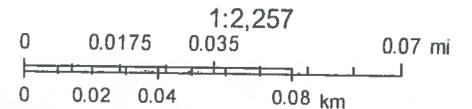
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August 28, 2017

- Site Addresses
- Taxlots

CITY OF MEDFORD
EXHIBIT # A
File # ZC-17-089



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey,

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

IN THE MATTER OF AN APPLICATION FOR)
A CHANGE IN ZONING DESIGNATION FOR)
0.45 ACRES OF LAND, LOCATED AT 403)
ROSS LANE; DISCRIBED AS T.37S- R.2W-) FINDINGS OF FACT
SEC.26AA, TAX LOT 3900; CRAIG HORTON,))
APPLICANT; RICHARD STEVENS &))
ASSOCIATES, INC., AGENTS))

I. RECITALS PERTAINING TO THE PROPERTY:

OWNER: Craig Dean Horton Trustee
1118 Spring Street
Medford, OR 97504

AGENT: Richard Stevens & Associates, Inc.
PO Box 4368
Medford, OR 97501
(541) 773-2646

PURPOSE: The purpose of the application is to change the Zoning Designation on the property from City of Medford Single Family Residential-00 (SFR-00) to City of Medford Single Family Residential-6 (SFR-6) zoning, on a parcel described as T.37S-R.2W-26AA, TL 3900, totaling 0.45 net acres. The Comprehensive Plan designation for the site is UR, Urban Residential, which allows for the SFR-6 zoning designation.

Ownership of the property is by Craig Horton (Craig Dean Horton Trustee), also the applicant. A copy of the legal description (Deed) for this property, an assessor's map with the site indicated, and a current zoning map for the vicinity are attached as exhibits to these findings.

II. APPLICABLE CRITERIA:

In order to approve a Zoning Amendment and change the Zoning Map, the applicant must submit findings addressing Sections 10.225 through 10.227 of the Land Development Code. A review of Section 10.226 indicates that an application for a Zone Change must contain the following:

- 1. A vicinity map drawn to scale of 1"=1000' identifying the proposed area of change.*
- 2. An Assessor's map with the proposed zone change area identified.*
- 3. Legal description of the area to be changed. Legal description shall be prepared by a licensed surveyor or title company.*
- 4. Property owner's names, addresses and map and tax lot numbers within 200 feet of the subject property, typed on mailing labels.*
- 5. Findings prepared by the applicant or his representative addressing the criteria for zone changes as per Section 10.227, Zone Change Criteria.*

FINDING:

The Planning Commission finds that this application for a change in zoning designation from SFR-00 to SFR-6, with the information presented in support of the application, is consistent with the criteria for submission as required above, accompanied with the applicable maps, the legal description of the area to be changed, and the names and addresses of all adjacent properties within 200 feet typed on mailing labels, and findings consistent with the requirements of Section 10.227.

**FINDINGS IN COMPLIANCE WITH SECTION 10.227 OF THE
MEDFORD LAND DEVELOPMENT CODE:**

Section 10.227 provides that the approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

(1) The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule. Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below section (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

(2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

1 (part 1). CONSISTENCY WITH OAR 660, DIVISION 12: TRANSPORTATION

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

The TSP identifies both existing and future needs, and includes improvements to meet those needs. In order to achieve those needs, the TSP has established the City's goals, policies, and implementation measures in order for the City to develop and maintain its transportation system for both the short and long-term needs.

More specifically, there are provisions within Chapter 660 that apply to the Comprehensive Plan and land use regulation amendments.

These provisions are contained in OAR 660-012-0060, which states:

1) If an amendment to a functional plan, an acknowledged comprehensive plan or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures

as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan).
- b) Change standards implementing a functional classification system, or
- c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of the evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

2) If a local government determines that there would be a significant affect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendments meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to the congestion. A plan or land use regulation amendment significantly affects a transportation facility if it:

- a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
- b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.
- c) Amending the TSP to modify the planned junction, capacity or performance standards of the transportation facility.
- d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to,

transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.

3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

(a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;

(b) Development resulting from the amendment will at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

(c) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and

(d) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a propose amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsection (a) through (c) of the section.

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

(a) In determining whether an amendment has a significant effect on an

existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below:

(b) Outside of interstate interchange areas, the following are considered planned facilities improvements and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

(B) Transportation facilities, improvements or service that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected, a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.

(C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.

(D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.

(E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government or transportation service provider responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

(c) Within interstate interchange areas, the improvements included in (b)(A)-(C) are considered planned facilities, improvements and services, except

where:

(A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or

(B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section

(d) As used in this section and section (3):

(A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

(B) Interstate highway means Interstates 5, 82, 105, 205 and 405;

(C) Interstate interchange area means:

(i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or

(ii) The interchange area as defined in the Interchange Area Management Plan adopted as an amendment to the Oregon Highway Plan.

(e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

Discussion:

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

The site does not have access to rail, light rail, water, or other alternative transportation facilities or services. The site is accessible by motor vehicle from Ross Lane and W McAndrews Road.

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

Access Management:

The subject property is located along Ross Lane (designated as a major collector street) and W McAndrews Road (designated as a residential street along the property's frontage). The current driveway and access to the property is from W McAndrews Road and the future development of this property will continue to take access from W McAndrews Road. The future development plan for the site will conform with all access management and location requirements of the City of Medford to insure adequate and effective Access Management.

The applicants submit that this requested zone change will not have a significant effect on the access management for the transportation facility serving the site.

Trip Generation Potential:

The existing use on the subject property, two detached single-family homes, is estimated to produce 19.14 (9.57 each) average daily trips (ADT). The property has a gross area of approximately 0.67 acres. The maximum permitted density in the requested SFR-6 zoning designation is 6 dwelling units per acre. The 0.67-acre site could develop with as many as 4 total dwelling units. Per the ITE, Trip Generation, 9th Edition, Single-Family Detached Housing (Use 210) is expected to generate 9.57 ADT and 1.02 P.M. peak hour trips per unit. The future worst-case scenario, with 4 dwelling units, would produce approximately 38.28 ADT and 4.08 P.M. peak hour trips. The future development of the site with single-family detached dwellings will not exceed the 250 ADT threshold or the 25 peak hour trips threshold to warrant a Traffic Impact Study (TIS).

The applicants submit that this requested zone change will have a negligible effect on the capacity of the existing local street system as demonstrated by the fact that the proposed change of zoning and future development of detached single-family dwellings will produce traffic that is below the thresholds, for both ADT and peak hour trips, to require a TIS.

CONCLUSION:

The City of Medford concludes that based on the information contained herein this application is consistent with the intent of the Statewide Transportation Planning Rule and the adopted Medford TSP:

- 1. The site is within an incorporated city with an adopted and acknowledged Comprehensive Plan.**

2. The property totals 0.67 gross acres which could be developed with as many as 4 dwelling units under the requested SFR-6 zoning designation. The number of average daily trips and P.M. peak hour trips that could be generated through the future development of the property fall below the thresholds to require a TIS, demonstrating that this application will have a negligible effect on the capacity of the local street system. Uses proposed are consistent with the Comprehensive Plan and the requested zoning designation as SFR-6.
3. The zone change does not significantly affect the overall transportation capacity, including the I-5 interchanges or performance standards of the existing transportation facility, as defined in OAR 660-012-0060 since the proposed use will be consistent with the maximum uses established for the site with the SFR-6 zoning.

1 (part 2). CONSISTENCY WITH THE GENERAL LAND USE PLAN MAP AND ADDITIONAL LOCATIONAL STANDARDS:

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

Section 10.227 (1)(b) contains additional locational standards applicable to zone changes to SFR-6. This section states that one of the following conditions must exist:

- (i) *At least one (1) parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or*
- (ii) *The area to be rezoned is five (5) acres or larger; or*
- (iii) *The subject property, and any abutting parcel(s) that is (are) in the same General Land Use Plan Map designation and is (are) vacant, when combined, total at least five (5) acres.*

The City of Medford's zoning map includes zoning for all parcels and rights-of-way within the city limit. The zoning of adjacent parcels is extended to the center-line of the adjacent right-of-way, consistent with the gross area for the property. As can be seen on the applicable portion of the City's zoning map, attached to this application, the SFR-6 zone extends to the center of the W McAndrews Road right-of-way on the east side of the subject property, along the gross area boundary of 2352 W McAndrews Road (T.37S-R.2W-26AC, TL 100). The proposed change in zone would extend this existing SFR-6 boundary to include the subject property, the north side of the W McAndrews Road right-of-way adjacent to the site, and the west side of the Ross Lane right-of-way adjacent to the site. In this way, the subject property abuts a parcel (along the right-of-way/gross area) that is zoned the same as the proposed zone, SFR-6, consistent with Section 10.227 (1)(b)(i).

/ west

CONCLUSION:

As the subject property lies within the Urban Growth Boundary and City Limits for the City of Medford, and delineated on the General Land Use Plan Map as Urban Residential, the SFR-6 zoning requested is found to be consistent with the General Land Use Plan Map. The subject property abuts 2352 W McAndrews Road, zoned SFR-6, to the southwest along the W McAndrews Road right-of-way, thus satisfying the additional locational standards per Section 10.227 (1)(b)(i).

FINDING:

The City of Medford finds that this application for a change of zoning to SFR-6 is consistent with the City of Medford TSP and OAR 660-012-0060, Transportation Planning Rule, which are in compliance with Section 10.227(1) MLDC. Based on the fact that both the number of average daily trips and the P.M. peak hour trips, that could be generated through the future development of the property, fall below the thresholds to require a TIS, the application will have no adverse impacts on the I-5 interchanges, State highways, or the local street system. The City of Medford also finds that the subject property is shown on the General Land Use Plan Map as Urban Residential and the SFR-6 zoning requested is found to be consistent with the General Land Use Plan Map. The City of Medford also finds that the subject property abuts 2352 W McAndrews Road, zoned SFR-6, to the southwest along the W McAndrews Road right-of-way, thus satisfying the additional locational standards per Section 10.227 (1)(b)(i). This application is in compliance with Section 10.227(1) MLDC.

2. COMPLIANCE WITH URBAN SERVICES AND FACILITIES

The second criteria for a zone change is:

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

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

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

Water Service:

Water service is provided by the Medford Water Commission, which is currently serving the subject property and the urban uses in the vicinity. There is an existing 8" water main in W McAndrews Road adjacent to the site and a 12" line in Ross Lane adjacent to the site. Extension of service laterals into the site is the responsibility of the property owner/developer. Adequate service lines are available to serve the subject site upon further urban development.

Water capacity of the Medford Water Commission system is currently serving a population of approximately 130,000 persons, with a design capacity of the water treatment plant to serve approximately 185,000 persons. Adequate water capacity exists to serve the subject site.

There is an existing fire hydrant located on Ross Lane near the east boundary of the subject property. Adequate fire protection will be a requirement of the design considerations for future development. The placement of additional fire hydrants and other fire safety features, if needed, will be accomplished during the development review process.

Sanitary Sewer:

Sanitary sewer service is provided by Rogue Valley Sewer Service and there are no known capacity issues in the area. There is an 8" sewer line in W McAndrews Road adjacent to the property and a 30" line in Ross Lane. These collection lines are available to be extended to serve the future development of the site. The Sanitary Sewer collection system is adequate to accommodate the proposed change in density. Additional sewer service connection will be extended to the proposed project by the owner/developer consistent with existing regulations.

Sewage treatment is provided by the Regional Water Reclamation Facility (RWRF). The plant presently treats approximately 16.7 mgd. The treatment capacity of the plant is approximately 20 mgd with a peak wet weather flow of 60 mgd. The treatment plant has capacity to serve the expected population in the region for the foreseeable future.

The development of the property requires system development charges which are dedicated to the maintenance of main lines along with the expansion of the regional plant. This assures that the future sewage transmission lines and treatment at the plant remains available.

Storm Drainage:

Storm Sewer service is provided by the City of Medford. There is a partial 12" storm line on W McAndrews Road adjacent to the property and an 18" line in Ross Lane. With water detention requirements, capacity of storm sewer is not an issue. The development of the site will require an integrated storm sewer system. The construction drawings prepared for the development of this property will provide the engineering to provide the storm sewer system in accordance with the City of Medford.

Streets:

The existing use on the subject property, two detached single-family homes, is estimated to produce 19.14 (9.57 each) average daily trips (ADT). The property has a gross area of approximately 0.67 acres. The maximum permitted density in the requested SFR-6 zoning designation is 6 dwelling units per acre. The 0.67-acre site could develop with as many as 4 dwelling units. Per the ITE, Trip Generation, 9th Edition, Single-Family Detached Housing (Use 210) is expected to generate 9.57 ADT and 1.02 P.M. peak hour trips per unit. The future worst-case scenario, with 4 dwelling units, would produce approximately 38.28 ADT and 4.08 P.M. peak hour trips. The future development of the site with single-family detached dwellings will not exceed the 250 ADT threshold or the 25 peak hour trips threshold to warrant a Traffic Impact Study (TIS).

The applicants submit that this requested zone change will have a negligible effect on the capacity of the existing local street system as demonstrated by the fact that the proposed change of zoning and future development of detached single-family dwellings will produce traffic that is below the thresholds, for both ADT and peak hour trips, to require a TIS.

The subject property is located along Ross Lane (designated as a major collector street) and W McAndrews Road (designated as a residential street along the property's frontage). The current driveway and access to the property is from W McAndrews Road and the future development of this property will continue to take access from W McAndrews Road. The future development plan for the site will conform with all access management and location requirements of the City of Medford to insure adequate and effective Access Management.

These streets have ample capacity in their present form to accommodate the projected vehicle trips from the development of the site. Construction of arterial and

collector streets are the responsibility of the City of Medford. The future construction of dwelling units will be charged a system development fee for the improvements of arterial and collector streets.

CONCLUSION:

Based upon the information contained herein, the City of Medford concludes that there are adequate public facilities to supply potable water to the property, as water is already available to the property; sanitary sewer service is available to the site and capacity at the Regional Reclamation Facility is adequate to accommodate the area; that based on the expected trip generation there is sufficient capacity on the existing local street system to accommodate the proposed use; and that the storm drainage facilities are adequate and will be in compliance with the Medford Master Storm Drain Plan.

FINDING:

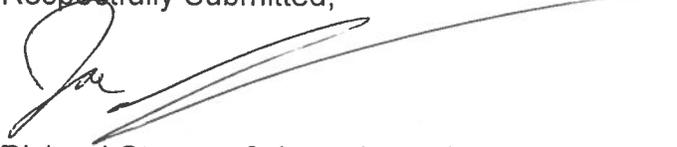
The City of Medford finds that there are adequate Category "A" public facilities available and sufficient capacity exists to extend these facilities to serve the proposed zoning and use of the site as SFR-6.

SUMMARY AND CONCLUSIONS:

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

With this in mind, the applicant respectfully requests that the City of Medford designate the subject property, T.37S-R.2W-SEC.26AA, Tax Lot 3900 as SFR-6 on the Official Zoning Map for the City of Medford, Oregon.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Joe', followed by a long, sweeping horizontal line that extends across the page.

Richard Stevens & Associates, Inc.



Continuous Improvement Customer Service

CITY OF MEDFORD

LD Date: 8/23/2017
File Number: ZC-17-089

PUBLIC WORKS DEPARTMENT STAFF REPORT **403 N Ross Lane** **(372W26AA3900)**

Project: Consideration of a request for a zone change on a 0.45 acre parcel.

Location: Located immediately Northwest of the intersection of W. McAndrews Road and N. Ross Lane in Northwest Medford from SFR-00 (Single Family Residential- 1 dwelling unit per lot) to SFR-6 (single Family Residential- 6 dwelling units per acre). (372W26AA3900).

Applicant: Craig Horton, Applicant; Richard Stevens, Agent; Steffen Roennfeldt, Planner.

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

I. Sanitary Sewer Facilities

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

II. Storm Drainage Facilities

This site lies within the Elk Creek Drainage Basin. The subject property currently drains to the west. The City of Medford has existing storm drain facilities in the area. This site would be able to connect to the existing roadside ditch on the north side of West McAndrews Road at the time of development. This site may be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

III. Transportation System

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

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

Prepared by: Doug Burroughs

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



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire@ci.medford.or.us

LAND DEVELOPMENT REPORT - PLANNING

To: Steffen Roennfeldt

LD Meeting Date: 08/23/2017

From: Fire Marshal Kleinberg

Report Prepared: 08/21/2017

File #: ZC - 17 - 89

Site Name/Description:

Consideration of a request for a zone change on a 0.45 acre parcel located immediately Northwest of the intersection of W. McAndrews Road and N. Ross Lane in Northwest Medford from SFR-00 (Single Family Residential- 1 dwelling unit per lot) to SFR-6 (single Family Residential- 6 dwelling units per acre). (372W26AA3900). Craig Horton, Applicant; Richard Stevens, Agent; Steffen Roennfeldt, Planner

DESCRIPTION OF CORRECTIONS	REFERENCE
<u>Approved as Submitted</u> Meets Requirement: No Additional Requirements	

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.

Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

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

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

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



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: ZC-17-089

PARCEL ID: 372W26AA TL 3900

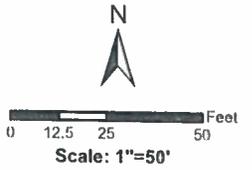
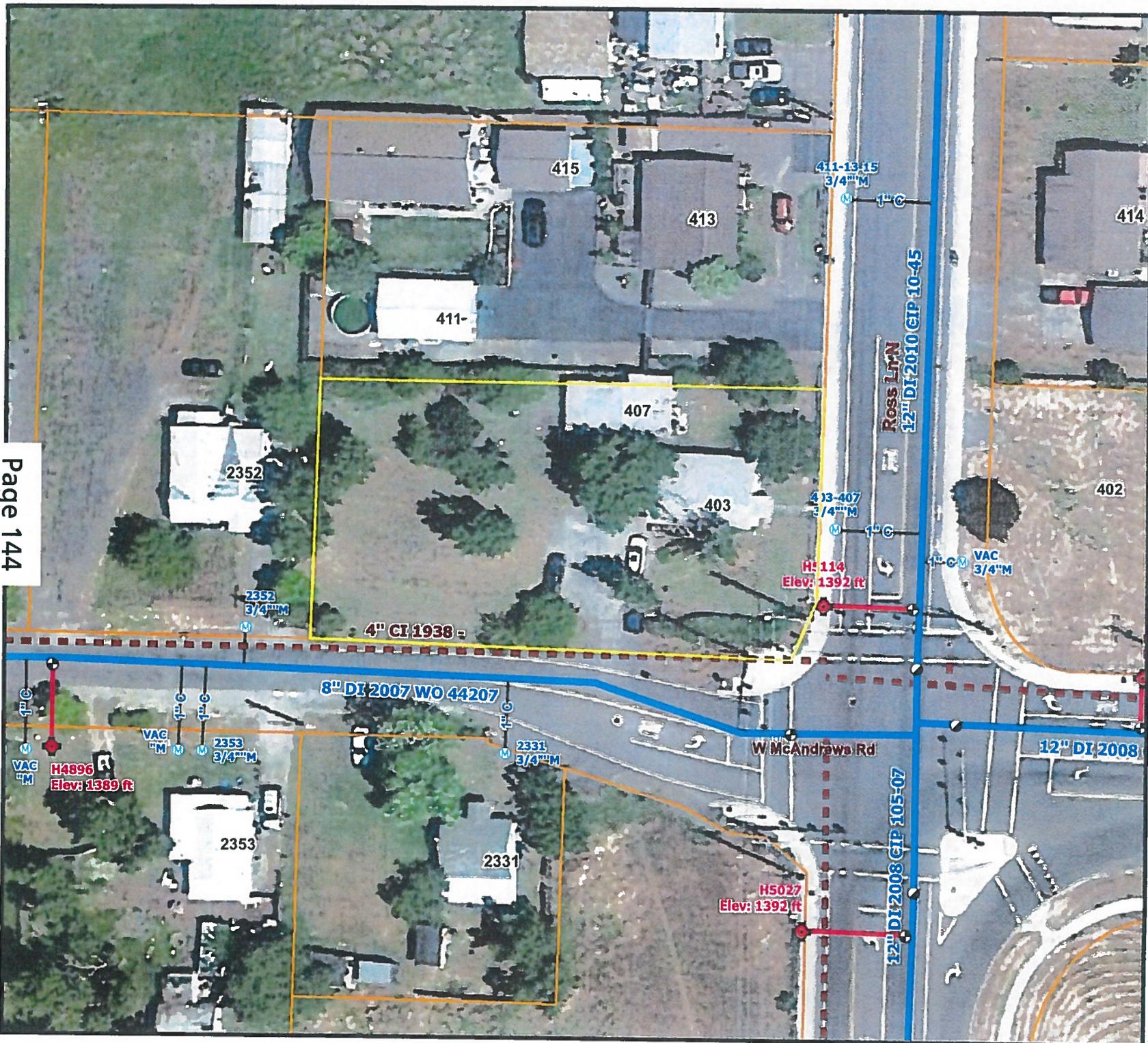
PROJECT: Consideration of a request for a zone change on a 0.45 acre parcel located immediately Northwest of the intersection of W. McAndrews Road and N. Ross Lane in Northwest Medford from SFR-00 (Single Family Residential- 1 dwelling unit per lot) to SFR-6 (single Family Residential- 6 dwelling units per acre). (372W26AA3900). Craig Horton, Applicant; Richard Stevens, Agent; Steffen Roennfeldt, Planner.

DATE: August 23, 2017

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction is not required.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does exist to this property. There is an existing ¾" water meter located approximately mid-lot along Ross Lane North.
7. Access to MWC water lines for connection is available. There is an existing 8-inch water line in W McAndrews Road, and a 12-inch water line in Ross Lane North.



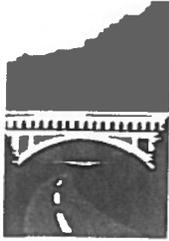
**Water Facility Map
for
ZC-17-089**

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



The information on this map is for informational purposes only. It is not intended to be used as a legal document. The Sherborn Water Commission is not responsible for any errors or omissions on this map. All rights reserved. 2017.



JACKSON COUNTY

Roads

Mike Kuntz, P.E.
County Engineer

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

www.jacksoncounty.org

August 21, 2017

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

RE Zone Change off North Ross Lane at West McAndrews Road – a county maintained road
Planning File ZC-17-089

Dear Steffen

Thank you for the opportunity to comment on the proposed zone change on the 0.45 acre parcel located immediately northwest of the intersection of West McAndrews Road and North Ross Lane in northwest Medford from SFR-00 (Single Family Residential-one dwellings unit per lot) to SFR-6 (Single Family Residential-six dwellings units per gross acre) zoning district. (37-2W-26AA TL 3900) Jackson County Roads has the following comments

1. If frontage improvements are required off West McAndrews Road, they shall be permitted and inspected by the City of Medford.
2. Any new or improved road approaches off West McAndrews Road 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. We would like to be notified of future development proposals as county permits may be required.
5. West McAndrews Road is a County Local Road and is county-maintained. The Average Daily Traffic Counts are unavailable for this road.
6. 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 West McAndrews Road. Jackson County Roads recommends that the city request jurisdiction of this road.
7. Storm water should meet City of Medford requirements that also include water quality.
8. 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.
9. Please note that there are drainage problems in this area and the City of Medford maintains the storm water system.

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

Sincerely,

Mike Kuntz, P.E.
County Engineer

Steffen K. Roennfeldt

From: Mary E. Montague
Sent: Tuesday, August 22, 2017 3:38 PM
To: Steffen K. Roennfeldt
Cc: Chad E. Wiltrout; Kimberly C. London
Subject: ZC-17-089

Hi Steffen,

The building department has no comments at this time in regards to the zone change and will not be attending the LDC meeting for this application.

Thank You!

Mary Montague
Plans Examiner II
City of Medford
Building Department
(541) 774-2371
Fax:(541) 618-1707



Planning Department

Working with the community to shape a vibrant and exceptional city

MEMORANDUM

Subject Legal Description
 File no. ZC-17-089
 To Jon Proud, Engineering
 From Steffen Roennfeldt, Planning Department
 Date August 9, 2017

Please verify the attached legal description covering the below subject at your earliest convenience. See attached map.

1. ZC-17-089 (Craig Horton, Applicant).

THE DESCRIPTION ATTACHED DESCRIBES THE SUBJECT AREA AS DEPICTED ON VICINITY MAP. TOGETHER WITH THE ROADS SHOWN AS W. MCANDREWS & ROSS LN N.

- THE DESCRIPTION SHOULD BE LESS:
- ① THE DOCUMENT(S) THAT CREATED THE TWO ROADS
 - ② LESS DOCUMENT 2007-36564 WHICH WIDEN THE ROADS IN 2007.

THANKS, Jon
 8/2/17

cp

Attachments: Vicinity Map, Legal Description.

RECEIVED
JUL 27 2017
PLANNING DEPT

94-27474

16
10
20

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that CRAIG D. HORTON and MARY JANE HORTON, husband and wife, hereinafter called "Grantor", for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Craig Dean Horton and Mary Jane Horton, Trustees of THE CRAIG DEAN and MARY JANE HORTON REVOCABLE TRUST, (Lawrence S. Horton, III is designated as Alternate Trustee) hereinafter called "Grantee", and unto Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, situated in the County of Jackson, State of Oregon, described as follows, to-wit:

Beginning at a point which in North 540.5 feet from the Southeast corner of the East half of Donation Land Claim No. 72 in Township 37 South, Range 2 West, Willamette Meridian, Jackson County, Oregon; and from said point running South 83° 20' West, 217.8 feet; thence North 120 feet; thence North 83° 20' East a distance of 217.8 feet, thence South 120 feet to the point of beginning.

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

The actual consideration consists of or includes other property or value given or promised which is the whole consideration.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS, BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON AFTER RECORDING, RETURN TO: SEND ALL TAX STATEMENTS TO:

Grantland, Grenoky & Blodgett
204 West Ninth Street
Medford, Oregon 97501

No Change

1 - BARGAIN AND SALE DEED

Law Offices of
GRANTLAND, GRENOKY & BLODGETT
204 West Ninth St
Medford OR 97501
(503) 773-8712

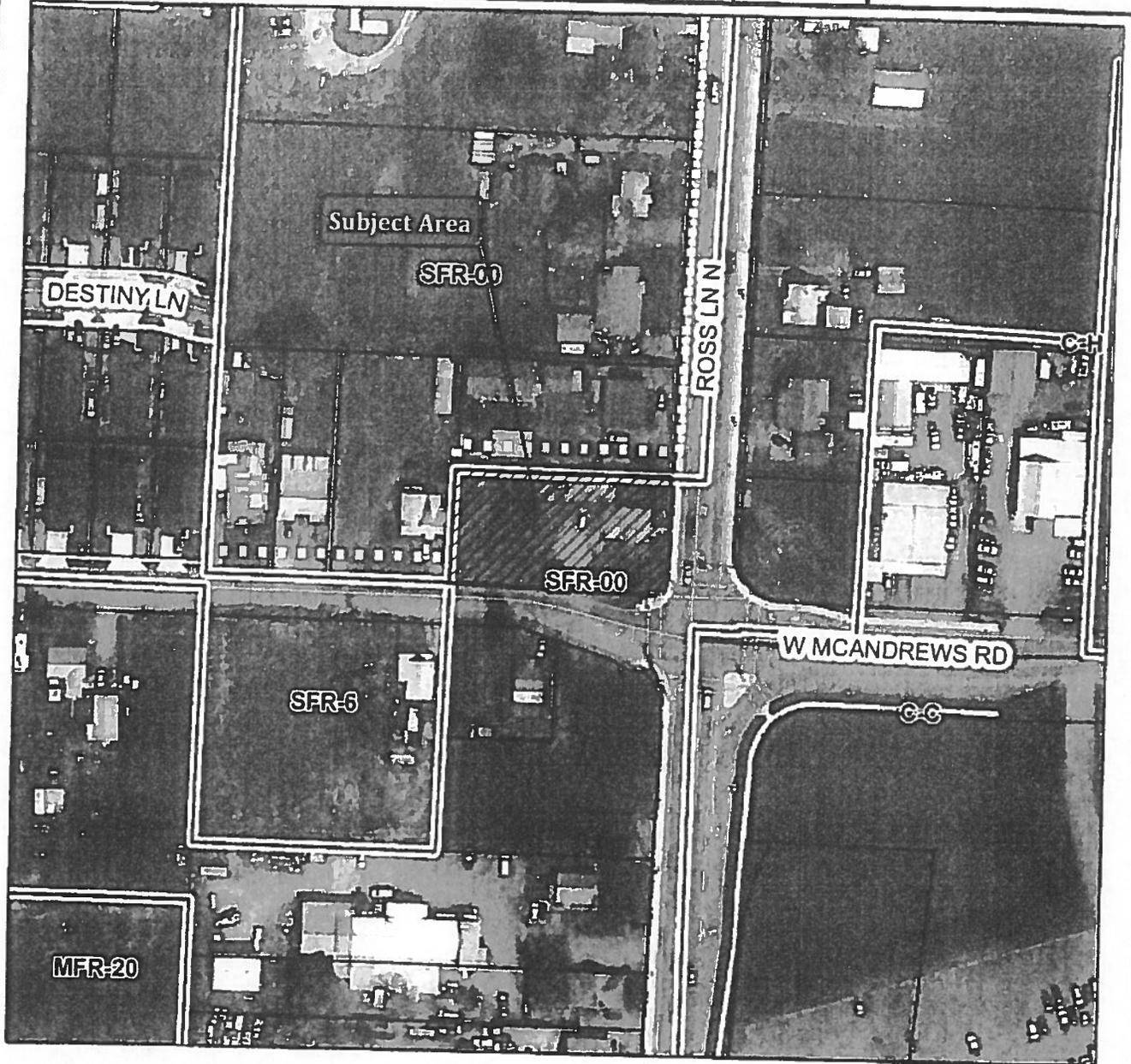
CITY OF MEDFORD
EXHIBIT # _____
File # ZC-17-089



City of Medford
Planning Department

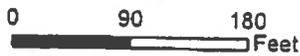
Vicinity
 Map

File Number:
ZC-17-089



Project Name:
**Craig Horton
 Zone Change**

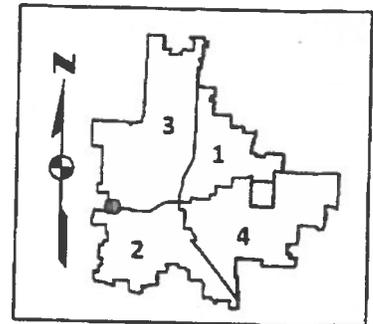
Map/Taxlot:
372W26AA TL 3900



08/03/2017

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots





ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 97502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

September 1, 2017

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

Re: ZC-17-089, Craig Horton (372W26A – 3900)

ATTN: Steffen,

There is a 30" inch sewer in along N Ross Lane to the east and an 8" inch sewer along W McAndrews Road to the south. There are also two 4" sewer services extended to TL 3900 from the 30" main. Currently there is adequate capacity to serve the proposed density. Future development must be reviewed for compliance with RVSS standards.

Sincerely,

Nicholas R. Bakke

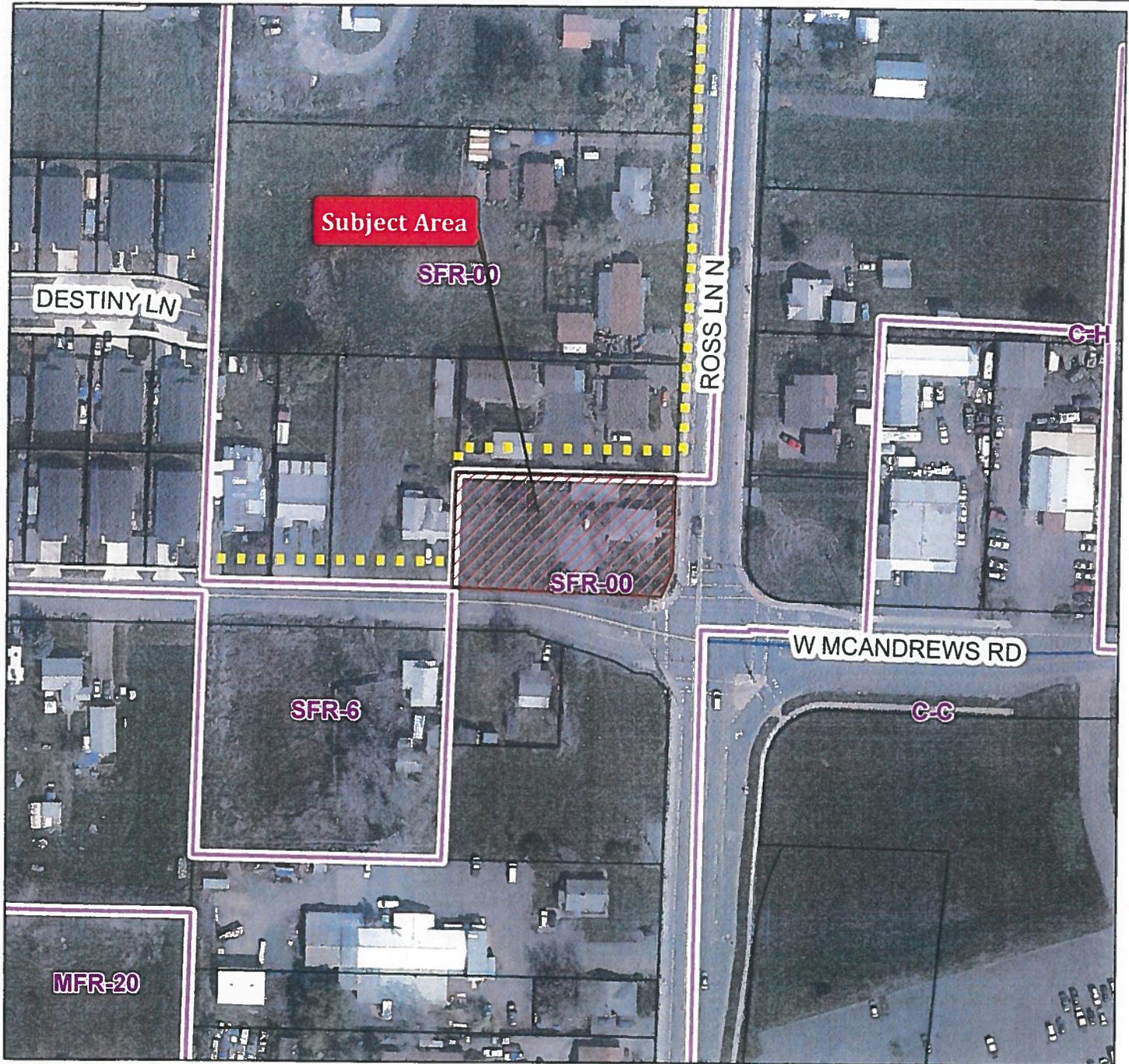
Nicholas R. Bakke, P.E.
District Engineer



City of Medford Planning Department

Vicinity
Map

File Number:
ZC-17-089



Project Name:

**Craig Horton
Zone Change**

Map/Taxlot:

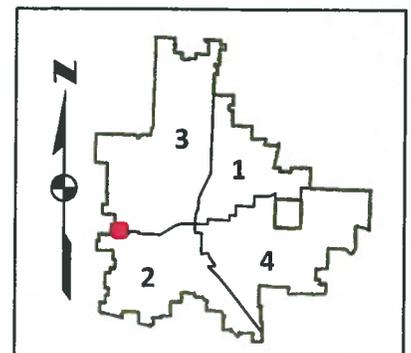
372W26AA TL 3900



08/03/2017

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots





STAFF REPORT

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

Project Cherrybrook Subdivision
Applicant: Rick Schiller; Agent: Amy Gunter

File no. LDS-17-079/E17-090

To Planning Commission *for September 14, 2017 hearing*

From Steffen Roennfeldt, Planner III

Reviewer Kelly Akin, Assistant Planning Director *ka*

Date September 7, 2017

BACKGROUND

Proposal

Consideration of a tentative plat for a 4 lot residential subdivision on 0.85 acres zoned SFR-10 (Single Family Residential, 10 dwelling units per gross acre) located on the northeast corner of Prune Street and Cherry Street. The request includes an Exception to the standards for lot dimensions.



Subject Site Characteristics

Zoning	SFR-10	Single Family Residential – 10 dwelling units per gross acre
GLUP	UR	Urban Residential
Use	Occupied by one single family residence and one detached shop	

Surrounding Site Characteristics

<i>North</i>	Zone:	SFR-10
	Use:	Single family homes
<i>South</i>	Zone:	SFR-10
	Use:	Single family homes
<i>East</i>	Zone:	SFR-10
	Use:	Single family homes
<i>West</i>	Zone:	SFR-10 & SFR-00 (Single family residential – 1 dwelling unit per existing lot)
	Use:	Single family homes

Related Projects

A-03-26	Annexation	(Prune/Farr Enclave)
ZC-06-207	Zone Change	(Goyo Zone Change SR-2.5 to SFR-10)

Applicable Criteria

Medford Land Development Code §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.

Medford Municipal Code §10.253 -Exception Approval Criteria

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.

ISSUES AND ANALYSIS

Project Summary

The subject site is composed of one lot totaling 1.16 gross acres located within the SFR-10 zoning district. The applicant is proposing a tentative plat consisting of a development with four lots. Proposed Lot 1 would contain the existing single-family residence & shop building; proposed Lots 2, 3 & 4 would be vacant with Lot 2 proposed to be a duplex lot (Exhibit B).

Code Compliance

Density

The standard density calculation for the SFR-10 zone is between six and ten dwelling units per gross acre. The net parcel size is 0.85 acres and the gross parcel size including both fronting half-streets is 1.16 acres. Per Medford Land Development Code (MLDC) Section 10.708(A)(3)(c) – Non Development Areas, *areas that may be removed from the density calculation, at the discretion of the developer, include lots with an existing house and yard, that exceed the maximum lot area as allowed in Section 10.702(3)(a).*

MLDC Section 10.702(3)(a) states that *a new residential lot may exceed the maximum lot area only under following circumstances: (a) when an existing residence and associated yard area, containing improvements and established landscaping, occupy a larger area.*

Based on the gross acreage, including the 0.27 acres reduction for existing development based on the MLDC Sections listed above, the permitted density range is between five and eight. The applicant is proposing four parcels with three single family dwelling units and one duplex for a total of five dwelling units. A condition requiring for Lot 2 be identified as a duplex Lot on the Final Plat is included to ensure the tentative plat meets density standards.

Street Circulation

The subject property fronts Cherry Street and Prune Street. Per the applicant, it is not possible to have a through road or interior access road for the use of the public due to the presence of a protected stream and property ownership constraints on the adjacent properties to the north, east, and west. A private minimum access easement will serve the proposed Lots 3 and 4.

Block Length and Accessway

The tentative plat exceeds the maximum block length and perimeter length standards of Section 10.426(C) with a dimension of 2.3 miles (block perimeter length) and 675 feet (block length for Prune Street). The block length on Cherry Street is 560 feet which is within the maximum for block lengths in residential zones (660 feet).

Per MLDC Section 10.426(C)(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 in MLDC Section 10.426(C)(2)(a) through (j) exists on, or adjacent to the site.

The existing creek prevents the construction of a connected interior access road or other public access serving properties to the north, east, and west.

Farr Street to the east of the subject property terminates approximately 125 feet from the easterly property line. Future development on the adjoining properties to the north and east of the subject property could feasibly satisfy the block perimeter standards by connecting Farr Street to Cherry Street at the intersection of Cherry Street and Erin Way.

The property has approximately 158.5 feet of street frontage along Cherry Street and 183 feet of street frontage along Prune Street. Per MLDC Section 10.426(D) *streets intersecting other streets shall be directly opposite of 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.* The closest street connection on Cherry Street to connect to an existing street directly opposite of each other is at Erin Way, which is approximately 310 feet north of the Prune Street / Cherry Street intersection and approximately 125 feet north of the subject property north boundary line.

Therefore, for the subject property, the Planning Commission can find that three constraints, conditions or uses listed in MLDC Section 10.426(C)(2) exist: (b) *Environmental constraints including the presence of a wetland or other body of water,* (f) *Future development on adjoining property or reserve acreage can feasibly satisfy the block or perimeter standards,* and (j) *When strict compliance with other provisions of the Medford Land Development Code produce conflict with provisions in this section.*

The subject property has existing development on all adjacent parcels which prevents any connectivity to an existing street or allows for an accessway pursuant to MLDC Section 10.464(1)(b).

Street Dedications & Improvements

The Public Works report describes the required conditions regarding street improvements, right-of-way dedication, curve radii, and Public Utility Easements (Exhibit H). It also contains findings regarding the sanitary sewer system, hydrology, erosion control, and stormwater detention and water quality treatment.

Minimum Access Easement

The tentative plat proposes a Minimum Access Easement to serve Lots 3 and 4. It shall be developed in accordance with MLDC Section 10.430A(1) and 10.450 with proper width and turn-around dimensions.

Per the report from the Fire Department (Exhibit J), the applicant shall install a minimum access address sign. A condition of approval has been included.

Development Standards

As mentioned above, a new residential lot may exceed the maximum lot area if an existing residence and landscaping occupy a greater area. This is true for proposed lot 1 which, therefore, is exempt from the minimum and maximum lot area range standards for Detached Single Family Dwellings standards.

The half-circular driveway serving the existing single-family residence on proposed lot 1 is currently unimproved. Per MLDC Section 10.746 "*all parking, loading, driveway, and vehicle maneuvering areas*" shall be paved and improved pursuant to the minimum design requirements per MLDC Sections 10.746(1) through (18) and Section 10.550. A condition has been included.

Lots 2 & 3 meet all site development standards per MLDC Section 10.710 – Detached Single Family Dwellings and Section 10.713 – Duplex Dwellings.

For Detached Single Family Dwellings, the minimum lot width for SFR-10 zoned parcels is 40 feet. The calculated lot width (*the perpendicular bisect of the lot depth measurement*) for proposed Lot 4 is approximately three feet, which does not meet the minimum standards for width per MLDC Section 10.710. The requested exception is for Lot 4 to be less than the required 40 feet in width.

Site Development Standards – Detached Single Family Standards					
Development Standards	SFR-10	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3	Proposed Lot 4
Lot Area Range (Square Feet)	3,600 to 8,125	11,944	DUPLEX LOT	7,326	7,494
Minimum Interior Lot Width	40 feet	97.5 feet		80.5 feet	3'-15/32" (see E-17-80)
Minimum Corner Lot Width	50 feet	n/a		n/a	n/a
Minimum Lot Depth	90 feet	122.5 feet		91 feet	240'-7 11/16"
Minimum Lot Frontage	30 feet	97.5 feet		80.5 feet	

Duplex Dwellings					
	SFR-10	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3	Proposed Lot 4
Lot Area Range (Square Feet)	6,000* to 12,500*	Single Family Dwelling	9,837	Single Family Dwelling	Single Family Dwelling
Minimum Interior Lot Width	50 feet*		n/a		
Minimum Corner Lot Width	60 feet		61 feet		
Minimum Lot Depth	90 feet		102.5 feet		
Minimum Lot Frontage	30 feet*		61 feet & 102.5 feet		
The * indicates standards that are divided in half IF the duplex is to be divided by a lot-line. Where the duplex is permitted without being divided by a lot-line, THEN two DETACHED dwelling units are permitted in lieu of the duplex.					

Little Elk Creek

A seasonal tributary of Little Elk Creek traverses the property from south to north and bisects the property from east to west. The creek enters the property through a 36 inch culvert under Prune Street, roughly in the middle between the east and west property lines. The creek area is approximately 20 feet wide and four feet deep from top of bank to creek bed. Per the applicant, it has been substantially altered in the past with uniform banks.

The creek is not within a riparian corridor. A 30 feet creek easement is shown on the tentative plat as required per the Public Works report (Exhibit H).

The *Oregon Department of Fish and Wildlife* (ODFW) has no objection to the proposed subdivision as long as each of the proposed parcels can subsequently be developed without altering the channel of the tributary to Little Elk Creek (Exhibit O).

No findings were made by the applicant addressing any alterations to the channel. However, a 30 foot 'Creek Easement' (15 feet on either side of the channel) is shown on the tentative plat.

The Oregon Department of State Lands (DSL) recommended to staff to submit for a Wetland Land Use Notice (WLUN) which gives DSL the opportunity to comment on the proposed subdivision and is a good way to make sure that the applicant knows whether additional wetlands/waters permitting will be required.

At the time this staff report was written, DSL had not yet processed the WLUN application (Exhibit R).

Storm Drainage

Storm Drainage requirements are part of the Public Works report (Exhibition H).

Sanitary Sewer

The subject property is within the Rogue Valley Sewer Services service area. A condition of approval has been included requiring the applicant to comply with the Rogue Valley Sewer Services Report (Exhibit K).

Water Facilities

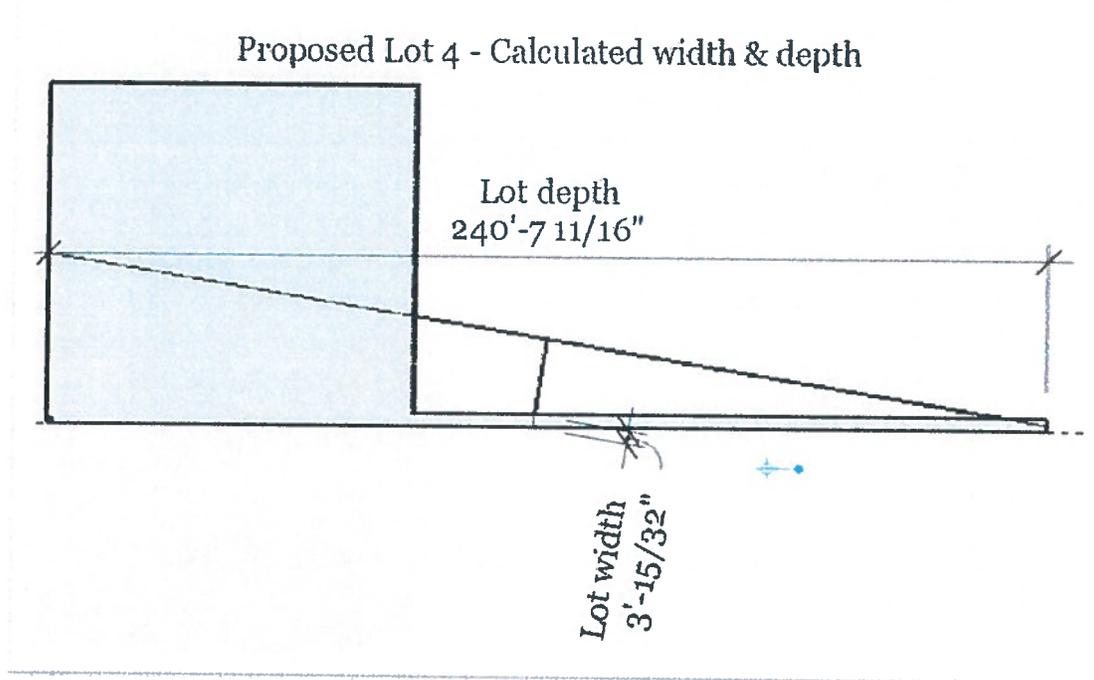
The subject property is within the Medford Water Commission service area. A condition of approval has been included requiring the applicant to comply with the Medford Water Commission Report (Exhibit I).

Medford Fire Department

The report from the Fire Department includes, but is not limited to, requirements and specifications for address identification and fire hydrant locations within the development (Exhibit J).

Exception Request

Proposed Lot 4 has 30 feet of frontage on the proposed Minimum Access Easement. The lot is approximately 240 feet deep. Due to how lot width is measured, the lot is only approximately three feet wide. This width requires an exception to the minimum lot width standard of 40 feet in the SFR-10 zone. The lot cannot meet minimum lot width due to the odd shape of the parcel and how lot width is measured in accordance with the MLDC.



The criteria for Exceptions can be found in MLDC Section 10.253 – Criteria for an Exception. The applicant stated that the actual building area of the lot is physically 80.5 feet wide, and the definition of lot measurements coupled with the unique lot configuration, the exception is necessitated. The purpose of the zone is the development of the property with six to ten dwelling units per acre. The requested exception is due to technical definitions found within the Code but is not detrimental to the health, safety and general welfare or adjacent natural resources.

The unique or unusual circumstances that apply to the site are that the lot has an unusual shape with what is assumed to be a remnant form the original Nickell Subdivision platting that is the three foot wide by 150 foot long “flagpole” that extends north. The flagpole portion of the proposed Lot 4 skews the lot width measurement.

Per the applicant, not granting the Exception would prevent the development of the property to the highest and best use as envisioned in the Municipal Code which is a single-family lot that complies with the minimum lot size and density for the SFR-10 zone.

Additionally, granting of the exception will not permit the establishment of a use which is not permitted in the zoning district.

Staff supports the applicants Findings for the Exception, and recommends the Commission approve the request.

Public Comment

No public comment has been received at the time this staff report was prepared.

No additional issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's Findings of Fact and Conclusions of Law (Exhibits F and G) and recommends the Commission adopt the findings as presented.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-17-079 and E-17-080 per the staff report dated August 30, 2017, including Exhibits A through T.

EXHIBITS

- A Conditions of Approval, dated September 7, 2017
- B Tentative Plat received dated July 25, 2017
- C Site Plan dated July 26, 2017
- D Preliminary Grading and Drainage Plan dated July 26, 2017
- E Preliminary Landscape Plan dated July 26, 2017
- F Agent's subdivision findings and conclusions received August 24, 2017
- G Agent's exception findings and conclusions received August 24, 2017
- H Public Works Department Staff Report received August 16, 2017
- I Medford Water Commission Memo received July 16, 2017
- J Medford Fire Department Land Development Report received August 4, 2017
- K Rogue Valley Sewer Services Report received August 13, 2017
- L Medford Building Department Memo received August 16, 2017
- M Address Technician Memo received August 16, 2017
- N Oregon Department of Aviation E-mail received August 7, 2017
- O Oregon Department of Fish and Wildlife E-mail received August 4, 2017
- P Jackson County Roads Report received August 4, 2017
- Q Certified Floodplain Manager Memo received August 9, 2017
- R Oregon Department of State Lands WLUN application dated August 25, 2017
- S Density Calculation
- T Jackson County Assessor's Page
Vicinity map

PLANNING COMMISSION AGENDA:

SEPTEMBER 14, 2017

EXHIBIT A
Conditions of Approval
September 7, 2017

LDS-17-079 / E-16-80
CHERRYBROOK SUBDIVISION
Subdivision & Exception Request

Code Conditions

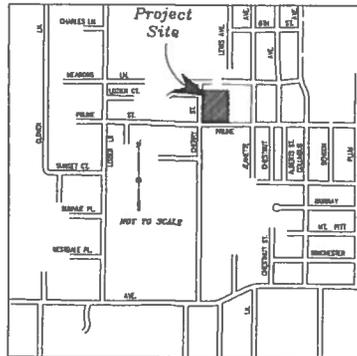
1. The property owner shall comply with the report from the Public Works Department dated August 16, 2017 (Exhibit H).
2. The property owner shall comply with the report from the Medford Water Commission dated July 16, 2017 (Exhibit I).
3. The property owner shall comply with the report from the Medford Fire Department prepared August 4, 2017 (Exhibit J).
4. The property owner shall comply with the report from Rogue Valley Sewer Services dated August 13, 2017 (Exhibit K).
5. The property owner shall comply with the staff memo from the Address Technician dated August 16, 2017 (Exhibit M).
6. The property owner shall comply with the report from Jackson County Roads dated August 4, 2017 (Exhibit P).
7. Prior to approval of the Final Plat:
 - a. The driveway for Lot 1 shall be paved pursuant to MLDC 10.746(11).
 - b. Lot 2 shall be identified as a Duplex lot on the final plat.

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JUL 27 2017

PLANNING DEPT.

VICINITY MAP



CHERRYBROOK
TENTATIVE PLAT

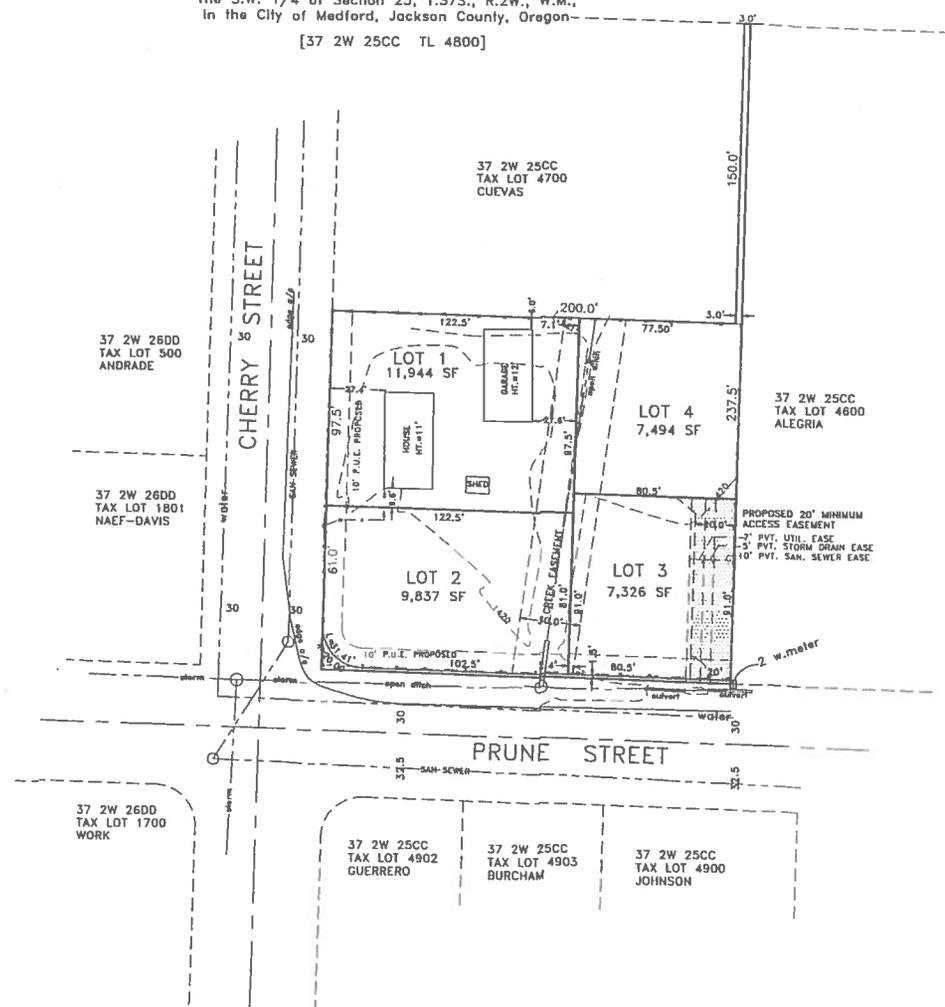
Situated in:
The S.W. 1/4 of Section 25, T.37S., R.2W., W.M.,
in the City of Medford, Jackson County, Oregon
[37 2W 25CC TL 4800]

OWNER/APPLICANT
RICK SCHILLER
394 East Hersey Street
Ashland, Or. 97520

AGENT
Rogue Planning and Development Services
1424 S. Ivey Street
Medford, Or. 97501
541-951-4020

SURVEYOR
HOFFBUHR & ASSOCIATES, INC
880 GOLF VIEW DRIVE SUITE 201
MEDFORD, OR. 97504
(541) 779-4641

SCHOOL DISTRICT: 549C
IRRIGATION DISTRICT: M.I.D.
SANITATION DISTRICT: CITY OF MEDFORD
AREA: 36,990 sq ft (0.85 AC.) (NET)
AREA: 49,350 sq ft (1.13 AC.) (GROSS)
ZONING: SFR-10
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL



37 2W 26DD
TAX LOT 500
ANDRADE

37 2W 26DD
TAX LOT 1801
NAEF-DAVIS

37 2W 26DD
TAX LOT 1700
WORK

37 2W 25CC
TAX LOT 4902
GUERRERO

37 2W 25CC
TAX LOT 4903
BURCHAM

37 2W 25CC
TAX LOT 4900
JOHNSON

REGISTERED
PROFESSIONAL
LAND SURVEYOR

ELECTRONIC COPY
OREGON
FORM 4-199
DANIEL L. HUCK
DLS
Expires 8/30/2019



Contour Interval = 5 ft.

UTILITY STATEMENT
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

37 2W 25CC TL 4800

CITY OF MEDFORD
EXHIBIT # B
File # LDS-17-079/E-17-080

BY: DANIEL L. HUCK	LS 2023
PROJECT: RICK SCHILLER	
PROJECT NO.: 17-012	
DRAWING FILE NO.: 17012TENT PLAT.DWG	
SCALE: 1" = 40'	FEBRUARY 24, 2017
REVISION NO.: 2	
REVISION DATE: JULY 25, 2017	
SHEET OF: 1	
DATE OF BEARING: FILED SURVEY NO. 22122	
ELEVATION DATUM: CITY OF MEDFORD	
DRAWN BY: DLH	
REVIEWED BY: DLH	

13

37 2W 26DD
TAX LOT 500
ANDRADE

37 2W 26DD
TAX LOT 1801
NAEF - DAVIS

37 2W 26DD
TAX LOT 100
WORK

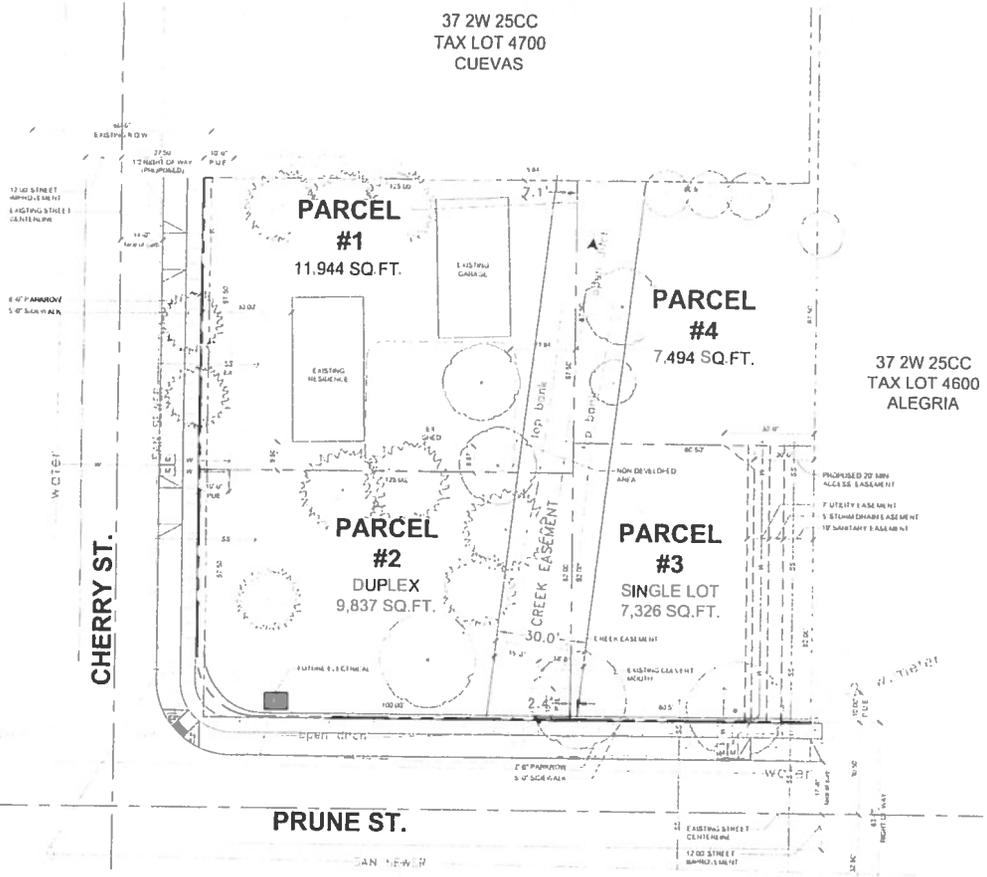
37 2W 25CC
TAX LOT 4700
CUEVAS

37 2W 25CC
TAX LOT 4600
ALEGRIA

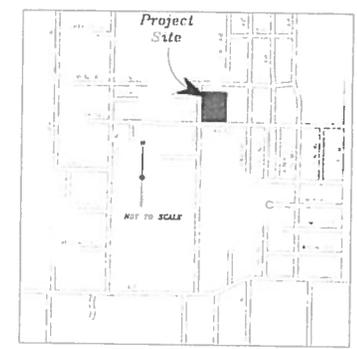
37 2W 25CC
TAX LOT 4902
GUERRERO

37 2W 25CC
TAX LOT 4903
BURCHAM

37 2W 25CC
TAX LOT 4900
JOHNSON



VICINITY MAP



SITE DATA

PARCEL	LOT AREA
#1	11,944 Sq Ft
#2	9,837 Sq Ft
#3	7,326 Sq Ft
#4	7,494 Sq Ft
TOTALS Net Area: 36,990 Sq Ft (0.85 AC) Gross Area: 49,380 Sq Ft (1.13 AC)	

ALLOWED DENSITY (SFR 10)
Minimum Density: 6 Units Per Acre
Maximum Density: 10 Units Per Acre
School District: Medford S-10C
Submission District: City of Medford
Existing Use: Residential
Proposed Use: Residential

SHEET INDEX

- L 1.0 SITE PLAN
- L 2.0 PRELIMINARY GRADING AND DRAINAGE PLAN
- L 3.0 PRELIMINARY LANDSCAPE PLAN

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JUL 27 2017
PLANNING DEPT.

KenCairn
Landscape Architecture

Drawn By:
JCL

SCALE

CHERRYBROOK SUBDIVISION
693 Cherry Street
Medford, OR

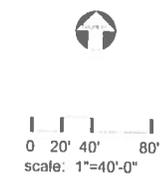
REVISION DATE

SITE PLAN

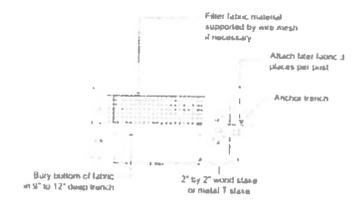
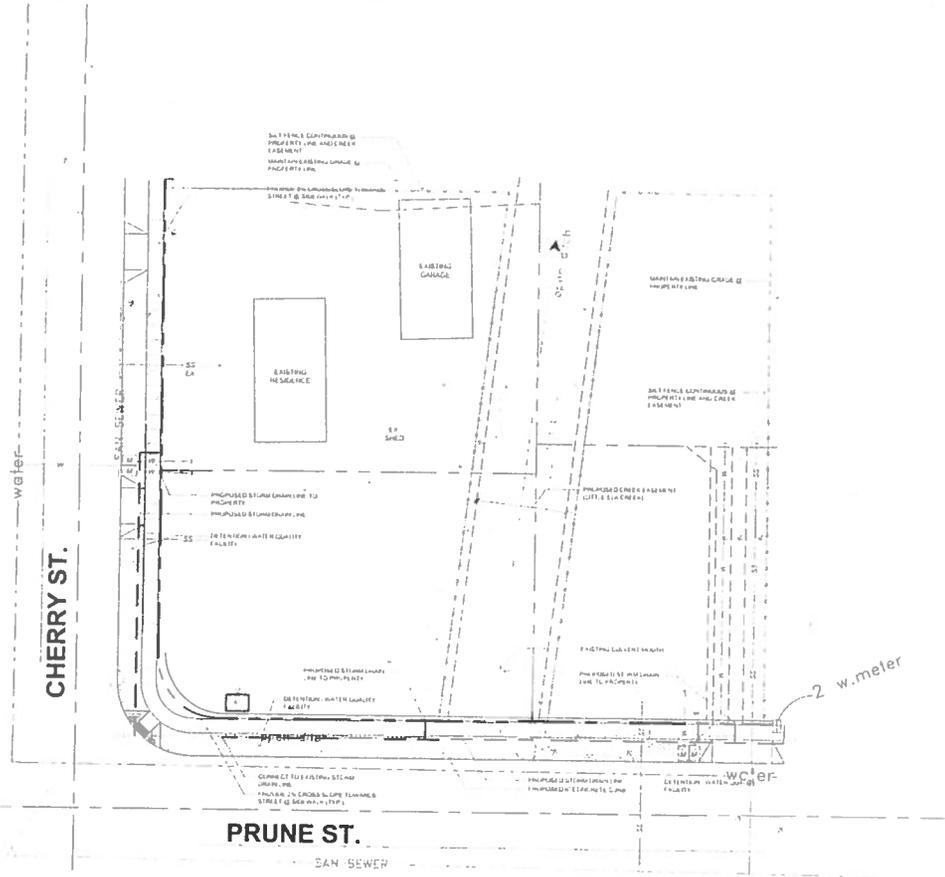
ISSUE DATE:
July 26, 2017

L 1.0

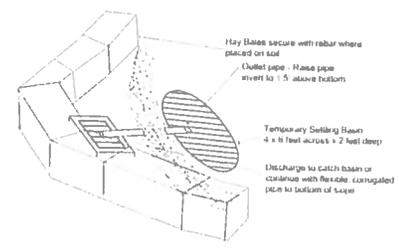
CITY OF MEDFORD
EXHIBIT # C
File # LDS-17-079/E-17-080



CITY OF MEDFORD
EXHIBIT # C
File # LDS-17-079/E-17-080



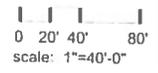
1 SCHEMATIC: SILT FENCE CONSTRUCTION
Scale: NTS



2 SCHEMATIC: TEMPORARY SEDIMENT CATCHMENT
Scale: NTS

SHEET INDEX

- L 1.0 SITE PLAN
- L 2.0 PRELIMINARY GRADING AND DRAINAGE PLAN
- L 3.0 PRELIMINARY LANDSCAPE PLAN



KenCairn
Landscape Architecture

693 CHERRY STREET, MEDFORD, OREGON
541 486 3134

REGISTERED
STATE OF
OREGON
Professional
REVIEW
KenCairn
LANDSCAPE ARCHITECT

Drawn By:
INITIALS

SCALE

CHERRYBROOK SUBDIVISION
693 Cherry Street
Medford, OR

REVISION DATE

PRELIMINARY GRADING & DRAINAGE PLAN

ISSUE DATE:
July 26, 2017

L 2.0

CITY OF MEDFORD
EXHIBIT # D
File # LDS-17-079/E-17-080

15

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AUG 24 2017

PLANNING DEPT.

AMENDED FINDINGS OF FACT

PROJECT PROPOSAL:

A request for a four lot, subdivision approval to allow for the creation of three, developable lots for the property located at 693 Cherry Street.

Property Address: 693 Cherry Street
Map & Tax Lot: 37S 2W 25CC; Tax Lot 4800
Zoning: SFR-10
Lot Area: .85 acres (net)
1.13 acres (gross)

Property Owner: Rick Schiller
Schiller Inc.
394 E Hersey Street
Ashland, OR

Agent: Rogue Planning & Development Services
Amy Gunter
1424 S Ivy Street
Medford, OR 97501

Site Planning: KenCairn Landscape Architecture
545 A Street, Suite 102
Ashland, OR 97520

Surveying: Hoffbuhr and Associates
880 Golf View Drive #201
Medford, OR 97504

Findings of Fact:
Subdivision Findings
Cherrybrook Subdivision

CITY OF MEDFORD
EXHIBIT # F
File # LDS-17-079/E-17-080

24

Property Description:

The property is at the northeast intersection of Prune and Cherry Streets.

The property has 180 feet of frontage along Cherry Street and 203 feet of frontage along Prune Street. The lot is .85 square feet in area, there is a “flag pole” that extends 150-feet north along the east property line, 3-feet west, than 150-feet south. The total lot area is 36,990 square feet (.849 acres).

The property is occupied by a 1,152-square foot manufactured home, a 864-square foot garage / shop building and a 120 sf well house shed.

A seasonal tributary of Little Elk Creek traverses the property from south to north and bisects the property from east to west. The “creek” enters the property through a 36-inch culvert under Prune Street, roughly in the midway between the east and west property lines. The creek area is approximately 20-feet wide and four feet deep from top of bank to creek bed. It has been substantially altered with uniform banks. and extends the entire width of the property.

Cherry and Prune Streets are both un-improved along the frontage of the property. Cherry Street is classified as a Minor Residential Street and has an existing 60-foot right-of-way. This exceeds the 55-foot required right-of-way. There are no curb, gutter or sidewalk on this portion of Cherry Street. Prune Street has an open ditch as the storm drainage along the frontage. Prune Street to the west of the property has a sidewalk and parkrow. Prune Street further to the west is presently under construction providing an east / west connection from Columbus Avenue to Lozier Lane.

A ¾ minus, compacted, gravel surface driveway connected via two driveway accesses. The looping driveway is largely within the Cherry Street right-of-way and the front yard area of 693 Cherry Street. There are three driveway access from Prune Street.

Water service to the property presently comes from Cherry Street. The property is served by the City of Medford for sanitary sewer services. There is a fire hydrant located across Cherry Street at the intersection of Erin Way and Cherry Street, 320.89 feet to the west. Another hydrant is located 249.44 feet to the west on the north side of Prune Street.

PROJECT PROPOSAL:

The request is to divide the property into four lots. Proposed Lot 1 would contain the existing single-family residence, garage / shop building and shed. Proposed Lot 2, Lot 3 and Lot 4 would be vacant. Proposed Lot 4 will be accessed via a Minimum Access Easement provided across Lot 3.

The property is .85 net acres, 36,990 square feet in area. The property for the purposes of calculating density is 1.13 gross acres, 49,380 square feet in area. The property zoned SFR-10 allows for density between six and ten dwelling units. In accordance with MLDC 10.708.C.4 states that lots with an existing house and yard that exceed the maximum lot area can be removed from the density calculation.

Findings of Fact:
Subdivision Findings
Cherrybrook Subdivision

Removing the 11,944 square feet for Lot 1 from the density calculation, a total gross area of 37,436 square feet (.859 acres) provides a new density calculation of 5.15 (5) minimum to 8.59 (8) maximum. The lot is less than one acre and the proposed minimum density has been reduced to four since the lot is less than one gross acre.

Lot 1 is proposed to be 11,944 square feet and will be occupied by the existing residence, garage/shop and small shed structures. The lot is oversized for the zone but is developed in a manner that restricts it from being reduced in area. Lot 2 is proposed as a 9,837-square foot, duplex lot. Lot 3 is proposed as a 7,326-square foot lot and Lot 4 is a 7,494-square foot lot accessed via a Minimum Access Driveway over Lot 3.

Lot 1:

Lot area: 11,944 square feet

Proposed Lot 1 will have 97.5 feet of frontage on Cherry Street and is proposed to be 122.5 feet deep. The existing single-family residence, garage / shop and shed will remain on the property. The access to the property is via a 20-foot wide gravel, half circle driveway. The existing access on the north side of the property will be formalized with a curbcut on the newly improved street. The structure is less than 12-feet tall and is proposed to exceed all setbacks for the SFR-10 zone. The Little Elk Creek drainage runs roughly parallel to the rear property line of 693 Cherry Street.

Lot 2:

Lot Area: 9,837 square feet

Lot #2 is proposed as a vacant corner lot.

Proposed Lot 2 has 81-feet with a frontage on Cherry Street. This complies with the minimum lot width in the zone. The lot is proposed to have a side lot line abutting Prune Street of 120.5-feet. This complies with lot depth. A new driveway curb cut is proposed near the north property line to reduce conflicts with the intersection and to reduce curb cuts on Prune Street, the higher order street. The lot is proposed as a duplex lot and meets the minimum lot area for a duplex lot. The rear yard of the lot is the tributary of Little Elk Creek drainage and its protected stream corridor.

Lot 3:

Lot Area: 7,326 square feet

Proposed Lot 3 is to the east of the Little Elk Creek drainage that bisects the property. This lot is proposed to have 80.5 feet of frontage and 91 feet of lot depth. Along the east property line, a 20-foot Minimum Access Easement to provide access to Lot 4 that is to the north of Lot 3. The lot complies with the minimum and maximum lot areas of the SFR-10 zone.

Lot 4:

Lot Area: 7,494 square feet

Proposed Lot 4 is to the north of Lot 3 and is accessed via the proposed Minimum Access Easement. The lot has 30-feet of frontage on the Minimum Access Easement and is an average of 240-feet– 7 11/16 inches deep due to the “flag pole” area that extends 150-feet to the north and is three-feet wide. Per LDO “Lot line, rear. That lot line which is most nearly parallel to and most distant from the front lot line. In the case of lots with frontage on more than one road or street, the rear lot line shall be opposite the lot line along which the lot takes access to the road or street.”

The lot width, due how the lot width and depth measurements are calculated, is 3-feet – 15/32 inches. The lot cannot meet minimum lot width due to the “flag pole” portion of the lot. Findings addressing the criteria for an exception are included.

To consolidate the access from the higher order street (Prune), the minimum access easement will provide the driveway for Lot #3 and Lot #4. This allows the new residence to be located closer to the street providing better neighborhood orientation and allows for the garage and parking for the residence to be located to the side and/or rear of the residence. Less driveway conflict points on Prune Street will enhance neighborhood connectivity and pedestrian / bicyclist safety on the higher order street.

All four of the lots contain adequate buildable area for future development in a manner that is consistent with the development standards for the SFR-10 zone. The property has potential for additional dwelling units through the density standards and each lot complying with the minimum lot areas for duplex units (both attached and detached). When individual lots develop, the property owner at that time shall work with the City of Medford to achieve the development standards envisioned in the Comprehensive Plan and the Land Development Ordinance.

The following pages contain the applicable criteria from the Medford Land Use Ordinance and the applicant’s findings addressing the relevant criteria.

CRITERIA FOR APPROVAL:

Medford Land Use Ordinance

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;

Applicant's Finding: The proposal complies or can comply with the standards from 10.710 for SFR-10 development and development of single-family residences.

The proposed lots comply with the allowable lot standards for the SFR-10 zone. Lots 1, 2 and 3 comply with the minimum lot width and depth standards. Lot 4 requires an exception to the criteria. Each lot has adequate buildable area. Lot 2 will be noted as a duplex lot to provide for the minimum density standards to be met.

Access standards are met with the proposal. Driveway conflict points are consolidated and reduced. Curb, gutter, parkrow and sidewalk are proposed along the frontage of the property. The piping of open storm drainage culvert that parallels Prune Street is necessary.

At the time of development of proposed Lot #2, 3 & 4, the building permit submittals will demonstrate compliance with the setback, parking, height, storm drainage standards and lot coverage standards.

(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;

Applicant's Finding: The proposed four lot subdivision will not prevent development of the remainder of the property under the same ownership. The proposed subdivision allows for the continued occupation of Lot #1 with the single-family residence and associated outbuilding. Additionally, if the future property owners seek to increase residential density furthering the intent of the SFR-10 zone which seeks a residential density of between 6 – 10 dwelling units per gross acre, the lot areas for Lots 1 – 4 are large enough to allow for duplex dwellings. Lot 2 is designated as a duplex lot on the survey.

The proposed subdivision will not prevent the development of adjoining land or of access to adjoining land.

(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

Findings of Fact:
Subdivision Findings
Cherrybrook Subdivision

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;

Applicant's Finding: Cherrybrook Subdivision has been proposed and approved by the Jackson County Surveyor's Office. The name will be consistent with the Approval Authority requirements.

(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;

Applicant's Finding: No new streets or alleys are proposed as part of the subdivision.

(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;

Applicant's Finding: There are no streets or alleys proposed to be held for private use.

(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.

Applicant's Finding: No unmitigated land use conflicts between the proposed land division and adjacent properties is present. There are no agricultural lands within the EFU zoning district in the vicinity of the

10.426 Street Circulation Design and Connectivity

These standards are intended to assure that development will ultimately result in complete blocks bound by a network of public streets, and/or private streets constructed to City Standards open to public use, and/or interior access roads open to public use. As it applies to this section, an Interior Access Road shall mean the following: A public access easement on private property which facilitates through public vehicular and pedestrian access. The Interior Access Road public easement shall, at a minimum, consist of the following improvement:

Findings of Fact:
Subdivision Findings
Cherrybrook Subdivision

1. A two-way vehicular access drive aisle having minimum aisle width of twenty (20) feet bounded with raised curb. The access drive shall remain clear and unencumbered from any parking stall taking direct vehicular access from the drive aisle. However, the drive aisle may intersect with other drive aisles within a parking lot.

2. The vehicular access drive shall be bound at minimum on one side, but preferably both sides, with a pedestrian pathway running parallel to the access drive, consisting of concrete, patterned concrete or brick pavers. The pedestrian pathway may be either attached or detached from the curb and have a minimum width of five (5) feet. Where the pedestrian path crosses intersecting vehicular drive aisles, the pathway paving material shall extend across such areas to demarcate the pedestrian crossing.

Applicant's Finding:

It is not possible to have a through, interior access road for the use of the public due to the presence of a protected stream, and property ownership constraints on the adjacent properties to the north, east, and west. A tributary of Little Elk creek runs across the property generally to the northeast and at the north property line, the creek prevents further development of the rear portion of the property to the north. The properties to the north, east and west are privately owned and generally developed in a manner that can accommodate further development without a connected, public interior access road through the subject property. A private, minimum access easement is proposed. The property to the east has physical connection to Farr Street and Prune Street, the lot area is substantially larger than the subject property, and there is not the physical constraint to the creek. The presence of the creek on the subject property dictates the developable area in accordance to the Municipal Code and State Laws protecting Little Elk Creek be located on the east half of Lot #4.

A. Street Arrangement Suitability.

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

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

Applicant's Finding:

To the applicant's knowledge, there are no adopted neighborhood circulations plans. The existing creek prevents the construction of a connected interior access road or other public access through properties to the north, east, and west. The private, minimum access easement serving the proposed allows for efficient use of the property and does not prevent the development of the adjacent properties. The

Findings of Fact:
Subdivision Findings
Cherrybrook Subdivision

proposed intersection of the minimum access easement and Prune Street exceeds the minimum required by City access management standards.

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.

Applicant's Finding:

The proposal is a small, four lot subdivision and the lot frontage is less than the minimum block layout length. To the applicant's knowledge there are no adopted neighborhood circulation plans in the area.

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.

Applicant's Finding:

There are no proposed streets, alleys or public access proposed, as there are no other streets in the area of the development, nor are the planned streets outside of the development that connect to the developable portion of the property. A minimum access easement is proposed across Lot #3, providing vehicular and pedestrian access to Lot #4.

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.

Applicant's Finding:

The proposed four lot subdivision does not propose any streets or street extensions that direct access to any transit stops or other neighborhood activity centers as there are none in the immediate vicinity of the subject property.

4. Streets shall be constructed or extended in projections that maintain their function, provide accessibility, and continue an orderly pattern of streets and blocks.

Applicant's Finding:

Findings of Fact:
Subdivision Findings
Cherrybrook Subdivision

There are no streets proposed in the subdivision. The proposal will not affect the existing orderly pattern of streets and blocks near the subject property.

C. Maximum Block Length and Block Perimeter Length.

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

Applicant's Finding:

The east property line, as measured from the centerline of Cherry Street, is 233-feet west. The east property line, as measured from the centerline of Jeanette Street is 490 feet to the east. The maximum block length for residential zones is 660-feet. From centerline to centerline the existing block is 723-feet. The proposed development is within 660-feet of both street intersections.

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

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

Findings of Fact:
Subdivision Findings
Cherrybrook Subdivision

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

Applicant's Finding:

The lot is within 660-feet of either public street intersection that lies to the east and west of the subject property. Additionally, the future development of the adjacent property to the east that has through connection from Prune Street to Farr Street can feasibly satisfy the block or perimeter standards and provide a public connection in a directly and orderly fashion.

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,

Applicant's Finding:

The proposed subdivision falls within the maximum block standards. The existing, 723-foot block length falls with the 20% rule.

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.

Applicant's Finding:

The existing block perimeter exceeds the standard by approximately 300-feet. The proposed site plan does not remedy this situation and the future development of properties in the vicinity can accommodate a public accessway that conforms to 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.

Applicant's Finding:

No streets are proposed within the development.

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

Findings of Fact:

Subdivision Findings

Cherrybrook Subdivision

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

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

Applicant's Finding: The minimum access easement is necessary to access the proposed Lot because a through street cannot be created through the developed lot(s) to the north due to the placement of structures, improved yard areas on the adjacent properties, and the location of the Little Elk Creek drainage that bisects the property from south to north.

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

Applicant's Finding: The proposed lot width and the development on the adjacent properties, and location of Little Elk Creek prevent the creation of a street pattern that meets the design requirements.

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

Applicant's Finding: Per the municipal code, the purpose of an accessway is to provide safe and convenient pedestrian and bicycle access within and from new subdivisions, planned unit developments, shopping centers and industrial parks to nearby residential areas, transit stops and neighborhood activity centers such as schools, parks and shopping. A well-connected street network exists in the vicinity of the site. A street connection through the subject is not feasible or appropriate. In this request, the application is for a minimum access easement which will function like a private driveway. Pedestrian access and bicycle access will be provided within the minimum access easement. Lots 3 and 4 will take access via the minimum access easement.

10.500 Sidewalks

Sidewalks shall be required of all developments including single-family residences along both sides of all streets except minimum access easements which do not require sidewalks and residential lanes where sidewalks are required on one side of the street.

Applicant's Finding: Sidewalks, street trees, street lights, street signs, and other public improvements will be installed as specified by the City of Medford Public Works Department.

10.485 Storm Drainage Requirements:

Findings of Fact:
Subdivision Findings
Cherrybrook Subdivision

Applicant's Finding: There is no proposed development at this time. At the time of construction, the building permit submittals will demonstrate compliance with the Storm Drainage Requirements found in 10.485 and 10.486. Attached is a conceptual storm drainage plan as required by code which demonstrates compliance with the Storm Water Drainage Standards. The existing surface storm water ditch that parallels Prune Street will be culverted along the frontage of the property. It is not the property owner's intention to allow drainage to the ditch that traverses the property.

10.702 Lot Area and Dimensions

Each lot shall have an area, width, frontage, and depth consistent with that prescribed in this Article for the housing type, or commercial or industrial district in which the development, or the portion thereof, is situated, except in the following situations:

- (3) A new residential lot may exceed the maximum lot area only under the following circumstances:
- (a) When an existing residence and associated yard area, containing improvements and established landscaping, occupy a larger area; or,

Applicant's Finding: Lot 1 exceeds minimum lot area to accommodate existing site improvements. Non-developed areas have been noted on the site plans.

- (b) When a portion of the lot is unbuildable for a reason beyond the control of the developer (i.e., due to creeks, oversized easements, etc.), the additional acreage, or fraction thereof, may not exceed the amount of unbuildable area.

Applicant's Finding: A tributary of little Elk Creek bisects the property.

Proposed Lot 2 exceeds the minimum lot area for a single-family residence. Due to density standards, it is noted as a duplex lot and complies with the minimum lot area allowed for a duplex lot. The creek easement area is approximately 1,600 square feet of Lot 2 which would then reduce the lot to an area below that allowed for a duplex lot but the density of 4.9 (5) remains.

Lots 3 and 4 are below the maximum square footage for an SFR-10 lot of 8,125 sf and exceed the minimum lot area for a SFR-10 lot.

Lot 4 requires an Exception to the lot width criteria. The exception application is attached.

Attachments:

Exception Application and Findings

Assessor's Map

Aerial photograph 2012

Tentative Plat

Site Plan

Preliminary Grading and Erosion Control Plan

Conceptual Landscape and Street Improvement Plan

Findings of Fact:

Subdivision Findings

Cherrybrook Subdivision

RECEIVED

AUG 24 2017

AMENDED FINDINGS OF FACT

PLANNING DEPT.

PROJECT PROPOSAL:

A request for an Exception to the Lot Dimensions for a new SFR-10 zoned lot that is proposed to be created as part of the proposed four-lot subdivision located at 693 Cherry Street.

Property Address: 693 Cherry Street
Map & Tax Lot: 37S 2W 25CC; Tax Lot 4800
Zoning: SFR-10
Lot Area: .85 acres (net)
1.13 acres (gross)

Lot Coverage: Maximum 50 percent

Property Owner: Rick Schiller
Schiller Inc.
394 E Hersey Street
Ashland, OR

Agent: Rogue Planning & Development Services
Amy Gunter
1424 S Ivy Street
Medford, OR 97501

Site Planning: KenCairn Landscape Architecture
545 A Street, Suite 102
Ashland, OR 97520

Surveying: Hoffbuhr and Associates
880 Golf View Drive #201
Medford, OR 97504



Property Description:

The property is at the northeast intersection of Prune and Cherry Streets.

The property has 180 feet of frontage along Cherry Street and 203 feet of frontage along Prune Street. The lot is .85 square feet in area, there is a “flag pole” that extends 150-feet north along the east property line, 3-feet west, than 150-feet south. The total lot area is 36,990 square feet (.849 acres).

The property is occupied by a 1,152-square foot manufactured home, a 864-square foot garage / shop building and a 120 sf well house shed.

A seasonal tributary of Little Elk Creek traverses the property from south to north and bisects the property from east to west. The “creek” enters the property through a 36-inch culvert under Prune Street, roughly in the midway between the east and west property lines. The creek area is approximately 20-feet wide and four feet deep from top of bank to creek bed. It has been substantially altered with uniform banks. and extends the entire width of the property.

Cherry and Prune Streets are both un-improved along the frontage of the property. Cherry Street is classified as a Minor Residential Street and has an existing 60-foot right-of-way. This exceeds the 55-foot required right-of-way. There are no curb, gutter or sidewalk on this portion of Cherry Street. Prune Street has an open ditch as the storm drainage along the frontage. Prune Street to the west of the property has a sidewalk and parkrow. Prune Street further to the west is presently under construction providing an east / west connection from Columbus Avenue to Lozier Lane.

A ¾ minus, compacted, gravel surface driveway connected via two driveway accesses. The looping driveway is largely within the Cherry Street right-of-way and the front yard area of 693 Cherry Street. There is a driveway access from Prune Street

Water service to the property presently comes from Cherry Street. The property is served by the City of Medford for sanitary sewer services. There is a fire hydrant located across Cherry Street at the intersection of Erin Way and Cherry Street, 320.89 feet to the west. Another hydrant is located 249.44 feet to the west on the north side of Prune Street.

PROJECT PROPOSAL:

The request is to divide the property into four lots. Because of the request, the City of Medford requires street improvements to city standards and the dedication of the required right-of-way to accommodate the improvements.

Proposed lot four is accessed via a minimum access easement, the lot has 30-feet of frontage on the Minimum Access Easement. The lot is 240-feet, 7 11/16-feet deep. Due to how lot width is measured,

Findings of Fact:

Exception to Lot Depth

Cherry Park Place Subdivision

bisecting the mid-point of the lots depth measurement, the lot is only 3-feet, 15/32-inches wide. This width requires an exception to the minimum lot width standard of 80-feet in the SFR-10 zone. The lot cannot meet minimum lot width due to the odd shape of the parcel and how the definition of lot width is measured in accordance with the Medford Land Use ordinance.

The following pages contain the applicable criteria from the Medford Land Use Ordinance and the applicant's findings addressing the relevant criteria.

10.253 Criteria for an Exception

(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).

Applicant's Finding: The requested exception is to Lot #4 to be less than 80-feet wide with 3-feet, 15/32-inches width is existing. Since the actual buildable area of the lot is physically 80.5-feet wide, and the definition of lot measurements coupled with the unique lot configuration, the exception is necessitated. The requested exception is consistent with the purpose and intent of the regulations for the Single-Family Residential (SFR-10) zone. The purpose of the zone is the development of the property with six to ten dwelling units per acre. The requested exception is due to technical definitions found within the code but is not detrimental to the health, safety and general welfare or adjacent natural resources.

(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.

Applicant's Finding: The granting of the exception will not permit the establishment of a use which is not permitted in the 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.

Applicant's Finding: The unique or unusual circumstances that apply to the site are that the lot has an unusual shape with what is assumed to be a remnant from the original Nickell Subdivision platting that is the 3-foot wide by 150-foot long "flagpole" that extends to the north. The proposed subdivision alters the existing lot configuration and affects how lot widths and depths are measured. The "flagpole"

Findings of Fact:

Exception to Lot Depth

Cherry Park Place Subdivision

portion of the property skews the lot width measurement due to the required intersection of the width measurement mid-way through the depth measurement and is not the fault of the property owner.

Not granting the exception would prevent the development of the property to the highest and best use as envisioned in the municipal code which is a single family residential lot that complies with the minimum lot size and density for the SFR-10 zone. The request is minimal when compared to the overall standards for the lot creation.

(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.

Applicant's Finding: The need for the exception is not the result of an illegal action. Nor has it been established on the basis of not knowing the standards of the code. The need for the exception is a result of the proposed subdivision, and how the Medford Land Use Ordinance requires lot width and depth to be measured. The physically developable portion of the property complies with minimum lot widths.



Continuous Improvement Customer Service

CITY OF MEDFORD

LD Date: 8/16/2017
File Numbers: LDS-17-079/E-17-080

PUBLIC WORKS DEPARTMENT STAFF REPORT Cherrybrook Subdivision

Project: Consideration of a request for a tentative plat approval for Cherrybrook Subdivision, a 4-lot residential subdivision on approximately 1.13 acres.

Location: Located north of Prune Street and east of Cherry Street within a SFR-10 (Single Family Residential-10 dwelling units per gross acre) zoning district. The request includes an Exception to the standards for lot dimensions.

Applicant: Rick Shiller, Applicant; Amy Gunter, Agent; Steffen Roennfeldt, Planner.

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

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

A. STREETS

1. Dedications

Prune Street is classified as a Standard Residential street within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width of right-of-way, which is 31.5-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

Cherry Street is classified as a Minor Residential street within the MLDC 10.430. The

Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width of right-of-way, which is 27.5-feet. **No additional right-of-way is required.**

The **Minimum Access Drive** shall be private and constructed in accordance with MLDC Section 10.430A(1) and have a minimum width of 20-feet. A minimum of two (2) and maximum of three (3) dwelling units may take access from the Minimum Access Drive (Easement) as shown on the tentative plat.

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

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

Cherry Street shall be improved to Minor Residential street standards, along the frontage of this development, in accordance with MLDC 10.430. The Developer shall improve the east half plus 12-feet west of the centerline.

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

b. Street Lights and Signing

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

of street lights and signage will be required:

Street Lighting – Developer Provided & Installed:

A. 2 – Type R-100

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 Prune Street or Cherry Street. Prune Street and Cherry Street are both unimproved.

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

d. Soils Report

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

e. Access to Public Street System

Driveway access and street circulation to and through the proposed development shall comply

with MLDC 10.550 and 10.426.

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.

Prune Street and Cherry Street: 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 4 dwelling units (one of which is existing) and will improve approximately 383 lineal feet of roadway which

equates to 96 lineal feet per dwelling unit. Also the development will dedicate approximately 305 square feet of right-of-way, which equates to approximately 76 square feet per dwelling unit.

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

- a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 3 new Lots (total of 4 Lots, including the existing dwelling unit) within the City of Medford and increase vehicular traffic by approximately 29 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.
- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.
- c. Dedication will provide access and transportation connections at urban level of service standards for this development. Each Lot in this development will have direct access to a public street with facilities that will allow for safe travel for vehicles, bicycles and pedestrians. There is also sufficient space for on-street parking. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.
- d. Dedication of connecting streets will decrease emergency response times and provide emergency vehicles alternate choices in getting to an incident and reducing miles traveled.
- e. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.
- f. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated and improved for this development is necessary and roughly proportional to that required in previous adjacent developments to provide a transportation system that meets the needs for urban level services.

The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area

required to be dedicated and improved for this development is necessary and roughly proportional to that required in previous developments in the vicinity to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

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

C. STORM DRAINAGE

1. Hydrology

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

For Little Elk Creek which bisects the parcel, a drainage study must be prepared by a licensed Civil Engineer. The drainage study must verify the channel will convey the 10-year storm with 1-foot of freeboard, if necessary; developer shall make improvements to convey the 10-year storm with a minimum 1-foot of freeboard. Alternatively, the developer may construct a public storm drain in Cherry Street across their frontage, tying into the manhole at the intersection of Cherry and Prune.

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. Easement

Developer shall provide the following easement:

- A Creek easement to be a minimum of 15-feet from centerline of the Creek (30-feet total width).

D. SURVEY MONUMENTATION

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

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

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

2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

3. Phasing

If this subdivision is to be developed in phases, then any public improvements needed to serve a particular phase shall be improved at the time each corresponding phase is being developed. Public improvements not necessarily included within the geometric boundaries of any given phase, but are needed to serve that phase shall be constructed at the same time. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase.

4. Draft of Final Plat

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

5. Permits

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

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

6. System Development Charges (SDC)

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

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

7. Construction and Inspection

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

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

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

Prepared by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Cherrybrook Subdivision - LDS-17-079/E-17-080

A. Streets

1. Street Dedications to the Public:

- Dedicate right-of-way on **Prune Street**.
- No additional right-of-way is required on **Cherry Street**.
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- Improve **Prune Street** to Standard Residential street standards.
- Improve **Cherry Street** to Minor Residential street standards.

Lighting and Signing

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

Other

- Provide pavement moratorium letters.
- Provide soils report.

B. Sanitary Sewer:

- Provide a private lateral to each lot. Located in RVSS area.

C. Storm Drainage:

- Provide an investigative drainage report.
- Provide a drainage and hydrology study.
- Provide water quality and detention facilities.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide easement.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

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

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



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDS-17-079 & E-17-080

PARCEL ID: 372W25CC TL 4800

PROJECT: Consideration of a request for a tentative plat approval for Cherrybrook Subdivision, a 4-lot residential subdivision on approximately 1.13 acres located north of Prune Street and east of Cherry Street within a SFR-10 (Single Family Residential-10 dwelling units per gross acre) zoning district. The request includes an Exception to the standards for lot dimensions.

DATE: July 16, 2017

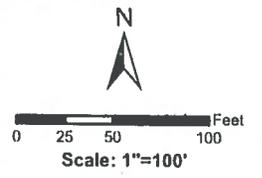
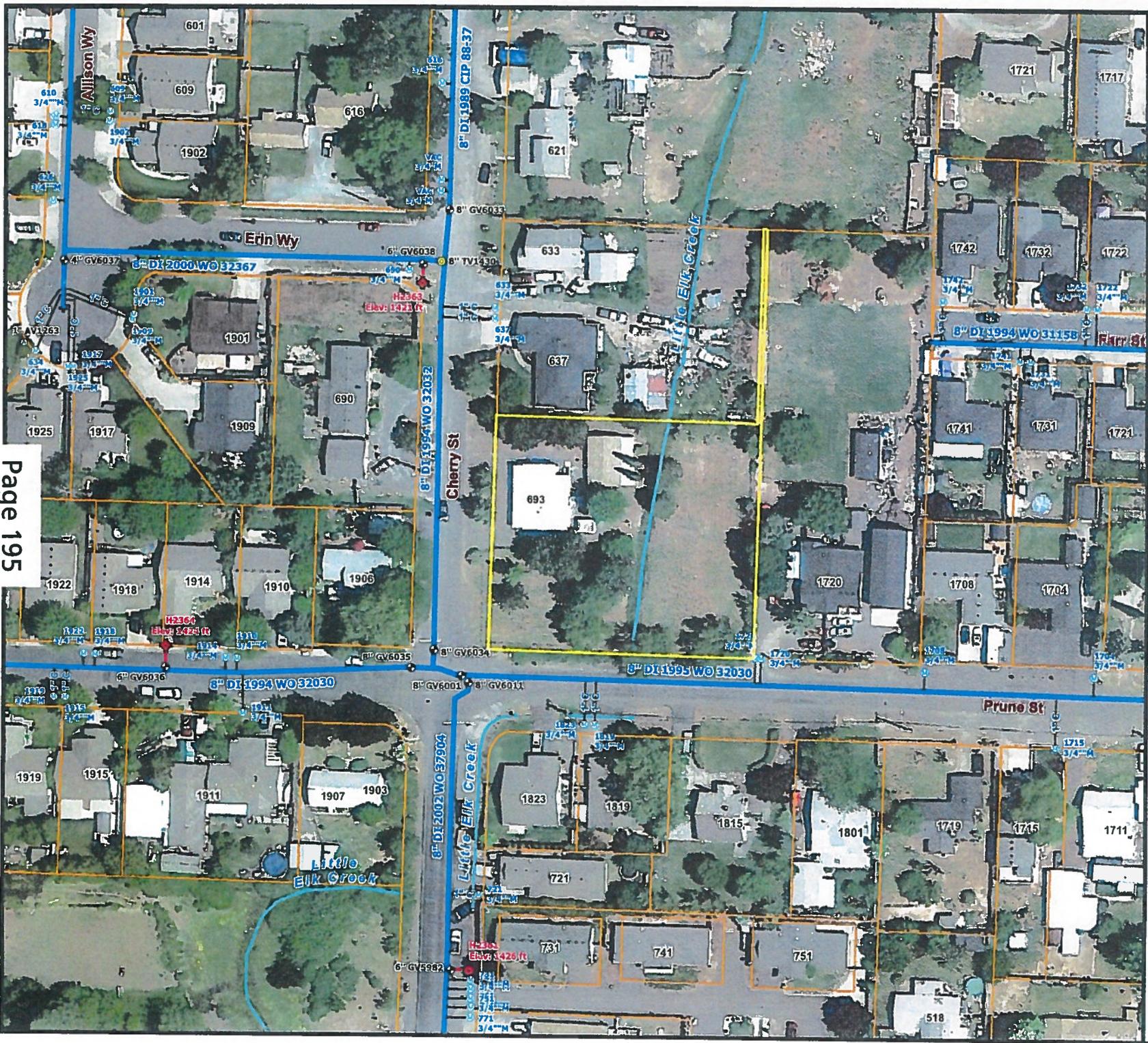
I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The existing well located on proposed Lot 1 can continue to service the existing home located at 693 Cherry Street.
4. The installation of water meters is required for all lots. Applicants' civil engineer shall submit an engineered plan to Medford Water Commission engineering department showing the proposed location of the four (4) required water meters. Water meters shall be installed inside of public right-of-way, and must be located outside of proposed driveway improvements.
5. There are two (2) existing water meters located near the southeast property corner. These water meters belong to the existing dwellings on the parcel to the east. These water meters are required to be protected in place.

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is not required.
3. Static water pressure is approximately 72 psi. Pressure reducing valves are not required.
4. MWC-metered water service does not exist to this property. (See Condition 4 above)
5. Access to MWC water lines is available. There is an existing 8-inch water line in Prune Street, and an existing 8-inch water line in Cherry Street



**Water Facility Map
for
LDS-17-079 & E-17-080**

Legend

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

Water Meters:

- ⊕ Active Meter
- On Well
- ⊞ Unknown
- Vacant

Water Valves:

- ⊞ Butterfly Valve
- ⊞ Gate Valve
- Tapping Valve

Water Mains:

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

Boundaries:

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

MWC Facilities:

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



This map is provided as a guide only. It does not constitute a contract. The Commission and its employees shall not be held liable for any damages or losses resulting from the use of this map. The Commission reserves the right to modify this map without notice.



Medford Fire Department

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

LAND DEVELOPMENT REPORT - PLANNING

To: Steffen Roennfeldt

LD Meeting Date: 08/16/2017

From: Greg Kleinberg

Report Prepared: 08/04/2017

Applicant: Rick Shiller, Applicant; Amy Gunter, Agent

File #: LDS - 17 - 79

Associated File #'s: E - 17 - 80

Site Name/Description: **Cherrybrook Subdivision**

Consideration of a request for a tentative plat approval for Cherrybrook Subdivision, a 4-lot residential subdivision on approximately 1.13 acres located north of Prune Street and east of Cherry Street within a SFR-10 (Single Family Residential-10 dwelling units per gross acre) zoning district. The request includes an Exception to the standards for lot dimensions. Rick Shiller, Applicant; Amy Gunter, Agent; Steffen Roennfeldt, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
----------------------------	-----------

Requirement MINIMUM ACCESS ADDRESS SIGN	OFC 505
--	----------------

Required for lot #4

The developer must provide a minimum access address sign. A pre-approved address sign can also be utilized. A brochure is available on our website.

Requirement FIRE HYDRANTS	OFC 508.5
----------------------------------	------------------

Fire hydrants with reflectors will be required for this project.

Fire hydrant locations shall be as follows: One fire hydrant is required on Prune St. near the minimum access driveway.

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

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

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.

Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

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

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

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

CITY OF MEDFORD

EXHIBIT # 7

LDS-17-079/E-17-080



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 97502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

August 13, 2017

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

Re: Cherrybrook Subdivision, LDS-17-079 (Map 372W25C, Tax Lot 4800)
Ref: PA-17-0-32

ATTN: Steffen,

The subject property is within the Rogue Valley Sewer Services (RVSS) service area. There is an 8 inch sewer main along Cherry Street to the east and an 8 inch main on Prune Street to the south. The existing home on the property is currently connected to the main on Cherry Street via a 3 inch service. Sewer service for parcels 2, 3 & 4 can be had by tapping the either 8 inch main adjacent to the property. There will be system development charges owed to Rogue Valley Sewer Services.

Rogue Valley Sewer Services requests that approval of this application be subject to the following condition:

1. Tap permits must be obtained from RVSS.
2. The applicant must pay sewer system development charges to Rogue Valley Sewer Service upon issuance of each tap permit.

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

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, PE
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNING\LAND SUB\2017\LDS-17-079_CHERRYBROOK SUBDIVISION DOC



Memo

To: Steffen Roennfeldt, Planning Department
From: Mary Montague, Building Department
CC: Amy Gunter, Agent; Shiller/Cherrybrook Subdivision
Date: August 16, 2017
Re: LDS-17-079; E-17-080

Building Department:

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

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

STAFF MEMO

To: Steffen Roennfeldt
From: Jennifer Ingram, Address Technician
Date: 08/16/17
Subject: LDS-17-079/E-17-080

1. A minimum access drive address sign displaying the address of lot 4 will need to be placed at the entrance of the minimum access drive/easement.

Steffen K. Roennfeldt

From: CAINES Jeff <Jeff.CAINES@aviation.state.or.us>
Sent: Monday, August 7, 2017 2:58 PM
To: Steffen K. Roennfeldt
Subject: LDS-17-079-E-17-080 - ODA Comments

Steffen:

Thank you for allowing ODA to review the tentative plat approval for a 4 lot subdivision. ODA has reviewed the plat and have the following comments: Since the project site is approximately 3.5 miles SSW of the Rouge Valley Int'l airport and the fact that there is existing development between this site and the airport, no plat notes need to be added indicating a FAA from 7460-1 needs to be submitted to ODA or the FAA. In addition, there does not need to be a requirement for noise abatement, avigation easements or any other aviation related development requirements.

Thank you again. Please feel free to contact me if you or the applicant have any questions.

Jeff

Jeff Caines, AICP
Oregon Department of Aviation
Aviation Planner / SCIP Coordinator
3040 25th St. SE | Salem, OR 97302
Office: 503.378.2529
Cell / Text: 503.507.6965
Email: Jeff.Caines@aviation.state.or.us

*****CONFIDENTIALITY NOTICE*****

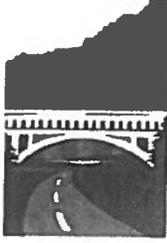
This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

Steffen K. Roennfeldt

From: David Haight <david.r.haight@state.or.us>
Sent: Friday, August 4, 2017 11:14 AM
To: Steffen K. Roennfeldt
Subject: Shiller--Cherrybrook Subdivision

The Oregon Department of Fish and Wildlife has no objection to the proposed Cherrybrook Subdivision as long as each of the proposed parcels can subsequently be developed without altering the channel of the tributary to Little Elk Creek. If modification to the channel would be necessary, that modification should be addressed as part of this process.

David R. Haight
Fisheries Biologist
Oregon Department of Fish and Wildlife
1495 East Gregory Road
Central Point, OR 97502
541-826-8774, ext 224



JACKSON COUNTY

Roads

Roads
Engineering

Kevin Christiansen
Construction Manager

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

www.jacksoncounty.org

August 4, 2017

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

RE: Subdivision off Cherry Street at Prune Street – a county maintained road
Planning File: LDS-17-079 & E-17-080

Dear Steffen:

Thank you for the opportunity to comment on the consideration of a request for a tentative plat approval for Cherrybrook Subdivision, a 4-lot residential subdivision on 1.13 acres to be located at 693 Cherry Street in the SFR-10 (Single Family Residential-ten dwellings units per gross acre) zoning district, (37-2W-25CC Tax Lot 4800). The request includes an Exception to the standards for lot dimensions. Jackson County Roads has the following comments:

1. If frontage improvements are required off Prune Street, they shall be permitted and inspected by the City of Medford.
2. Any new or improved road approaches off Prune Street 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. Prune Street is a County Local Road and is county-maintained. The Average Daily Traffic Count is unavailable for this road.
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 Prune Street. Jackson County Roads recommends that the city request jurisdiction of this road.
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 774-6255.

Sincerely,

Kevin Christiansen
Construction Manager

CITY OF MEDFORD

EXHIBIT # 1

File # LDS-17-079/E-17-080



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

MEMORANDUM

Subject Cherrybrook Subdivision
File no. LDS-17-079/E-17-080 (693 Cherry St.)
To Steffen Roennfeldt, Planner III
From Liz Conner, Certified Floodplain Manager *LC*
Date August 9, 2017

SITE CHARACTERISTICS

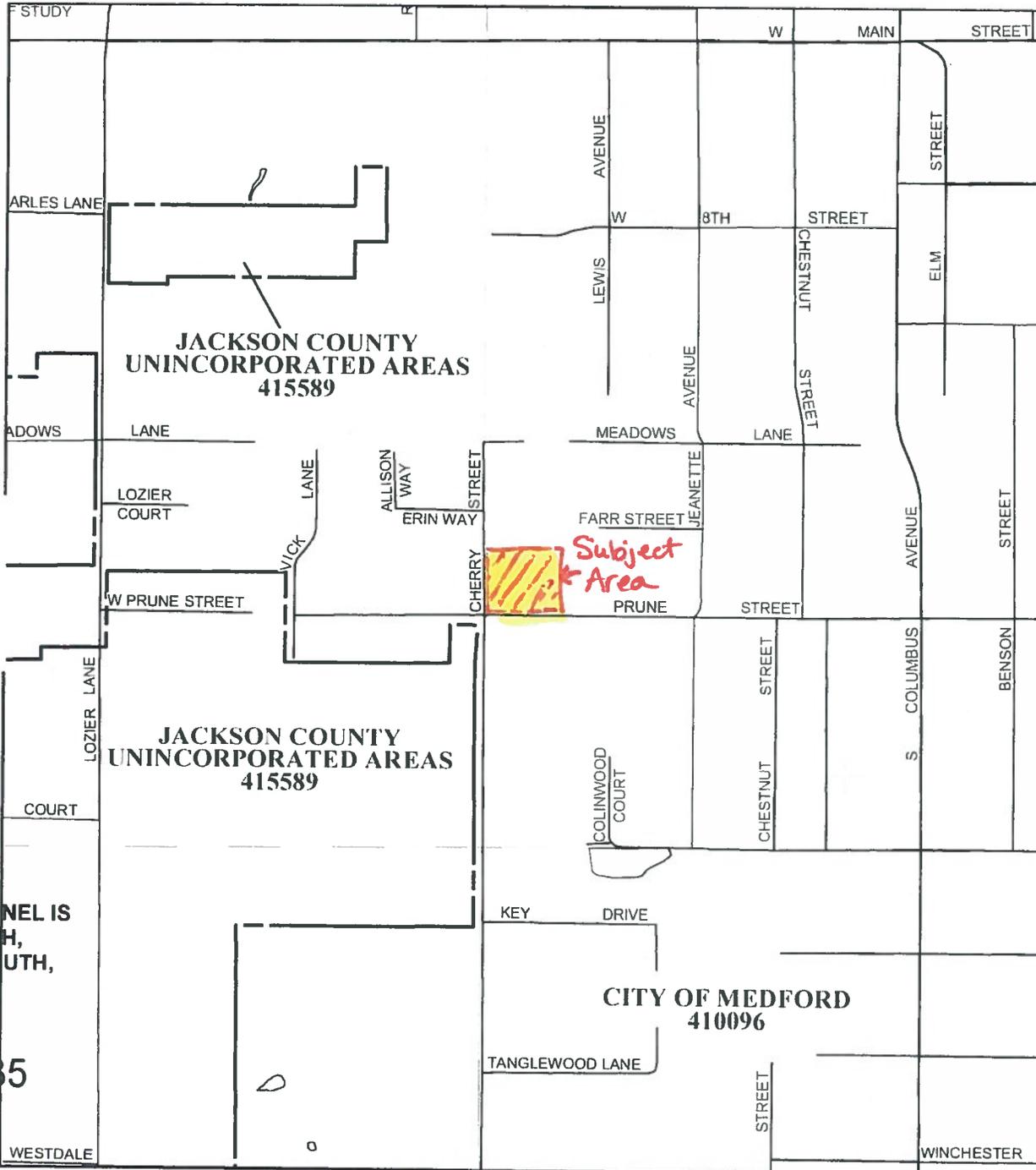
- SFR-10 zoning district
- Little Elk Creek transects the subject property
- Base Flood Elevations not established; No regulatory floodway
- No Special Flood Hazard Area established
- FIRM panel 41029C 1959F effective May 3, 2011

FLOODPLAIN PERMIT REQUIREMENTS

Floodplain Regulations

The property is not located within a Special Flood Hazard Area. See attached Firmette (41029C1959F Effective Date May 3, 2011).

CITY OF MEDFORD
EXHIBIT # *Q*
File # LDS-17-079/E-17-080



MAP SCALE 1" = 500'



PANEL 1959F

FIRM
FLOOD INSURANCE RATE MAP
JACKSON COUNTY,
OREGON
AND INCORPORATED AREAS

PANEL 1959 OF 2327

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS

COMMUNITY	NUMBER	PANEL	SUFFIX
JACKSON COUNTY	415589	1959	F
MEDFORD CITY OF	410096	1959	F

Notice to User: The Map Number shown below should be used when placing map orders, the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
41029C1959F

EFFECTIVE DATE
MAY 3, 2011

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



Wetland Land Use Notification

OREGON DEPARTMENT OF STATE LANDS
775 Summer Street NE, Suite 100, Salem, OR 97301-1279
Phone: (503) 986-5200

This form is to be completed by planning department staff for mapped wetlands and waterways.

Responsible Jurisdiction

* City of <input type="checkbox"/> County of <input type="checkbox"/>	Municipality* Medford	Date* 8/25/2017
Staff Contact* Steffen Roennfeldt	Phone* 541-774-2380	Email* steffen.roennfeldt@cityofmedford.org

Applicant

Name*
Amy Gunter

Mailing Address*

Street Address 1424 S Ivy St Address Line 2	State / Province / Region OR
City Medford	Country USA
Postal / Zip Code 97501	

Phone
5419514020

Email
amygunter.planning@gmail.com

Property Owner

Name*
Rick Schiller

Mailing Address (If different than Applicant Address)

Street Address 394 E Hersey Street Address Line 2	State / Province / Region OR
City Ashland	Country USA
Postal / Zip Code 97520	

Phone
5419445818

Email
schillerinc@aol.com

Activity Location

Township*	Range*	Section*	Quarter-quarter Section	Tax Lot(s)*
37	2W	25	CC	4900 <small>You can enter multiple tax lot numbers within this field. i.e. 100, 200, 300, etc.</small>

To add additional tax map and lot information, please click the "add" button below.

Address

Street Address

693 Cherry Street

Address Line 2

City

MEdford

Postal / Zip Code

97501

State / Province / Region

OR

Country

USA

County*

Jackson

Adjacent Waterbody

Little Elk Creek

Proposed Activity

Local Case File #*

LDS-17-079

Zoning

SFR-10

Proposed

Building Permit (new structures)

Grading Permit

Site Plan Approval

Other (please describe)

Conditional use Permit

Planned Unit Development

Subdivision

Project

Consideration of a tentative plat for a 4 lot subdivision on 1.13 acres zoned SFR-10.

Required attachments with site marked: LWI/NWI, tax map and site plan(s). (?)

site_plan.pdf

24.1KB

Required attachments with site marked: LWI/NWI, tax map and site plan(s). (?)

tax_map2.pdf

487.55KB

Required attachments with site marked: LWI/NWI, tax map and site plan(s). (?)

wetlands_map.pdf

562.63KB

Additional Attachments

DENSITY CALCULATION FORM

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

File No.
Planner
Date

LDS-17-079 & E-17-080
Steffen Roennfeldt
August 30, 2017

GROSS ACREAGE	
Tax Lot Numbers 372W25CC4800	0.85 AC
	AC
	AC
	AC
	AC
Existing ROW to Centerline	0.31 AC
Gross Acres	1.16 AC
Effective Acres (Gross - Subtracted)	0.89

SUBTRACTED ACREAGE	
Large Lots for Existing Development	0.27 AC
Reserved Acreage	AC
Other ¹	AC
	AC
	AC
	AC
	AC
Subtracted Acres	0.27 AC

DENSITY RANGE	
Zoning District	SFR-10
Density Range	
Minimum	6
Maximum	10
No. DU Proposed	5
No. DU Permitted Min.	5
No. DU Permitted Max.	8
Minimum	5.35
Maximum	8.92
Percentage of Maximum	56.05%

EXISTING R-O-W CALCULATION

Street Name	LF	Width	SF	Acreage
Prune Street	31.50	230.00	7,245.00	0.17
Cherry Street	30.00	211.50	6,345.00	0.15
		-	-	-
		-	-	-
			#####	0.31

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

FOR ASSESSMENT AND TAXATION ONLY

S.W.1/4, S.W.1/4, SEC.25, T.37S., R.2W., W.M.
JACKSON COUNTY
1" = 100'

37 2W 25CC

MEDFORD
RECEIVED

JUL 05 2017

PLANNING DEPT.

CANCELLED TAX
LOT NUMBERS:

- 100-200 REMAPPED TO 372W25CC
- 1000-2000 REMAPPED TO 372W25CC
- 3000
- 3300-4000 REMAPPED TO 372W25CC
- 4001
- 500
- 500 REMAPPED TO 372W25CC
- 5501 ADDED TO 5913
- 6401
- 8501 ADDED TO 8502

1/16 COR.

SEE MAP 37 2W 25C11

1/16 COR.

SEE MAP 37 2W 35D10

SEE MAP 37 2W 25C11

28

1/16 COR.

35

SEE MAP 37 2W 36H11

37 2W 25CC
MEDFORD

NEW MAP FEBRUARY 28, 2011
REV MAY 04, 2013

CITY OF MEDFORD
EXHIBIT # 1
File # LDS-17-079/E-17-080



CHERRY PARK

FRANCES
ADDITION

ADDITION

ADDITION

ADDITION

ADDITION

ADDITION

ADD.



Project Name:

Schiller Subdivision

Map/Taxlot:

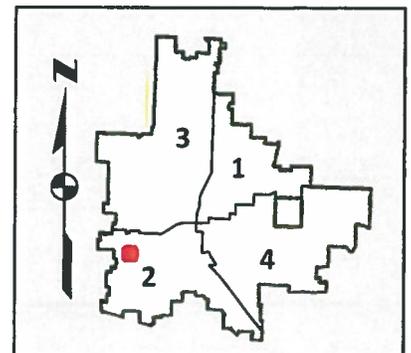
372W25CC TL 4800



07/07/2017

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots



72