PLANNING COMMISSION AGENDA SEPTEMBER 26, 2019

MEDFORD
OREGON

Commission Members

David Culbertson

Joe Foley

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Jared Pulver

Jeff Thomas

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

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380

PLANNING COMMISSION AGENDA

MEDFORD OREGON

September 26, 2019
5:30 P.M.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

10. Roll Call

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

20.1 ZC-19-013 Final Order to change the zoning from MFR-20 (Multiple Family Residential - 15 to 20 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on a 0.61 acre parcel located at 2217 Barnett Road (371W29DC9800). Applicant: Hong (Kevin) Wu; Agent: Richard Stevens & Associates; Planner: Steffen Roennfeldt.

20.2 LDS-19-067 / E-19-048 Final Orders of a request for approval of Summerfield at Southeast Park, Phases 19 and 20, a 44-lot residential subdivision on 15.23 gross acres and an Exception to allow through lots between Shamrock Drive and Sunleaf Avenue. The site is located at the easterly termini of Sunleaf Avenue and Shamrock Drive south of Cherry Lane, and is zoned SFR-4/SE/RZ (Single Family Residential, four dwelling units per gross acre/Southeast Plan Overlay/Restricted Zoning Overlay). The request is a revision to the previous approval for Summerfield at Southeast Park Phases 16 – 21 (LDS-17-051). (371W27DA TL 200, 300, 1100 & 1200). Applicant: Crystal Springs Development Group, a Joint Venture; Agent: Neathamer Surveying; Planner: Kelly Evans.

20.3 LDS-19-069 Final Order of a request for approval of Summerfield at Southeast Park Phases 23-29, a 183-lot residential subdivision on 65.83 gross acres generally located on the east side of Waterstone Drive extending between Shamrock Drive and Barnett Road. The applicant also proposes to create eight reserve acreage tracts following the phase boundaries. The site is zoned SFR-4 (Single Family Residential, 2.5 – 4 dwelling units per gross acre), SFR-6 (Single Family Residential, 4 – 6 dwelling units per gross acre), SFR-10 (Single Family Residential, 6 – 10 dwelling units per gross acre), and MFR-20 (Multiple Family Residential, 15 – 20 dwelling units per gross acre) and is within the Southeast Plan (SE) Overlay District and has restricted zoning (RZ). The request is a revision to the previous approval for Summerfield at Southeast Park Phases 23 – 29 (LDS-17-113). (371W27 TL 1001). Applicant: Crystal Springs Development Group, a Joint Venture; Agent: Neathamer Surveying; Planner: Kelly Evans.

20.4 PUD-19-003 / ZC-19-014 Final Orders of a revision to the approved Preliminary PUD Plan for Lot 6 of the Tower Business Park Planned Unit Development to allow for the construction of rowhouse-style residential buildings, including an amendment to the General Land Use Plan map from GI (General Industrial) to UM (Urban Medium Density Residential) and to change the zoning to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on 1.16 acres located at 3583 Arrowhead Drive within the I-L (Light Industrial) zoning district (371W08BC2511). Applicant: Dan & Gina Reece; Agent: CSA Planning, Ltd.; Planner: Steffen Roennfeldt.

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

20.5 Consideration of a Site Plan & Architectural Commission request to amend Chapter 10 of the Medford Municipal Code to require a conditional use permit for car washes and fuel stations adjacent to residential zones. Planner; Sarah Sousa.

30. Approval or Correction of the Minutes from September 12, 2019 hearing

40. Oral Requests and Communications from the Audience

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

50. Public Hearings

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

Old Business

50.1 ZC-18-189 Consideration of a request for a zone change of a 1.89-acre parcel located at 4199 Rachel Way from SFR-00 (Single-Family Residential, one dwelling unit per lot) to SFR-4 (Single-Family Residential, four dwelling units per gross acre) (371W22400). Applicant: Jane Erin Griffin-Hagle; Planner: Dustin Severs.

50.2 ZC-18-178 Consideration of a request for a zone change of an approximately 91.5 gross acre parcel located at the terminus of Cadet Drive from SFR-00 (Single Family Residential, one dwelling unit per parcel) to SFR-4 (Single Family Residential, 4 to 6 dwelling units per gross acre) (371W15C TL 300). Applicant: Mike & Gayle Jantzer; Agent: Richard Stevens & Associates Inc.; Planner: Liz Conner.

50.3 PUD-19-002 Consideration of a request for a revision to 'the Village' area of Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to 120, a mixed-use structure, increase maximum building height for mixed-use building to 40 feet, and increase the paved width of the private street. Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 2.5 to 4 dwelling units per gross acre / Planned Development) zoning district. Applicant & Agent: Koble Creative Architecture; Planner: Steffen Roennfeldt.

New Business

50.4 CUP-19-044 Request for a Conditional Use Permit (CUP) for a new educational use in an existing single-family residence located at 2841 Juanipero Way within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W33BD8902); Applicant: Phoenix-Talent School District; Agent: CSA Planning Ltd.; Planner: Steffen Roennfeldt.

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

70. Messages and Papers from the Chair

80. City Attorney Remarks

90. Propositions and Remarks from the Commission

100. Adjournment

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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-19-013 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY HONG (KEVIN) WU) ORDER

ORDER granting approval of a request for a zone change for *Hong (Kevin) Wu*, described as follows:

Change the zoning from MFR-20 (Multiple Family Residential - 15 to 20 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on a 0.61 acre parcel located at 2217 Barnett Road.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning for *Hong (Kevin) Wu,* 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 Staff Report dated September 5, 2019, 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 1W 29DC Tax Lot 9800

is hereby changed as described above.

Accepted and approved this 26th day of September, 2019.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Vice-Chair

ATTEST:

_____
Planning Department Representative

RECEIVED
JUN 27 2019
PLANNING DEPT.

LEGAL DESCRIPTION

Property Line Adjustment, City of Medford File # 18-XXXXXXX
Adjusted Tax Lot 4300

A parcel of land situated in the NW1/4 NE1/4 of Section 32, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon, within the City of Medford, said parcel being more particularly described as follows:

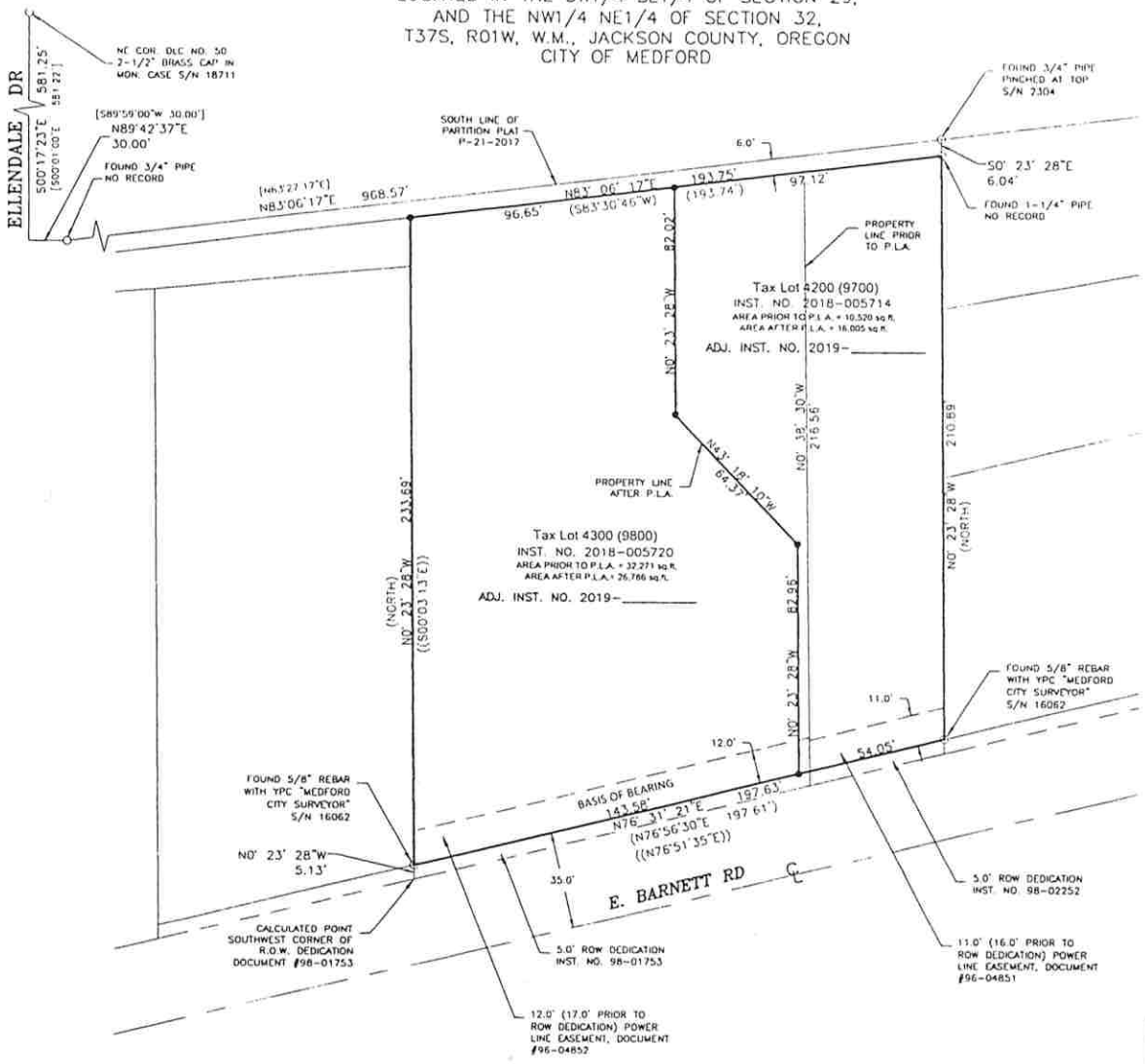
Commencing at the northeast corner of Donation Land Claim No. 50 in T37S, R1W, W.M., in Jackson County, Oregon; thence along the center line of Ellendale Drive South 00°26'09" East, 954.83 feet to the centerline of Barnett Road; thence along the centerline of Barnett Road North 76°31'21" East, 826.69 feet; thence leaving said centerline of Barnett Road North 13°28'39" West, 30.00 feet to the southwest corner of the right of way dedication description per Document #98-01753; thence along the westerly line of said right of way dedication description per Document #98-01753 North 00°23'28" West, 5.13 feet to the **True Point of Beginning** of this description, thence North 00°23'28" West, 233.52 feet; thence North 83°05'29" East, 96.65 feet; thence South 00°23'28" East, 81.87 feet; thence South 43°18'10" East, 64.37 feet; thence South 00°23'28" East, 82.96 feet to a point on the northerly line of the right of way description per Document #98-01753; thence along the northerly line of said right of way dedication description per Document #98-01753 South 76°31'21" West, 143.58 feet to the Point of Beginning.

Said parcel containing 26,770 sq.ft., more or less. Basis of Bearings is grid north on the Oregon Coordinate Reference System (OCRS) Grants Pass – Ashland Zone.

CITY OF MEDFORD
EXHIBIT # N
FILE # GLUP-19-003/ZC-19-013

6

MAP OF SURVEY
PROPERTY LINE ADJUSTMENT
BETWEEN TAX LOTS 4200 (9700) & 4300 (9800)
LOCATED IN THE SW1/4 SE1/4 OF SECTION 29,
AND THE NW1/4 NE1/4 OF SECTION 32,
T37S, R01W, W.M., JACKSON COUNTY, OREGON
CITY OF MEDFORD



GRAPHIC SCALE
30 0 15 30 60
(IN FEET)
1 inch = 30 ft

LEGEND:

O	FOUND MONUMENT - AS SHOWN
●	SET 5/8"X30" REBAR WITH YELLOW PLASTIC CAP MARKED "RHINE-CROSS GROUP LLC"
———	PROPERTY BOUNDARY LINE
	FENCE LINE
(XXX XX)	RECORD DATA PER S/N 295
((XXX XX))	RECORD DATA PER S/N 8005
[XXX XX]	RECORD DATA PER S/N 16916

BASIS OF BEARING: OREGON COORDINATE REFERENCE SYSTEM (OCRS) GRANTS PASS - ASHLAND ZONE

APPROVALS:

_____ _____
CITY SURVEYOR DATE

_____ _____
CITY PLANNING DIRECTOR DATE

NARRATIVE:

THIS SURVEY WAS DONE TO SATISFY THE REQUIREMENTS OF THE APPROVAL OF PROPERTY LINE ADJUSTMENT BY CITY OF MEDFORD PLANNING (FILE #PLA-18-121). FOUND AND HELD MONUMENTS PER SURVEY NUMBER (S/N) 295, 2304, & 16062 AND RECORD DIMENSIONS PER S/N 295 AND DEED (INST. NO. 2018-005720 & 2018-005714) WERE USED TO ESTABLISH THE BOUNDARIES OF THE PARCELS AS SHOWN ON THIS MAP OF SURVEY. THE SOUTH LINE WAS ESTABLISHED BY HOLDING FOUND MONUMENTS PER S/N 16062 FOR THE RIGHT OF WAY OF E. BARNETT RD. THE EAST AND WEST LINES WERE RE-ESTABLISHED USING RECORD DEED AND SURVEY INFORMATION, WITH FOUND MONUMENTS PER S/N 2304 & 16062. THE NORTH LINE WAS ESTABLISHED BY HOLDING A FOUND 3/4" PIPE AT THE NORTHEAST CORNER OF THE SURVEYED PROPERTIES, AND A FOUND 3/4" PIPE FOUND ON THE EAST SIDE OF ELLENDALE DRIVE. THIS PIPE IS NOT OF RECORD, HOWEVER IT MATCHES EXISTING TIES FROM S/N 16916 TO THE NE COR. OF DLC NO. 50. AN APPARENT 6.0' GAP EXISTS BETWEEN THESE SURVEYED PROPERTIES AND THE SOUTH LINE OF PARTITION PLAT P-21-2017. THIS 6' GAP WAS OBSERVED ON S/N 2304 AS A "6' STRIP FOR DITCH", HOWEVER IN RESEARCHING SURROUNDING DEEDS IT APPEARS THIS STRIP WAS NEVER CONVEYED TO ANY OF THE SURROUNDING PROPERTIES.

AT THE TIME OF THIS SURVEY, JACKSON COUNTY IS UPDATING THE TAX MAPS AND NUMBERS FOR THIS AREA. THEREFORE, BOTH THE OLD TAX LOT NUMBERS (4200 & 4300) AND THE NEW TAX LOT NUMBERS (9700 & 9800) ARE BEING REFERENCED IN THIS SURVEY.

BASIS OF BEARINGS IS PER THE OREGON COORDINATE REFERENCE SYSTEM - GRANTS PASS TO ASHLAND ZONE HOLDING THE TWO FOUND MONUMENTS ON THE NORTH SIDE OF E. BARNETT RD. EQUIPMENT USED WAS A TRIMBLE R10 GPS ROVER AND TRIMBLE S6 TOTAL STATION.

SHEET 1 OF 1

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 6, 2010
MARCUS D. CROSS
55506PLS
RENEWS: 12-31-2019

SURVEY FOR: KEVIN WU
2201 E. BARNETT RD
MEDFORD, OR 97504

DATE: FEBRUARY 2019 PROJECT NO. 1706

R-C RHINE-CROSS GROUP
RHINE-CROSS GROUP, LLC
ENGINEERING - SURVEYING - PLANNING
112 N 5th St - Suite 200 - P.O. BOX 909
KLAMATH FALLS, OREGON 97601
Phone (541) 851-9405 Fax (541) 273-9200 admin@rc-grp.com

37-1W-32A-4200 (37-1W-29DC-9700)
37-1W-32A-4300 (37-1W-29DC-9800)

Jackson County Official Records 2019-018370
R-LLA
Cnt=1 HELMANCD 06/27/2019 01:57:19 PM
$40.00 $10.00 $8.00 $11.00 $60.00 Total:$129.00

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records
Christine Walker - County Clerk

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:
Rhine Cross Group, LLC
112 N. 5th St – Suite 200
Klamath Falls, OR 97601

UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO THE FOLLOWING
ADDRESS:

LiJun Zhao, Et. Al.
1780 Kensington Place
McKinleyville, CA 95519

PROPERTY LINE ADJUSTMENT DEED

Hong Wu, as to an undivided 25% interest, LiJun Zhao, as to an undivided 50% interest, and Jiaqing Wu, as to an undivided 25% interest, as tenants by the common, Grantor, conveys to Hong Wu, as to an undivided 25% interest, LiJun Zhao, as to an undivided 50% interest, and Jiaqing Wu, as to an undivided 25% interest, as tenants by the common, Grantee, the real property situated in the SE1/4 of Section 29, and the NE1/4 of Section 32, Township 37 South, Range 01 West, W.M., Jackson County, Oregon, described in Exhibit "B" attached hereto.

This instrument is executed to accomplish a property line adjustment between Grantor's parcel described in Exhibit "A" attached hereto ("Grantor's Parcel"), as vested in Grantor pursuant that certain Statutory Warranty Deed recorded as Instrument No. 2018-005720, Jackson County Official Records, and Grantee's parcel described in Exhibit "A attached hereto ("Grantee's Parcel"), as vested in Grantee pursuant to that certain Statutory Warranty Deed recorded as Instrument No. 2018-005714, Jackson County Official Records. The purpose of this adjustment is to enlarge Grantee's Parcel and reduce Grantor's Parcel by the sale of the property described in Exhibit "B: attached hereto. No new parcel shall be created by the execution of this instrument. The post adjustment size and configuration of Grantee's Parcel and Grantor's Parcel shall be as described in Exhibit "C" attached hereto.

Grantor's Parcel Tax Lot: 37-1W-32A-4300 (37-1W-29DC-9800)

Grantee's Parcel Tax Lot: 37-1W-32A-4200 (37-1W-29DC-9700)

The value for this conveyance is: $1 and other true and valuable consideration

DW 6.26.19

ORS 93.040(1): BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED ISA LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010

Dated June 18, 2019.

GRANTOR:

LiJun Zhao

Hong Wu

Jiaqing Wu

SW 6.26.19

GRANTEE:

LiJun Zhao

Hong Wu

Jiaqing Wu

STATE OF OREGON)

)

County of Jackson)

BEFORE ME, the undersigned authority, on this day personally appeared LiJun Zhao, Hong Wu, and Jiaqing Wu, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 18th day of June 2019.

(SEAL)

Shannon Marie Carrillo
NOTARY PUBLIC, STATE OF OREGON
Print name: Shannon Marie Carrillo
My commission expires: 01-08-23

OFFICIAL STAMP
SHANNON MARIE CARRILLO
NOTARY PUBLIC-OREGON
COMMISSION NO. 982853
MY COMMISSION EXPIRES JANUARY 08, 2023

Dec 26 19

EXHIBIT A

Prior Legal Descriptions

PRIOR to Lot Line Adjustments

Grantor's Parcel
Tax Lot 37-1W-32A-4300 (37-1W-29DC-9800)

Parcel II: BEGINNING AT THE NORTHEAST CORNER OF DONATION LAND CLAIM NO. 50 IN TOWNSHIP 37 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON AND RUNNING THENCE SOUTH 0°01' EAST ALONG THE CENTER OF CRESTBROOK ROAD A DISTANCE OF 954.83 FEET TO AN INTERSECTION WITH THE TANGENT OF BARNETT ROAD; THENCE NORTH 76°56'30" EAST ALONG SAID CENTER LINE OF BARNETT ROAD A DISTANCE OF 826.69 FEET; THENCE NORTH 13°03'30" WEST 30.00 FEET TO A 5/8" X 30" IRON BAR MONUMENT FOR THE TRUE POINT OF BEGINNING.

FROM THIS TRUE POINT OF BEGINNING THENCE NORTH 76°56'30" EAST ALONG THE NORTHERLY RIGHT OF WAY LINE OF BARNETT ROAD A DISTANCE OF 197.61 FEET; THENCE NORTH 215.89 FEET; THENCE SOUTH 83°30'46" WEST 193.74 FEET; THENCE SOUTH 238.65 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING: BEGINNING AT THE NORTH-EAST CORNER OF DONATION LAND CLAIM NO. 50 IN TOWNSHIP 37 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON, AND RUNNING THENCE SOUTH 0°01' EAST ALONG THE CENTER OF CREST-BROOK ROAD A DISTANCE OF 954.83 FEET TO AN INTERSECTION WITH THE TANGENT OF BARNETT ROAD; THENCE NORTH 76°56'30" EAST ALONG SAID CENTER LINE OF BARNETT ROAD A DISTANCE OF 826.69 FEET; THENCE NORTH 13°03'30" WEST 30.00 FEET TO A 5/8" X 30" IRON BAR MONUMENT; THENCE NORTH 76°56'30" EAST ALONG THE NORTHERLY RIGHT OF WAY LINE OF BARNETT ROAD A DISTANCE OF 147.61 FEET TO A POINT FOR THE TRUE POINT OF BEGINNING.

FROM THIS TRUE POINT OF BEGINNING THENCE CONTINUE ALONG THE NORTHERLY RIGHT OF WAY LINE OF BARNETT ROAD, A DISTANCE OF 50.00 FEET; THENCE NORTH 215.89 FEET; THENCE SOUTH 83°30'46" WEST 50.00 FEET; THENCE SOUTH 219.5 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF MEDFORD, AN OREGON MUNICIPAL CORPORATION IN INSTRUMENT RECORDED JANUARY 16, 1998 AS DOCUMENT NO. 98-01753

DW 6.26.19

Grantee's Parcel
Tax Lot 37-1W-32A-4200 (37-1W-29DC-9700)

BEGINNING AT THE NORTHEAST CORNER OF DONATION LAND CLAIM NO. 50 IN TOWNSHIP 37 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON AND RUNNING THENCE SOUTH 0°01' EAST ALONG THE CENTER OF CRESTBROOK ROAD A DISTANCE OF 954.83 FEET TO AN INTERSECTION WITH THE TANGENT OF BARNETT ROAD; THENCE NORTH 76°56'30" EAST ALONG SAID CENTER LINE OF BARNETT ROAD A DISTANCE OF 826.69 FEET; THENCE NORTH 13°03'30" WEST 30.00 FEET TO A 5/8" X 30" IRON BAR MONUMENT; THENCE NORTH 76°56'30" EAST ALONG THE NORTHERLY RIGHT OF WAY LINE OF BARNETT ROAD A DISTANCE OF 147.61 FEET TO A POINT FOR THE TRUE POINT OF BEGINNING. FROM THIS TRUE POINT OF BEGINNING THENCE CONTINUE ALONG THE NORTHERLY RIGHT OF WAY LINE OF BARNETT ROAD A DISTANCE OF 50.00 FEET; THENCE NORTH 215.89 FEET; THENCE SOUTH 83°30'46" WEST 50.00 FEET; THENCE SOUTH 219.5 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF MEDFORD AN OREGON MUNICIPAL CORPORATION IN INSTRUMENT RECORDED JANUARY 21, 1998 AS DOCUMENT NO. 98-02252, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

DWL 6.26.19

EXHIBIT B

Property Line Adjustment, City of Medford File PLA#18-121
Conveyance Description from Tax Lot 4300 (9800) to Tax Lot 4200 (9700)

A parcel of land situated in the SE1/4 of Section 29, and the NE1/4 of Section 32, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon, within the City of Medford, said parcel being more particularly described as follows:

Commencing at the northeast corner of Donation Land Claim No. 50 in T37S, R1W, W.M., in Jackson County, Oregon; thence along the center line of Ellendale Drive South 00°26'09" East, 954.83 feet to the centerline of Barnett Road; thence along the centerline of Barnett Road North 76°31'21" East, 826.69 feet; thence leaving said centerline of Barnett Road North 13°28'39" West, 30.00 feet to the southwest corner of the right of way dedication description per Document #98-01753; thence along the westerly line of said right of way dedication description per Document #98-01753 North 00°23'28" West, 5.13 feet; thence along the northerly line of said right of way dedication description per Document #98-01753 North 76°31'21" East, 143.58 feet to the **True Point of Beginning** of this description, thence North 00°23'28" West, 82.96 feet; thence North 43°18'10" West, 64.37 feet; thence North 00°23'28" West, 82.02 feet; thence North 83°06'17" East, 47.10 feet; thence South 00°38'30" East, 216.56 feet to the northeast corner of said right of way description per Document #98-01753; thence along the northerly line of said right of way dedication description per Document #98-01753 South 76°31'21" West, 4.02 feet to the Point of Beginning.

Said parcel containing 5485 sq.ft., more or less. Basis of Bearings is grid north on the Oregon Coordinate Reference System (OCRS) Grants Pass – Ashland Zone.

DRLE·26·19

EXHIBIT C

New Legal Descriptions

POST Lot Line Adjustment

Grantor's Parcel
Property Line Adjustment, City of Medford File PLA#18-121
Adjusted Tax Lot 4300 (9800)

A parcel of land situated in the SE1/4 of Section 29, and the NE1/4 of Section 32, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon, within the City of Medford, said parcel being more particularly described as follows:

Commencing at the northeast corner of Donation Land Claim No. 50 in T37S, R1W, W.M., in Jackson County, Oregon; thence along the center line of Ellendale Drive South 00°26'09" East, 954.83 feet to the centerline of Barnett Road; thence along the centerline of Barnett Road North 76°31'21" East, 826.69 feet; thence leaving said centerline of Barnett Road North 13°28'39" West, 30.00 feet to the southwest corner of the right of way dedication description per Document #98-01753; thence along the westerly line of said right of way dedication description per Document #98-01753 North 00°23'28" West, 5.13 feet to the **True Point of Beginning** of this description, thence North 00°23'28" West, 233.69 feet; thence North 83°06'17" East, 96.65 feet; thence South 00°23'28" East, 82.02 feet; thence South 43°18'10" East, 64.37 feet; thence South 00°23'28" East, 82.96 feet to a point on the northerly line of the right of way description per Document #98-01753; thence along the northerly line of said right of way dedication description per Document #98-01753 South 76°31'21" West, 143.58 feet to the Point of Beginning.

Said parcel containing 26,786 sq.ft., more or less. Basis of Bearings is grid north on the Oregon Coordinate Reference System (OCRS) Grants Pass – Ashland Zone.

DWL 2.26.19

Grantee's Parcel

Property Line Adjustment, City of Medford File PLA#18-121

Adjusted Tax Lot 4200 (9700)

A parcel of land situated in the SE1/4 of Section 29, and the NE1/4 of Section 32, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon, within the City of Medford, said parcel being more particularly described as follows:

Commencing at the northeast corner of Donation Land Claim No. 50 in T37S, R1W, W.M., in Jackson County, Oregon; thence along the center line of Ellendale Drive South 00°26'09" East, 954.83 feet to the centerline of Barnett Road; thence along the centerline of Barnett Road North 76°31'21" East, 826.69 feet; thence leaving said centerline of Barnett Road North 13°28'39" West, 30.00 feet to the southwest corner of the right of way dedication description per Document #98-01753; thence along the westerly line of said right of way dedication description per Document #98-01753 North 00°23'28" West, 5.13 feet; thence along the northerly line of said right of way dedication description per Document #98-01753 North 76°31'21" East, 143.58 feet to the **True Point of Beginning** of this description, thence North 00°23'28" West, 82.96 feet; thence North 43°18'10" West, 64.37 feet; thence North 00°23'28" West, 82.02 feet; thence North 83°06'17" East, 97.12 feet; thence South 00°23'28" East, 210.89 feet to the northeast corner of the right of way description per Document #98-02252; thence along the northerly line of said right of way dedication description per Document #98-02252 and also the northerly line of said Document #98-01753 South 76°31'21" West, 54.05 feet to the Point of Beginning.

Said parcel containing 16,005 sq.ft., more or less. Basis of Bearings is grid north on the Oregon Coordinate Reference System (OCRS) Grants Pass – Ashland Zone.

DW 6.26.19

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

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF SUMMERFIELD AT)
SOUTHEAST PARK, PHASES 19 AND 20 [LDS-19-067]) ORDER

ORDER granting approval of a request for tentative plat for *Summerfield at Southeast Park, Phases 19 and 20,* described as follows:

A 44-lot residential subdivision on 15.23 gross acres and an Exception to allow through lots between Shamrock Drive and Sunleaf Avenue. The site is located at the easterly termini of Sunleaf Avenue and Shamrock Drive south of Cherry Lane, and is zoned SFR-4/SE/RZ (Single Family Residential, four dwelling units per gross acre/Southeast Plan Overlay/Restricted Zoning Overlay). The request is a revision to the previous approval for Summerfield at Southeast Park Phases 16 – 21 (LDS-17-051). (371W27DA TL 200, 300, 1100 & 1200)

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Section 10.202; and

2. The Medford Planning Commission has duly held a public hearing on the request for tentative plat for *Summerfield at Southeast Park, Phases 19 and 20,* as described above, with the public hearing a matter of record of the Planning Commission on September 12, 2019.

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 *Summerfield at Southeast Park, Phases 19 and 20,* 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 *Summerfield at Southeast Park, Phases 19 and 20,* stands approved per the Planning Commission Report dated September 12, 2019, 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 September 12, 2019.

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

Accepted and approved this 26th day of September, 2019.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Vice-Chair

ATTEST:

_____
Planning Department Representative

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

IN THE MATTER OF APPROVAL OF AN EXCEPTION FOR)
SUMMERFIELD AT SOUTHEAST PARK, PAHSES 19 AND 20 [E-19-048]) **ORDER**

ORDER granting approval for a request of an exception for *Summerfield at Southeast Park, Phases 19 and 20,* as described below:

Allow through lots between Shamrock Drive and Sunleaf Avenue. The site is located at the easterly termini of Sunleaf Avenue and Shamrock Drive south of Cherry Lane, and is zoned SFR-4/SE/RZ (Single Family Residential, four dwelling units per gross acre/Southeast Plan Overlay/Restricted Zoning Overlay). The request is a revision to the previous approval for Summerfield at Southeast Park Phases 16 – 21 (LDS-17-051). (371W27DA TL 200, 300, 1100 & 1200).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.186(B); and

2. The Medford Planning Commission has duly held a public hearing on the exception for *Summerfield at Southeast Park, Phases 19 and 20,* as described above, with the public hearing a matter of record of the Planning Commission on September 12, 2019.

3. At the public hearing on said exception, 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 exception approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the exception approval.

THEREFORE LET IT BE HEREBY ORDERED that the exception for *Summerfield at Southeast Park, Phases 19 and 20,* as described above, stands approved per the Planning Commission Report dated September 12, 2019, 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 exception approval is hereafter supported by the findings referenced in the Planning Commission Report dated September 12, 2019.

BASED UPON THE ABOVE, the Planning Commission determined that the exception is in conformity with the provisions of law and Section 10.186(B) criteria for an exception of the Land Development Code of the City of Medford.

Accepted and approved this 26th day of September, 2019.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Vice-Chair

ATTEST:

_____
Planning Department Representative

MEDFORD
PLANNING

PLANNING COMMISSION REPORT

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

Project	Summerfield at Southeast Park, Phases 19 & 20 Applicant: Crystal Springs Development Group, a Joint Venture Agent: Neathamer Surveying
File no.	LDS-19-067 and E-19-048
Date	September 12, 2019

BACKGROUND

Proposal

Consideration of a request for approval of Summerfield at Southeast Park, Phases 19 and 20, a 44-lot residential subdivision on 15.23 gross acres and an Exception to allow through lots between Shamrock Drive and Sunleaf Avenue. The site is located at the easterly termini of Sunleaf Avenue and Shamrock Drive south of Cherry Lane, and is zoned SFR-4/SE/RZ (Single Family Residential, four dwelling units per gross acre/Southeast Plan Overlay/Restricted Zoning Overlay). The request is a revision to the previous approval for Summerfield at Southeast Park Phases 16 – 21 (LDS-17-051). (371W27DA TL 200, 300, 1100 & 1200)

Vicinity Map

Subject Site Characteristics

GLUP	UR	Urban Residential
Zoning	SFR-4	Single-family Residential, 2.5 – 4 dwelling units per gross acre
Overlay	SE	Southeast Area Plan
	RZ	Restricted Zoning
SE Plan	2	Standard Lot
Use	Vacant	

Surrounding Site Characteristics

North	Zone:	SFR-4/SE and SFR-00/SE
	SE Plan Sub-Area:	2
	SE Plan Category:	Standard Lot
	Use:	Single family dwellings - Vacant
South	Zone:	SFR-4/SE
	SE Plan Sub-Area:	9 and 11
	SE Plan Category:	Park and Small Lot
	Use:	Proposed Summerfield Phases 23 and 26
East	Zone:	SFR-4/SE
	SE Plan Sub-Area:	2
	SE Plan Category:	Standard Lot
	Use:	Vacant
West	Zone:	SFR-4/SE
	SE Plan Sub-Area:	2
	SE Plan Category:	Standard Lot
	Use:	Summerfield Phases 17 and 22A

Related Projects

ZC-02-081	Zone Change from EFU to SFR-4/SE
ZC-03-180	Zone Change from EFU to SFR-4/SE
ZC-03-278	Zone Change from EFU to SFR-4/SE
ZC-06-277	Zone Change from SFR-10/SE to SFR-4/SE
LDS-06-278	Summerfield at Southeast Park, Phases 14-22 (expired)
E-06-274	Exception for length of residential lane (expired)
LDS-17-051	Summerfield at Southeast Park, Phases 16–21 (approved June 22, 2017)
E-17-052	Exception to length of residential lane (approved June 22, 2017)

Applicable Criteria

Medford Municipal Code §10.186(B) 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 land use review unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

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

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

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

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

Medford Municipal Code §10.202(E) Land Division Approval Criteria.

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

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

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

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

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

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

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

Corporate Names

The Oregon Secretary of State site lists John R. Hassen as the Authorized Representative and Michael T. Mahar as the Registrant for Crystal Springs Development Group Joint Venture.

Authority

The Planning Commission is designated as the approving authority for Type III land use actions in Medford Land Development Code (MLDC) Section 10.110(D). The proposed Land Division and Exception applications are classified as Type III actions in MLDC 10.108.

ISSUES AND ANALYSIS

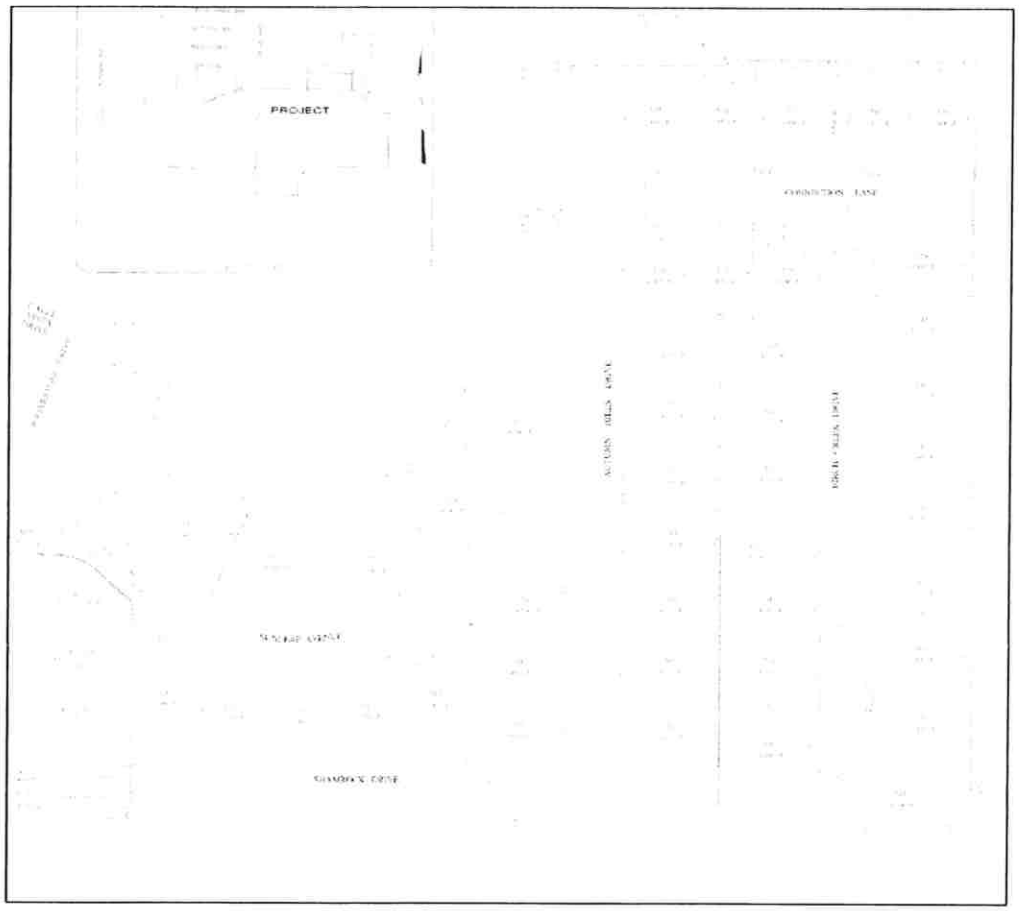
Background

A number of land use applications have been approved on the subject site. Summerfield at Southeast Park Phases 16 – 21, a 138-lot, 96 acre subdivision received Planning Commission approval in 2017; that approval is still valid. The applicant is proposing to revise tentative plat due to a change in the location of the required pedestrian pathway.

The various zone change approvals include conditions that restrict Average Daily Trips (ADT) until certain road improvements are completed.

Project Summary

The applicant is proposing to create 44 residential lots for single family development and an Exception to allow through lots between residential streets. The distinction between the current proposal and the approved tentative plat is the location of the required multi-use path. The number of lots, 44, is not proposed to change and is within the required density range of 38 to 61.

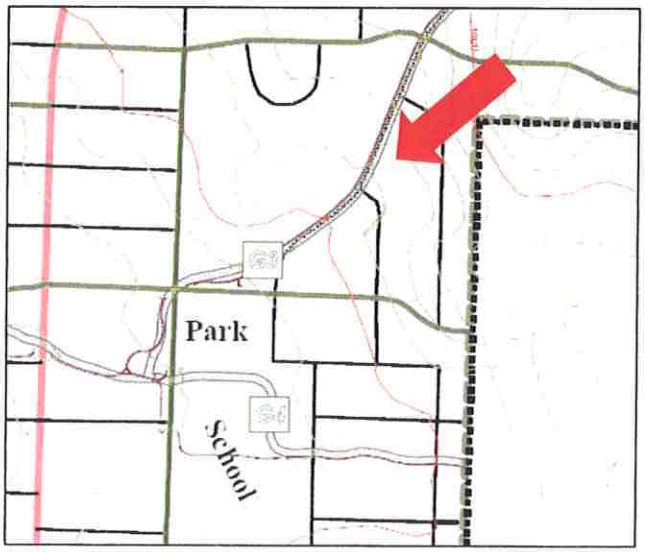


Proposed Revision

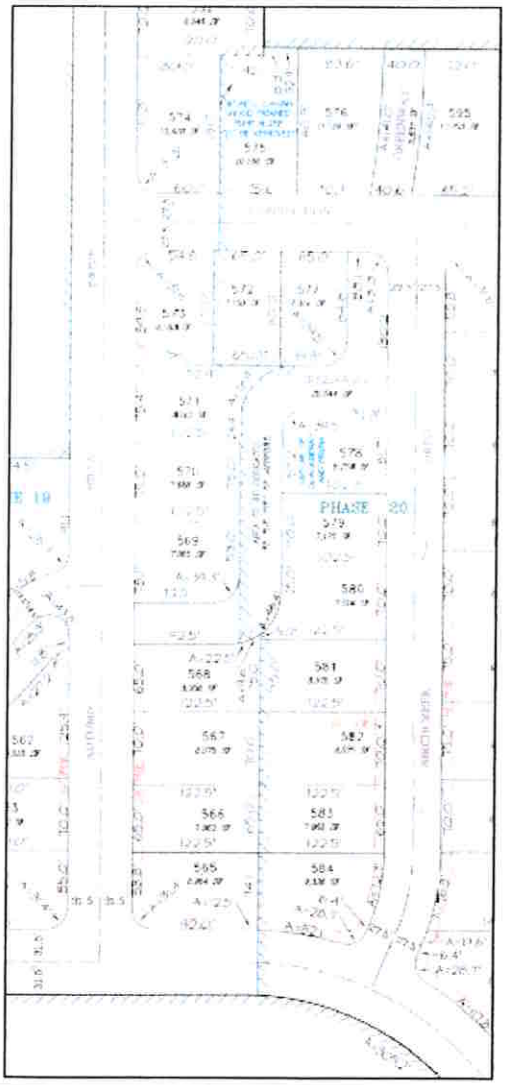
Relocating Multi-Use Path

The Southeast Plan includes a multi-use path system along certain greenways. Some of the pathways follow forks of Larson Creek, others follow drainage ways that are

dry for most of the year. This particular path, identified as G-3 on the Southeast Circulation Plan Map (Exhibit P) is proposed to follow a right-of-way.



The prior approvals showed the path running along the south side of Sunleaf Avenue and connecting to Connection Lane via an odd series of 90-degree turns between rear property lines. During the construction design phase, it was determined that retaining walls in excess of 15 feet in height would be required to construct the path as approved. This tunnel effect created safety and maintenance concerns.



The applicant now proposes to construct a 10-foot wide multi-use path along the north side of Shamrock Drive and the west side of Birch Creek Drive in lieu of sidewalk. The residences on the north side of Shamrock Drive will be required to take access from Sunleaf Avenue to limit vehicle conflicts with path users. Birch Creek Drive was chosen as the path location instead of Autumn Hills because it has a limited number of driveway crossings and less traffic to conflict with path users. The path will enter and exit the project site in a manner that will allow connection to the ultimate destination, Prescott Park. Neither the Parks Department nor the Public Works Department objects to the proposal (Exhibits L and I-1). Relocating the path from Sunleaf Avenue to Shamrock Drive results in through lots and the Exception request, which is discussed below.

Southeast Plan

The subject site is located within the Southeast (SE) Overlay and is subject to the Overlay and the adopted Southeast Plan in addition to all other applicable City regulations. The site is designated as Sub-Area 2 within the Southeast Plan and as such, is designated for standard lot residential use (Exhibit O).

Development Standards

Site Development Table

SFR-4 Zone	Lot Area (square feet)	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
Standard	6,500 to 18,750	60 feet	70 feet	90 feet	30 feet
Shown	8,400 to 16,793	75 feet *(lowest)*	80 feet *(lowest)*	117 feet *(lowest)*	75 feet *(lowest)*

As shown in the Site Development Table above, it can be found that the lots shown on the tentative plat meet all the dimensional standards for the underlying zoning districts as found in Article V of the Medford Land Development Code.

Access

The street circulation proposed is consistent with the Southeast Plan Circulation Map (Exhibit R), and conforms to the plats of land divisions already approved for adjoining properties. The report from the Public Works Department describes the required dedications and improvements for the proposal (Exhibit I-1).

Street Trees and Planter Strip

As the proposed tentative plat is within the Southeast Plan Overlay, the applicant is required by MLDC 10.379 to submit a Streetscape and Planter Strip Plan. The applicant has submitted a Street Tree Master Plan that indicates a variety of tree species proposed for the planter strips throughout the subdivision (Exhibit E). The plan indicates that any additional plant material in the planter strip will be at the discretion of the adjacent property owner. The Street Tree Master Plan lists the variety of trees proposed in the development. It is stated that an appropriate sized underground irrigation system will be designed and as-built drawings shall be submitted. A condition is included that requires the CC&R's for each phase to contain provisions for the installation and maintenance of the planter strip vegetation, in compliance with MLDC 10.379(1)(b).

The Code requires the applicant to enter into an agreement that will guarantee the installation of street trees prior to issuance of the Certificate of Occupancy. A condition is included requiring the applicant to comply with MLDC 10.379(6) prior to approval of the final plat for each phase.

Lighting Plan

The Southeast Plan requires the applicant to install pedestrian-scale street lights. A condition is included requiring the applicant to install pedestrian-scale street lighting within the subdivision in accordance with MLDC 10.380.

Agency Comments

Per the agency comments submitted to staff (Exhibits I-1 through N), it can be found that there are adequate facilities to serve the proposed development. Conditions of approval are included.

Exception Application

In MLDC 10.704, through lots are defined as having both a front and rear lot line abutting a street. Through lots are only permitted when one of the streets is classified as an arterial or collector. In this case, relocating the path from Sunleaf Avenue to Shamrock Drive results in five through lots extending between two local streets, Lots 558 – 562, circled in Figure 5 below.

This is an unusual situation because the west end of Sunleaf Avenue has already been constructed and connected to Waterstone Drive. The applicant notes the design constraints because of the abutting development pattern. Staff does not object to the request.

Public Comments

On September 11, 2019, staff received a letter from Westview LLC (Exhibit Q). The letter requests that the applicant extend sanitary sewer to the northerly property line between Lots 577 and 595.

During the public hearing, the applicant's agent stipulated to making the improvement. The Commission accepted the applicant's stipulation in its motion, and staff has added a condition of approval. Additionally, the Public Works Department Staff Report was revised to include the Commission's action.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

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

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare the final orders for approval of LDS-19-067 and E-19-048 per the Planning Commission Report dated September 12, 2019, including Exhibits A-1 through Q, and:

- The Commission accepted the applicant's stipulation to extend sanitary sewer to the northerly property line between Lots 577 and 595; and
- The Commission amended Condition 3 to add language requiring a note on the final plat; and
- The Commission deleted Condition 6 as it is not applicable.

EXHIBITS

A-1	Conditions of Approval, dated September 12, 2019
B	Proposed Tentative Plat received June 28, 2019
C	Conceptual Grading & Drainage Plan received July 3, 2019
D	Conceptual Sanitary Sewer & Water Plan received July 3, 2019
E	Landscape Plan received June 28, 2019
F	Slope Analysis received June 28, 2019
G	Applicant's Findings of Fact and Conclusions of Law received June 28, 2019
H	Geotechnical and Geologic Investigation received June 28, 2019
I-1	**Public Works Department Staff Report received September 16, 2019**
J	Medford Water Commission Staff Memo received August 21, 2019
K	Medford Fire-Rescue Land Development Report received August 21, 2019

L Parks and Recreation comments received August 21, 2019
M Building Safety Department comments received August 21, 2019
N Jackson County Roads comments received August 12, 2019
O Southeast Plan Map
P Southeast Plan Circulation Map
Q Letter from Westview LLC received September 11, 2019
Vicinity map

MEDFORD PLANNING COMMISSION

_____

Joe Foley, Vice Chair

PLANNING COMMISSION AGENDA: **SEPTEMBER 12, 2019**
SEPTEMBER 26, 2019

EXHIBIT A-1

Summerfield at South East Park Phases 19 & 20
LDS-19-067/E-19-048
Conditions of Approval
September 12, 2019

DISCRETIONARY CONDITIONS

1. The Planning Commission authorizes the maximum five-year approval period allowed under MLDC 10.202(D)(2).
2. The final plat shall contain a note that vehicular access to Shamrock Drive is prohibited for Lots 558 – 562.
3. The Planning Commission accepts the applicant's stipulation to construct sanitary to the northerly property line between Lots 577 and 595.

CODE REQUIRED CONDITIONS

4. Prior to approval of the final plat for each phase, the applicant shall provide evidence of compliance with MLDC 10.379(1)(b), regarding the installation and maintenance of the planter strip vegetation.
5. Prior to approval of the final plat for each phase, the applicant is required to comply with MLDC 10.379(6) regarding the provisions that guarantee the installation of street trees prior to the issuance of the Certificate of Occupancy.
6. Prior to approval of the final plat for each phase, the applicant shall comply with MLDC 10.380 regarding street lighting standards.
7. Prior to approval of the final plat for each phase, the applicant shall:
    a. Comply with the report from the Public Works Department, received September 16, 2019 (Exhibit I-1);
    b. Comply with the memorandum from the Medford Water Commission, received August 21, 2019 (Exhibit J);
    c. Comply with the report from the Medford Fire Department, received August 21, 2019 (Exhibit K);
    d. Comply with the memo from Medford Parks & Recreation, received August 21, 2019 (Exhibit L).

MEDFORD
PUBLIC WORKS

RECEIVED
SEP 16 2019
PLANNING DEPT.

LD DATE: 8/21/2019
Commission Update: 9/16/2019
File Number: LDS-19-067/E-19-048

PUBLIC WORKS DEPARTMENT STAFF REPORT

Summerfield at Southeast Park Phases 19 & 20 *(Revision to LDS-17-051)*
44- Lot Subdivision *(Remove Greenway)*

Project: Consideration of a request for approval of Summerfield at Southeast Park, Phases 19 and 20, a 44-lot residential subdivision on 15.23 gross acres and an Exception to allow through lots between Shamrock Drive and Sunleaf Avenue.

Location: The site is located at the easterly termini of Sunleaf Avenue and Shamrock Drive south of Cherry Lane, and is zoned SFR-4/SE/RZ (Single Family Residential, four dwelling units per gross acre/Southeast Plan Overlay/Restricted Zoning Overlay). The request is a revision to the previous approval for Summerfield at Southeast Park Phases 16 – 21 (LDS-17-051). (371W27DA TL 200, 300, 1100 & 1200).

Applicant: Applicant: Crystal Springs Development Group, a Joint Venture, Agent: Neathamer Surveying, Planner: Kelly Evans.

Applicability: The Medford Public Works Department's conditions of Approval for Summerfield PUD were adopted by Order of the Medford Planning Commission (PUD-05-247 and also LDS-05-246) on January 26th, 2006. In addition, Summerfield at Southeast Park, Phase 14 through 21 was adopted by Order of the Medford Planning Commission (LDS-06-278) and has since expired on December 14th, 2011. Furthermore, the Planning Commission approved Phases 14 through 21 again on April 26th, 2012 with LDS-12-004/E-12-005 and has also since expired on April 26th, 2017. The Planning Commission approved another revision on July 13th, 2017 with LDS-17-051/E-17-052 (exception to length of Residential Lane). The adopted conditions of these actions which have not expired shall remain in full force as originally adopted except as amended or added to below.

NOTE: Construction plans for Phases 19 & 22D have been approved and public improvements have commenced with Summerfield Subdivision Phase 19 & 22D Public Improvement Plans (P1895D). Public Improvement Plans for Phase 20 (1906D) have been submitted to the City of Medford as of August 20th, 2018 but are yet to be approved. At this time the improvements have yet to be completed for P1895D or P1906D, therefore criteria for improvements have been included with this report.

CITY OF MEDFORD
EXHIBIT # I-1
FILE # LDS-19-067/E-19-048

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

Autumn Hills Drive is proposed as a Standard Residential Street, consistent with the standard prescribed by Medford Land Development Code (MLDC) 10.430. The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the full width of right-of-way, which is 63-feet.

Shamrock Drive is proposed 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 of this development to comply with the full width of right-of-way, which is 63-feet. The Developer has stipulated to dedicate additional right-of-way (64.5-feet total to accommodate a 10-foot wide pathway with a reduced planter strip on the north side) along Shamrock Drive from Birch Creek Drive west to the connection with existing Shamrock Drive (P1895D) and 63-feet from Birch Creek Drive east to the terminus of Phase 20. Public Works has no objections to the additional right-of-way dedication.

Connection Lane and Sunleaf Avenue are proposed as Minor Residential streets with a right-of-way width of 55-feet, consistent with the standard prescribed by MLDC 10.430.

Birch Creek Drive is proposed as Minor Residential Street which requires a minimum right-of-way width of 55-feet, consistent with the standard prescribed by MLDC 10.430. The Developer has stipulated to dedicate additional right-of-way (56.5-feet total) to accommodate a 10-foot wide pathway with a reduced planter strip on the west side. Public Works has no objections to the additional right-of-way dedication.

An **exception request** has been submitted to allow through lots (Lots 558 – 562) between Sunleaf Avenue and Shamrock Drive, which were previously approved to be separated by a

Greenway with LDS-17-051. Per the Applicant, *"The purpose of this exception application is to allow through lots to be located between a minor residential and standard residential street."* If the exception request is denied, Sunleaf Avenue shall be a Residential Lane with a right-of-way width of 33-feet in accordance with MLDC 10.430 and the Greenway shall remain as approved with LDS-17-051.

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

Streets, as shown on the Tentative Plat, in which any portion terminates to a boundary line of the Development shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee simple, as a non-access reserve strip to the City of Medford. Upon approved dedication of the extension of said streets, the one-foot reserve strip shall automatically be dedicated to the public use as part of said street without any further action by the City of Medford (MLDC 10.439).

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

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

2. Public Improvements

   a. Public Streets

Autumn Hills Drive shall be constructed to Standard Residential Street standards, in accordance with MLDC 10.430. The Developer shall improve the full width. Sidewalk and planter strip on the west side may be improved with future development from the north property line of lot 553 to approximately 380-feet north to the terminus of Autumn Hills Drive within this phase.

Shamrock Drive shall be constructed to Standard Residential Street standards, along the frontage of this development, in accordance with MLDC 10.430. The Developer shall improve the full width except sidewalk and planter strip on the south side. The Developer has stipulated to construct the full pavement width including curb and gutter on the south side. This shall include construction of a 10-foot wide pathway

and reduced planter strip on the north side (from Birch Creek Drive west to the connection with existing Shamrock Drive).

Connection Lane and Sunleaf Avenue shall be constructed to Minor Residential street standards, in accordance with MLDC 10.430.

Birch Creek Drive shall be constructed to Minor Residential street standards, in accordance with MLDC 10.430. The Developer has stipulated to construct the full width. This shall include construction of a 10-foot wide pathway and reduced planter strip on the west side.

An **exception request** has been submitted to allow through lots (Lots 558 – 562) between Sunleaf Avenue and Shamrock Drive, which were previously approved to be separated by a Greenway with LDS-17-051. Per the Applicant, *"The purpose of this exception application is to allow through lots to be located between a minor residential and standard residential street."* If the exception request is denied, Sunleaf Avenue shall be constructed to Residential Lane standards, in accordance with MLDC 10.430 and the Greenway shall remain as approved with LDS-17-051.

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. 5 - Type R-100 LED
B. 1 – Base Mounted Cabinet-1*

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

A. 5 – Street Name Signs
B. 3 – Barricades (Type 3)

*Note – Design lighting per Municipal Code 10.380 showing conduit/wire/load calculations and submitted for approval.

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

The Developer shall pay for City installed signage required by the development. City installed signs include, but are not limited to, street name signs, stop signs, speed signs,

school signs, dead end signs, and dead end barricades. Sign design and placement shall be per the Manual on Uniform Traffic Control Devices (MUTCD). All signs shall be shown on the public improvement plans and labeled as City installed.

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

c. Pavement Moratoriums

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

The Developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any Public Street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given 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 shall be per MLDC 10.550.

Since the path is being proposed in lieu of sidewalk, Public Works recommends that lots 558-562, 565, 566, and 585 be restricted from taking driveway access from Shamrock Drive and that lot 578 be required to take access from Connection Lane in order to minimize the driveway crossings of the path.

f. Easements

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

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

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

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

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

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, and pedestrians. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

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

No mathematical formula is required to support the rough proportionality analysis. It has been described as comparing apples to oranges. Further, we are allowed to consider the benefits to the development from the dedication and improvements when determining "rough proportionality."

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

Autumn Hills Drive, Shamrock Drive, Connection Lane, Sunleaf Avenue and Birch Creek Drive:

In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square foot of right-of-way per dwelling unit for dedications. The proposed development has 44 dwelling units and will improve approximately 3,495 lineal feet of roadway which equates to 79.4 lineal feet per dwelling unit. Also the development will dedicate approximately 209,188 square feet of right-of-way which equates to approximately 4,754 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was pervious phases of Summerfield Subdivision located between Stanford and Lone Oak and Cherry Lane and Shamrock and consisted of 152 dwelling units. The pervious development improved approximately 7,530 lineal feet of roadway and dedicated approximately 425,230 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 49.5 lineal feet of road per dwelling unit and approximately 2,800 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 44 new Lots within the City of Medford and increase vehicular traffic by approximately 415 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.

b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.

c. Dedication will provide access and transportation connections at urban level of service standards for this development. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.

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

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

B. SANITARY SEWERS

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

Public sanitary sewer mains shall be extended on their courses to the exterior boundaries of this subdivision, such that future development can extend service without having to excavate back into the improvements provided by this subdivision.
Commission Update: **The Planning Commission accepted as a condition of approval the stipulation by the Developer to construct the sanitary sewer to the northerly property line between lots 577 and 595**

C. STORM DRAINAGE

1. Hydrology

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

2. Stormwater Detention and Water Quality Treatment

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

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

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

Upon completion of the project, the developer's design engineer shall provide written verification to the Engineering Division that construction of the water quality and detention facilities were constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to acceptance of the subdivision.

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.

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.

D. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to approval of the final plat.

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

All public improvements shall be constructed in accordance with the "Engineering Design Standards for Public Improvements", adopted by the Medford City Council. Copies of this document are available in the Public Works Engineering office.

2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (http://www.ci.medford.or.us/Page.asp?NavID=3103). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will

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

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

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

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

3. Phasing

The Tentative Plat shows that this subdivision will be developed in phases. Any public improvements needed to serve a particular phase shall be improved at the time each corresponding phase is being developed. Public improvements not necessarily included within the geometric boundaries of any given phase, but are needed to serve that phase shall be constructed at the same time. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase.

4. Draft of Final Plat

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

5. Permits

Building Permit applications for vertical construction shall not be accepted by the Building Department until the Final Plat has been recorded, and a "walk through" inspection has been conducted and approval of all public improvements as required by the Planning Commission has been obtained for this development.

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

6. System Development Charges (SDCs)

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

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

7. Construction and Inspection

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

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

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

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs
Revised by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Summerfield at Southeast Park Phases 19 & 20 *(Revision to LDS-17-051)*

44- Lot Subdivision *(Remove Greenway)*

LDS-19-067/E-19-048

A. Streets

1. Street Dedications to the Public:
   - Dedicate full width right-of-way (63') on **Autumn Hills Drive.**
   - Dedicate full width right-of-way (63' min) on **Shamrock Drive.**
   - Dedicate full width right-of-way (55') on **Connection Lane** and **Sunleaf Avenue.**
   - Dedicate full width right-of-way (55' min) on **Birch Creek Drive.**
   - Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets
- Construct **Autumn Hills Drive** full width, to Standard Residential street standards.
- Construct **Shamrock Drive** full width, to Standard Residential street standards.
- Construct **Connection Lane, Sunleaf Avenue and Birch Creek Drive** full width, 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.

Access to Public Street System
- Driveway access shall be per MLDC 10.550.
- Since the path is being proposed in lieu of sidewalk, Public Works recommends that lots 558-562, 565, 566, and 585 be restricted from taking driveway access from Shamrock Drive and that lot 578 be required to take access from Connection Lane in order to minimize the driveway crossings of the path.

Other
- No pavement moratorium currently in effect along this developments respective frontages.
- Provide pavement moratorium letters.
- ○ Provide soils report.

B. Sanitary Sewer:
- Provide a private lateral to each lot.
- Provide easements as necessary.
- **CU:** The Developer has stipulated to constructing the sanitary sewer to the northerly property line between lots 577 and 595.

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

D. Survey Monumentation
- Provide all survey monumentation.

E. General Conditions
- Provide public improvement plans and drafts of the final plat.
- Additional Site Plan to ensure fire apparatus access per MLDC 10.430(2) if project includes Minor Residential streets.

- = City Code Requirement
- ○ = Discretionary recommendations/comments

CU = Commission Update

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.

WESTVIEW LLC.

RECEIVED
SEP 1 1 2019
PLANNING DEPT.

September 9, 2019

Medford Planning Commission
200 S Ivy
Medford, OR 97501
Re: LDS-19-067

Subject: Application to Revise the Tentative Plat of Summerfield at South East Park, Phases 19 and 20

Commissioners,

I am the Manager of Westview LLC, owner of the property located at 4530 Cherry Lane, 371W26 TL 200. Our property adjoins the subject Property on the North side (Lots 576, 577, 595 and 596).

We have reviewed the proposal and are generally supportive of the tentative plat however, we have a concern about the extension of facilities indicated on the conceptual grading and drainage plans. Sheet 1 of 2 Grading and Drainage Plan indicates a stormwater connection north of Connection Lane in a common area strip of land between lots 577 and 595. We would like to confirm that the storm line and appropriate easement extends to our South property line. Sheet 2 of 2 Conceptual Sewer and Water plan does not indicate a sanitary sewer extension in the same area between these two lots, 577 and 595. This is the best location for the sanitary sewer to be extended to our site, similar to the drainage extension.

Page 10 of 15 of the Public Works Report states the "Public sanitary sewer mains shall be extended on their courses to the exterior boundaries of the subdivision, such that future development can extend service without having to excavate back to the improvements provided by this subdivision."

As mentioned above, the applicant is extending the storm drainage facilities to our South line. They show no similar extension of the sanitary sewer in this location. This is the best location for a sanitary sewer extension to allow for the most cost effective and efficient extension through our site and sites above us. Therefore, we are requesting that the sanitary sewer be extended to our south line in the same general location, be sized appropriately to serve ours and other sites and allow for our eventual connection.

The street layout of this plat and the future phase 21 indicated on the plat and the previously approved phases adjoining our west property line are as expected in the South East Plan Circulation Plans.

With the inclusion of both Storm and Sanitary sewer facilities between lots 577 and 595 extending to our property line, we are fully supportive of the application.

Please add this letter of support and request for the storm and sanitary sewer connections to our property to the record for the application and we would request standing for the application.

Sincerely,

Randal S. Clarno
Managing Member

7629 East Pinnacle Peak Road #110 • Scottsdale, Arizona 85255 • Office: (480)401-0800

CITY OF MEDFORD
EXHIBIT # Q
File # LDS-19-067/E-19-048

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

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF SUMMERFIELD AT)
SOUTHEAST PARK, PHASES 23 - 29 [LDS-19-069]) ORDER

ORDER granting approval of a request for tentative plat for *Summerfield at Southeast Park, Phases 23 - 29,* described as follows:

A 183-lot residential subdivision on 65.83 gross acres generally located on the east side of Waterstone Drive extending between Shamrock Drive and Barnett Road. The applicant also proposes to create eight reserve acreage tracts following the phase boundaries. The site is zoned SFR-4 (Single Family Residential, 2.5 – 4 dwelling units per gross acre), SFR-6 (Single Family Residential, 4 – 6 dwelling units per gross acre), SFR-10 (Single Family Residential, 6 – 10 dwelling units per gross acre), and MFR-20 (Multiple Family Residential, 15 – 20 dwelling units per gross acre) and is within the Southeast Plan (SE) Overlay District and has restricted zoning (RZ). The request is a revision to the previous approval for Summerfield at Southeast Park Phases 23 – 29 (LDS-17-113). (371W27 TL 1001).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Section 10.202; and

2. The Medford Planning Commission has duly held a public hearing on the request for tentative plat for *Summerfield at Southeast Park, Phases 23 -29,* as described above, with the public hearing a matter of record of the Planning Commission on September 12, 2019.

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 *Summerfield at Southeast Park, Phases 23 -29,* 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 *Summerfield at Southeast Park, Phases 23 -29,* stands approved per the Planning Commission Report dated September 12, 2019, 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 September 12, 2019.

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

Accepted and approved this 26th day of September, 2019.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Vice-Chair

ATTEST:

_____
Planning Department Representative

MEDFORD
PLANNING

PLANNING COMMISSION REPORT

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

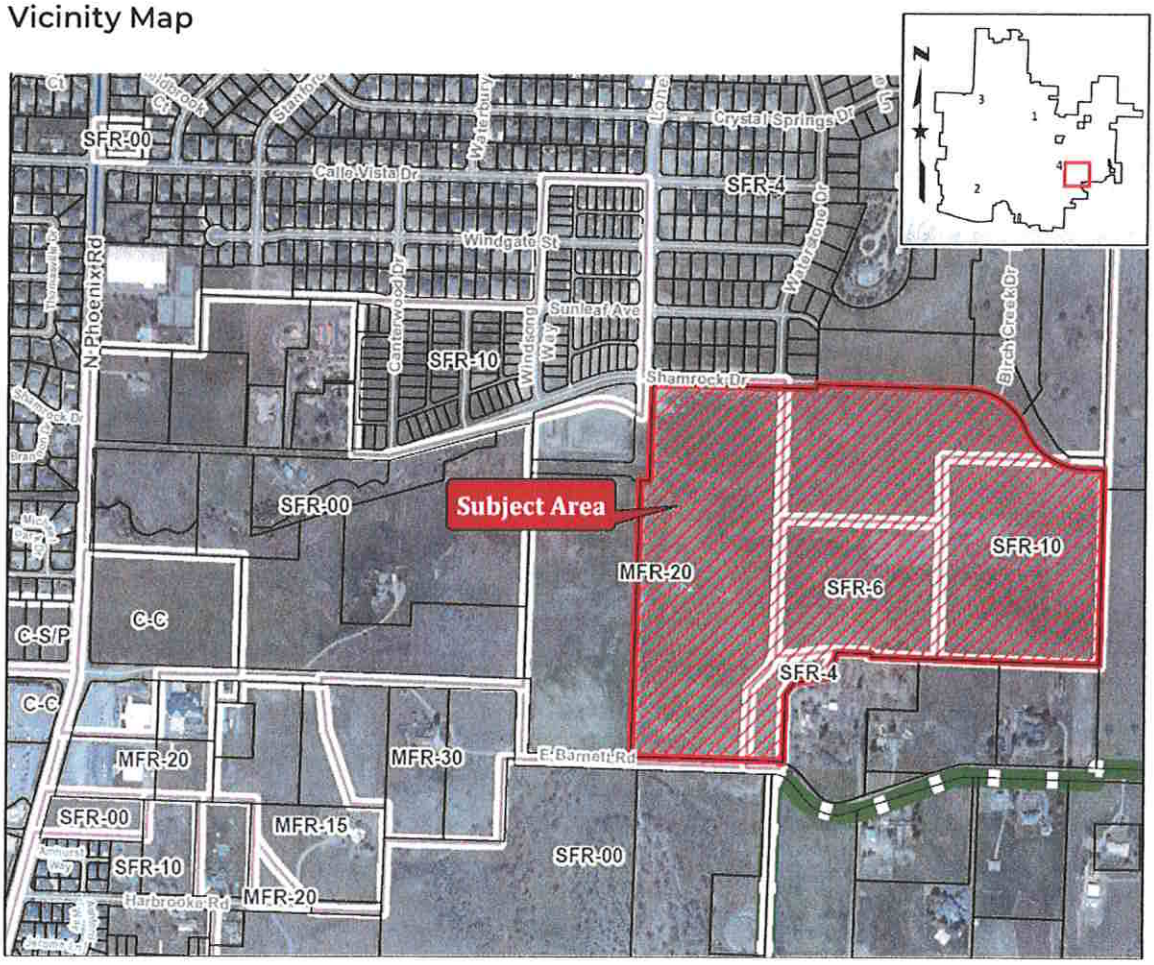
Project	Summerfield at Southeast Park, Phases 23 - 29 Applicant: Crystal Springs Development Group, a Joint Venture Agent: Neathamer Surveying
File no.	LDS-19-069
Date	September 12, 2019

BACKGROUND

Proposal

Consideration of a request for approval of Summerfield at Southeast Park Phases 23-29, a 183-lot residential subdivision on 65.83 gross acres generally located on the east side of Waterstone Drive extending between Shamrock Drive and Barnett Road. The applicant also proposes to create eight reserve acreage tracts following the phase boundaries. The site is zoned SFR-4 (Single Family Residential, 2.5 – 4 dwelling units per gross acre), SFR-6 (Single Family Residential, 4 – 6 dwelling units per gross acre), SFR-10 (Single Family Residential, 6 – 10 dwelling units per gross acre), and MFR-20 (Multiple Family Residential, 15 – 20 dwelling units per gross acre) and is within the Southeast Plan (SE) Overlay District and has restricted zoning (RZ). The request is a revision to the previous approval for Summerfield at Southeast Park Phases 23 – 29 (LDS-17-113). (371W27 TL 1001)

Vicinity Map



Subject Site Characteristics

GLUP	UR	Urban Residential
	UH	Urban High Density Residential
Zoning	SFR-4	Single-family Residential, 2.5 – 4 dwelling units per gross acre
	SFR-6	Single-family Residential, 4 – 6 dwelling units per gross acre
	SFR-10	Single Family Residential, 6 – 10 dwelling units per gross acre
	MFR-20	Multi-family Residential, 15 – 20 dwelling units per gross acre
Overlay	SE	Southeast Area Plan
	RZ	Restricted Zoning
SE Plan	8 – 11	Small Lot and High Density
Use	Vacant	

Surrounding Site Characteristics

North	Zone:	SFR-4/SE
	SE Plan Sub-Area:	2
	SE Plan Category:	Standard Lot
	Use:	Single family dwellings - Vacant
South	Zone:	Jackson County EFU (Exclusive Farm Use)
	SE Plan Sub-Area:	11
	SE Plan Category:	Small Lot
	Use:	Single family dwellings
East	Zone:	Jackson County EFU
	Use:	Vacant
West	Zone:	MFR-20
	SE Plan Sub-Area:	10
	SE Plan Category:	High Density
	Use:	Vacant

Related Projects

ZC-05-275 EFU to MFR-20/SE (approved January 6, 2006)
ZC-07-146 EFU to SFR-4/SE and SFR-10/SE (approved December 27, 2007)
ZC-17-112 Shifted SFR-4/SE, SFR-6/SE, SFR-10/SE and MFR-20/SE (approved December 14, 2017)
LDS-17-051 Summerfield Phases 16 – 21 (approved June 22, 2017)
LDS-17-113 Summerfield Phases 23 – 29 (approved December 14, 2017)

Applicable Criteria

Medford Municipal Code §10.202(E) Land Division Approval Criteria.

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

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

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

(3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word

in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;

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

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

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

Corporate Names

The Oregon Secretary of State site lists John R. Hassen as the Authorized Representative and Michael T. Mahar as the Registrant for Crystal Springs Development Group Joint Venture.

Authority

The Planning Commission is designated as the approving authority for Type III land use actions. The proposed land division is classified as a Type III action in MLDC 10.108.

ISSUES AND ANALYSIS

Background

A number of land use applications have been approved on the subject site. Most recently, the Planning Commission approved a 168 residential lot subdivision on the subject site; that 2017 approval is still valid. The applicant is now proposing to revise tentative plat due in part to change the location of the required pedestrian pathway. The proposed changes are described in detail below.

The various zone changes approvals include conditions that restricted Average Daily Trips (ADT) until certain road improvements are completed.

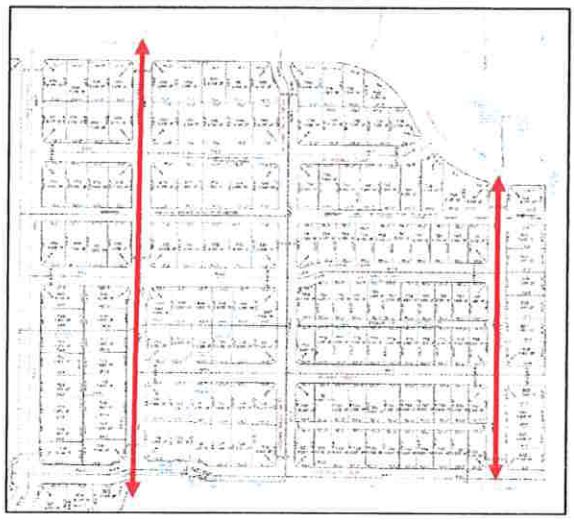
Project Summary

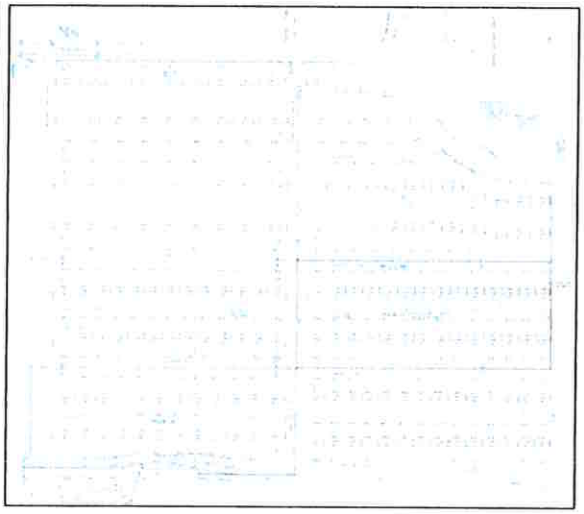
The applicant is proposing to create 183 residential lots for single family development and eight tracts identified as Reserve Acreage. Seven reserve acreage tracts follow phase boundaries; the eighth wholly encompasses the MFR-20 area west of Waterstone Avenue.

Proposed Revisions

Removal of Streets

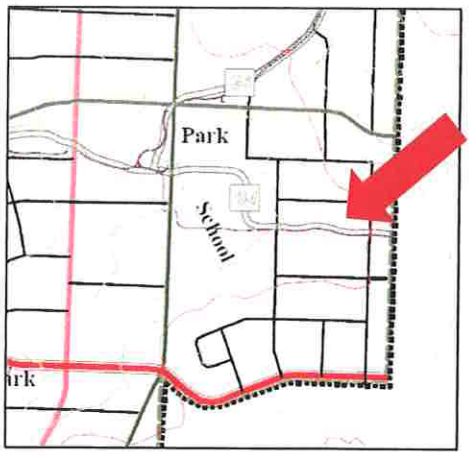
The applicant proposes to remove two north-south streets, Sapphire Street on the west side of the site and Underwood Street on the east side. (As the applicant notes, the block length ordinance in Medford Land Development Code (MLDC) Section 10.426 does not apply in the Southeast Plan area.) The result is 15 additional lots in a traditional gridded pattern.

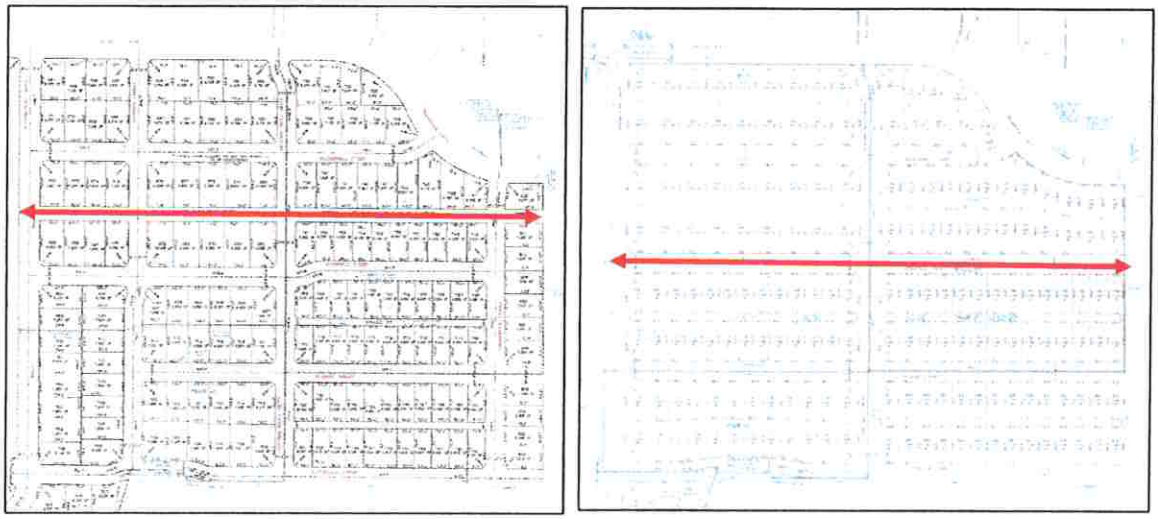




Relocating Bike Path

The Southeast Plan includes a multi-use path system along certain greenways. Some of the pathways follow forks of Larson Creek, others follow drainage ways that are dry for most of the year. This particular path, identified as G-4 on the Southeast Circulation Plan Map (Exhibit R) is proposed to follow a drainage way.



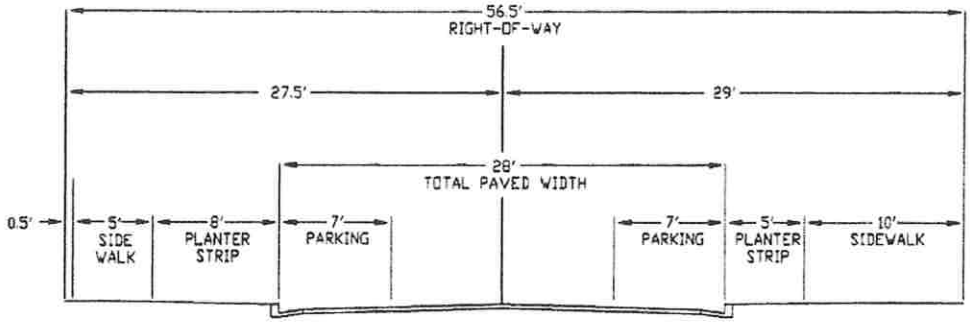


The 2017 approval included the path running mid-block between Bloomfield Street and Rosefield Street. At that time, Parks Department staff expressed concern with the safety of an additional mid-block crossing.

The applicant now proposes to construct a 10-foot wide multi-use path along the south side of Rosefield Street in lieu of sidewalk. The residences on the south side of Rosefield will be required to take access from the proposed alley to limit vehicle conflicts with path users. The path will enter and exit the project site in a manner that will allow connection to the ultimate destinations of the future school site and Chrissy and Prescott Parks. Neither the Parks Department nor the Public Works Department objects to the proposal (Exhibits M and J).

ROSEFIELD STREET

56.5' RIGHT-OF-WAY TYPICAL



Increased Density

As noted above, the applicant proposes to add 15 lots, increasing the overall density from 2.63 to 2.87 dwelling units per gross acre. The changes are summarized in the table below.

Phase	Approved 2017		Proposed 2019	
	Net Acreage	No. of Lots	Net Acreage	No. of Lots
23	7.93	27	10.40	36
24	5.80	19	5.66	26
25	7.75	30	5.42	24
26	7.42	31	7.05	33
27	5.09	27	5.46	28
28	5.47	26	5.47	28
29	2.81	8	2.72	8
MFR-20 area	21.45	0	21.54	0
Total	63.72	168	63.72	183

As noted above, the area west of Waterstone Drive is identified as reserve acreage and is not a part of this development. For the remaining portion of the site, the density range is 146 to 317 dwelling units. The proposed 183 dwelling units fall within the required density range.

Southeast Plan

The subject site is located within the Southeast (SE) Overlay and is subject to the Overlay and the adopted Southeast Plan in addition to all other applicable City regulations. The site is designated as Sub-Areas 8, 9, 10 and 11 within the Southeast Plan and as such, is selected for small-lot residential use (Exhibit Q).

The Southeast Plan Map that was adopted March 7, 2013, designates sub-areas 8 and 9 as School and Park respectively (Exhibit Q). The school and park locations were abandoned with the adoption of the Urban Growth Boundary amendment. Urban Reserve area MD-5 includes an area designated for both a school and park. Staff is currently working on updating the Southeast Plan to reflect this and other changes that have occurred over time, such as identifying the correct location of the Village Center Park adjacent to the west of the subject site. The subject proposal is evaluated using the underlying zoning which is SFR-4, SFR-6, and SFR-10. The MFR-20 area is reserved for future development.

Development Standards

Site Development Table

Zone	Lot Area (square feet)	Minimum Lot Width (Interior)	Minimum Lot Width (Corner)	Minimum Lot Depth	Minimum Lot Frontage
SFR-4 Standards	6,500 to 18,750	60 feet	70 feet	90 feet	30 feet
SFR-4 Shown	7,045 to 11,293	65 feet *(lowest)*	70 feet *(lowest)*	110 feet *(lowest)*	65 feet *(lowest)*
SFR-6 Standards	4,500 to 12,500	50 feet	60 feet	90 feet	30 feet
SFR-6 Shown	6,082 to 8,492	51 feet *(lowest)*	65 feet *(lowest)*	112 feet *(lowest)*	51 feet *(lowest)*
SFR-10 Standards	3,600 to 8,125	40 feet	50 feet	90 feet	30 feet
SFR-10 Shown	8,402 to 5,673	51 feet *(lowest)*	63 feet *(lowest)*	111 feet *(lowest)*	51 feet *(lowest)*

As shown in the Site Development Table above, it can be found that the lots shown on the tentative plat meet all the dimensional standards for the underlying zoning districts as found in Article V of the Medford Land Development Code.

Access

The street circulation proposed is consistent with the Southeast Plan Circulation Map (Exhibit R), and conforms to the plats of land divisions already approved for adjoining properties. The report from the Public Works Department describes the required dedications and improvements for the proposal (Exhibit J).

Jackson County Road comments (Exhibit O) indicate that Barnett Road is a Local Access Road. Local access roads are dedicated rights-of-way that are not maintained by Jackson County; rather, maintenance is the adjoining property owners' responsibility. Staff received a comment from a property owner on Barnett Road questioning whether the proposal will be required to make improvements. The Public Works Department notes (Exhibit J, p. 4):

> *If a connection from this Development to East Barnett Road shall be completed (as proposed on the Tentative Plat) then a 22-foot wide paved access to a paved public street will be required with this Development and constructed to a full structural pavement section ... If access to East Barnett*

Road shall be restricted for use by the Fire Department only, then improvements to the current access road will not be required.

Staff has included a condition of approval prohibiting construction traffic on East Barnett Road until such time as the required improvements are made.

Street Trees and Planter Strip

As the proposed tentative plat is within the Southeast Plan Overlay, the applicant is required by MLDC 10.379 to submit a Streetscape and Planter Strip Plan. The applicant has submitted a Street Tree Master Plan that indicates a variety of tree species proposed for the planter strips throughout the subdivision (Exhibit E). The plan indicates that any additional plant material in the planter strip will be at the discretion of the adjacent property owner. The Street Tree Master Plan lists the variety of trees proposed in the development. It is stated that an appropriate sized underground irrigation system will be designed and as-built drawings shall be submitted. A condition is included that requires the CC&R's for each phase to contain provisions for the installation and maintenance of the planter strip vegetation, in compliance with MLDC 10.379(1)(b).

The Code requires the applicant to enter into an agreement that will guarantee the installation of street trees prior to issuance of the Certificate of Occupancy. A condition is included requiring the applicant to comply with MLDC 10.379(6) prior to approval of the final plat for each phase.

Lighting Plan

The Southeast Plan requires the applicant to install pedestrian-scale street lights. A condition is included requiring the applicant to install pedestrian-scale street lighting within the subdivision in accordance with MLDC 10.380.

Agricultural Impact Assessment

The proposed subdivision abuts the city limits and the Urban Growth Boundary on a portion of the eastern and southern property lines, and the abutting property carries a County zoning designation of Exclusive Farm Use (EFU). The land is vacant and owned by the applicant who has no intention of using the land for farming or agricultural purposes for the foreseeable future. As required by MLDC 10.802, the applicant has submitted an Agricultural Impact Assessment (AIA), and stipulates to the required mitigation measures for passive agricultural use (Exhibit G). These include a deed declaration per MLDC 10.804(3)(b) and fencing along the eastern boundaries of Phase 26-29, and the southern boundaries of Phase 25 and 28. The applicant's AIA states that generally accepted engineering practices for storm water management for urban development will assure the potential for storm and irrigation

runoff will not impact the subject property or surrounding lands zoned EFU (Exhibit H).

Agency Comments

Per the agency comments submitted to staff (Exhibits J through O), it can be found that there are adequate facilities to serve the proposed development. Conditions of approval are included.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

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

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare the final order for approval of LDS-19-069 per the Commission Report dated September 12, 2019, including Exhibits A-1 through R.

EXHIBITS

A-1 Conditions of Approval, dated September 12, 2019
A Proposed Tentative Plat (3 pages) received June 28, 2019
B Conceptual Grading & Drainage Plan received July 3, 2019
C Conceptual Sanitary Sewer & Water Plan received July 3, 2019
D Landscape Plan received June 28, 2019
E Slope Analysis received June 28, 2019
F Applicant's Findings of Fact and Conclusions of Law received June 28, 2019
G Agricultural Impact Analysis received June 28, 2019
H Geotechnical and Geologic Investigation received June 28, 2019
I Public Works Department Staff Report received August 21, 2019
J Medford Water Commission Staff Memo received August 21, 2019
K Medford Fire-Rescue Land Development Report received August 21, 2019
L Parks and Recreation comments received August 21, 2019
M Building Safety Department comments received August 21, 2019
N Jackson County Roads comments received August 12, 2019
O Peter Noyes comments received August 27, 2019
P Southeast Plan Map
Q Southeast Plan Circulation Map

Vicinity map

MEDFORD PLANNING COMMISSION

_____

Joe Foley, Vice Chair

PLANNING COMMISSION AGENDA: SEPTEMBER 12, 2019
SEPTEMBER 26, 2019

EXHIBIT A-1

Summerfield at South East Park Phases 23-29
Conditions of Approval
September 12, 2019

DISCRETIONARY CONDITIONS

1. The Planning Commission authorizes the maximum five-year approval period allowed under MLDC 10.202(D)(2).
2. No construction traffic shall be permitted on E Barnett Road until such time as it is improved per the requirements of the Public Works Department (Exhibit J).
3. The final plat shall include a note stating that vehicular access to Rosefield Street is prohibited for Lots 690 – 702 and 773 – 786.

CODE REQUIRED CONDITIONS

4. Prior to approval of the final plat for each phase, the applicant shall provide evidence of compliance with MLDC 10.379(1)(b), regarding the installation and maintenance of the planter strip vegetation.
5. Prior to approval of the final plat for each phase, the applicant is required to comply with MLDC 10.379(6) regarding the provisions that guarantee the installation of street trees prior to the issuance of the Certificate of Occupancy.
6. Prior to approval of the final plat for each phase, the applicant shall comply with MLDC 10.380 regarding street lighting standards.
7. Prior to approval of the final plats for Phases 25, 26, 27, 28 and 29, the applicant shall comply with MLDC 10.804(3) regarding mitigation for passive agriculture.
8. Prior to approval of the final plat for each phase, the applicant shall:
    a. Comply with the report from the Public Works Department, received August 21, 2019 (Exhibit J);
    b. Comply with the memorandum from the Medford Water Commission, received August 21, 2019 (Exhibit K);
    c. Comply with the report from the Medford Fire Department, received August 21, 2019 (Exhibit L);
    d. Comply with the memo from Medford Parks & Recreation, received August 21, 2019 (Exhibit M).

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

IN THE MATTER OF PLANNING COMMISSION FILE PUD-19-003)
APPLICATION FOR REVISIONS TO TOWER BUSINESS PARK PLANNED UNIT) ORDER
DEVELOPMENT SUBMITTED BY DAN AND GINA REECE)

ORDER granting approval for a revision to the approved Preliminary PUD Plan, described as follows:

For Lot 6 of the Tower Business Park Planned Unit Development to allow for the construction of rowhouse-style residential buildings, including an amendment to the General Land Use Plan map from GI (General Industrial) to UM (Urban Medium Density Residential) and to change the zoning to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on 1.16 acres located at 3583 Arrowhead Drive within the I-L (Light Industrial) zoning district (371W08BC2511).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.198, Revision of a Preliminary or Final Planned Unit Development Plan; and

2. The Medford Planning Commission has duly held a public hearing on the request for a revision to the approved Preliminary PUD Plan as described above, with the public hearing a matter of record of the Planning Commission on September 12, 2019; and

3. At the public hearing evidence and recommendations were received and presented by the applicant's representative 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 a revision to the approved Preliminary PUD Plan, as described above and directed staff to prepare a final order with all conditions and findings set forth for granting the revision.

THEREFORE LET IT BE HEREBY ORDERED that the approval for a revision to the approved Preliminary PUD Plan, as described above stands approved, per the Planning Commission Report dated September 12, 2019.

Accepted and approved this 26th day of September, 2019.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Vice-Chair

ATTEST:

_____
Planning Department Representative

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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-19-014 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY DAN AND GINA REECE) ORDER

ORDER granting approval with conditions to change the zoning to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on 1.16 acres located at 3583 Arrowhead Drive within the I-L (Light Industrial) zoning district (371W08BC2511).

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below, within corporate limits of the City of Medford; 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 September 12, 2019, 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 1W 08BC Tax Lot 2511

is hereby changed as described above.

Accepted and approved this 26th day of September, 2019.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Vice-Chair

ATTEST:

_____
Planning Department Representative

MEDFORD
PLANNING

COMMISSION REPORT

For a Type IV legislative and Type-III quasi-judicial decisions: **Minor General Land Use Plan Map Amendment, Zone Change, and Revision to Planned Unit Development**

Project	Tower Business Park Arrowhead Business Center LLC Applicant: Dan & Gina Reece; Agent: CSA Planning Ltd.
File no.	GLUP-19-004, ZC-19-014 & PUD-19-003
Date	September 12, 2019

BACKGROUND

Proposal

Consideration of a revision to the approved Preliminary PUD Plan for Lot 6 of the Tower Business Park Planned Unit Development to allow for the construction of rowhouse-style residential buildings, including a change to the General Land Use Plan map from GI (General Industrial) to UM (Urban Medium Density Residential) and to change the zoning to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on 1.16 acres located at 3583 Arrowhead Drive within the I-L (Light Industrial) zoning district (371W08BC2511).

Vicinity Map

Subject Site Characteristics

GLUP	GI	General Industrial
Zoning	I-L	Light Industrial
Overlay	PD/AC	Planned Unit Development/Airport Area of Concern
Use	Vacant	

Surrounding Site Characteristics

North	Zone:	MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre)
	Use:	Apartment Complex
South	Zone:	I-L
	Use:	Offices
East	Zone:	I-L
	Use:	Church
West	Zone:	I-L
	Use:	Vacant

Related Projects

PUD-99-141	Tower Business Park PUD

Applicable Criteria

MINOR COMPREHENSIVE PLAN AMENDMENT

For the applicable criteria, the Medford Municipal Code Section 10.222(B) redirects to the criteria in the "Review and Amendments" chapter of the Comprehensive Plan. The applicable criteria in this action are those for map amendments, and are based on the following:

1. *A significant change in one or more Goal, Policy, or Implementation Strategy.*
2. *Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.*
3. *The orderly and economic provision of key public facilities.*
4. *Maximum efficiency of land uses within the current urbanizable area.*
5. *Environmental, energy, economic, and social consequences.*
6. *Compatibility of the proposed change with other elements of the City Comprehensive Plan.*
7. *All applicable Statewide Planning Goals.*

ZONE CHANGE

Approval Criteria – Section 10.204(B) of the Medford Land Development Code (MLDC)

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

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

***

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

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

(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 land use, 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. an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432. 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 Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change request. Special development conditions, stipulations, or restrictions shall be established by deed restriction or covenant, and must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:

(i) Restricted Zoning is a restriction of uses by type or intensity. In cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development on the subject property or adjacent parcels. In no case shall residential densities be approved that do not meet minimum density standards;

(ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule;

(iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

REVISION TO PLANNED UNIT DEVELOPMENT

Medford Land Development Code §10.198 Revision or Termination of a PUD

(A) Revision of a Preliminary or Final PUD Plan

The expansion or modification of a PUD approved under earlier PUD ordinances of the City of the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:

(1) Applicant for Revision; Filing Materials; Procedures
An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.

(2) Consolidated Procedure.
At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.

(3) Burden of Proof; Criteria for Revisions
The burden of proof and supporting findings of fact and conclusions of law for the criteria in Sections 10.190(D) or 10.196(D), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Section 10.190(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

(4) De Minimis Revisions
Notwithstanding Section 10.192(E), the Planning Director may approve revisions to an approved Preliminary of Final PUD Plan that they determine is de minimis. Proposed revisions shall be considered de minimis if the Planning Director determines the changes to be slight and

inconsequential and will not violate any substantive provision of this Code. The Planning Director's written approval of a de minimis revision(s) shall be appended to the Final Order of the Planning Commission or Final Approval of the Final PUD Plan. Revisions that are de minimis shall not require public notice, public hearing or an opportunity to provide written testimony. However, if, while the record is open, any party requests in writing to be notified of future de minimis revisions of a Preliminary PUD Plan, then all de minimis revisions of a Preliminary PUD Plan shall be subject to review as a Type III land use action or such other procedure as may be permitted by law.

(B) Termination of a PUD.

A PUD may be terminated by action of the Planning Commission subject to the following procedures:

(1) If issuance of building permits for vertical construction has not occurred of if no lots or units therein have been sold, the PUD may be terminated as provided in this Subsection. Termination proceedings may be initiated by filing with the City a written petition signed by the owner(s) who control a majority interest in more than 50% of the land covered by the approved PUD and which also constitutes more than 50% of the total assessed value of land and improvements of the PUD. Upon receipt of a valid petition, the Planning Commission shall consider the matter in an open meeting and shall declare the PUD terminated. The Planning Commission's termination of a PUD shall be evidenced by a Final Order declaring the same. When the Final Order is signed the PUD shall be terminated and previous PUD Plan approvals shall be considered void and of no further effect. Termination of a PUD shall not affect other land use actions taken by the City which concern the PUD property.

(2) If issuance of building permits for vertical construction has occurred of if lots or units within the PUD have been sold, the PUD may be terminated as provided in this Subsection. Termination proceedings may be initiated by filing with the City a written petition signed by the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD which also constitutes more than 50% of the total assessed value of vacant land within the PUD. If there is an association of owners established within the boundaries of the whole PUD, the owner(s) petitioning for termination of the PUD shall also supply the City with the correct mailing address of the association which shall be notified along with others entitled to notice under this Subsection. Upon receipt of the petition, the Planning Commission shall provide notification of the proposed PUD termination and conduct a public hearing on the matter.

The Notice and public hearing shall be subject to Type III procedures. The Planning Commission shall declare the PUD terminated if it concludes that the termination will not produce greater than minimal harm to the public health, safety or general welfare. The Planning Commission's termination of a PUD shall be evidenced by a Final Order declaring the same and after approvals shall be considered void and of no further effect. Termination of PUD shall not affect other land use actions taken by the City which concern the PUD property.

Medford Land Development Code §10.190 Planned Unit Development – Application and Approval Provisions

(D) Approval Criteria for Preliminary PUD Plan

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

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

(2) The proposed PUD complies with the applicable requirements of this Code, or
  (a) the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and
  (b) the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
  (c) the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

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

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

(5) If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either:

(a) Demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or

(b) By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:

(i) Public sanitary sewerage collection and treatment facilities.
(ii) Public domestic water distribution and treatment facilities.
(iii) Storm drainage facilities.
(iv) Public streets.

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

(6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.

(7) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.

Corporate Names

Dan Reece is the Registered Agent for Arrowhead Business Center LLC according to the Oregon Secretary of State Business Registry. He is also listed as a Member.

William H Fowler is the Registered Agent for CSA Planning, Ltd. According to the Oregon Secretary of State Business Registry. Jay Harland is listed as President and Raul Woerner is listed as Secretary.

Authority

The Planning Commission is designated as the approving authority for Type III land use actions involving zone changes and PUD revisions. The subject application also includes a Type IV legislative Comprehensive Plan amendment. The Planning Commission is authorized to act as an advisory agency, forwarding a recommendation to City Council for proposed amendments to the Comprehensive Plan.

ISSUES AND ANALYSIS

Background

The subject parcel is part of the Tower Business Park Planned Unit Development (File No. PUD-99-141). The PUD is approximately 21 acres in size and contains several commercial/light-industrial developments which are occupied by a variety of tenants. The PUD-99-141 received approval from the Commission to deviate from the following standards of the code: lot frontage, the creation of private streets, and the inclusion of commercial uses on 4.37 acres. None of these deviations applies to the proposed PUD revision.

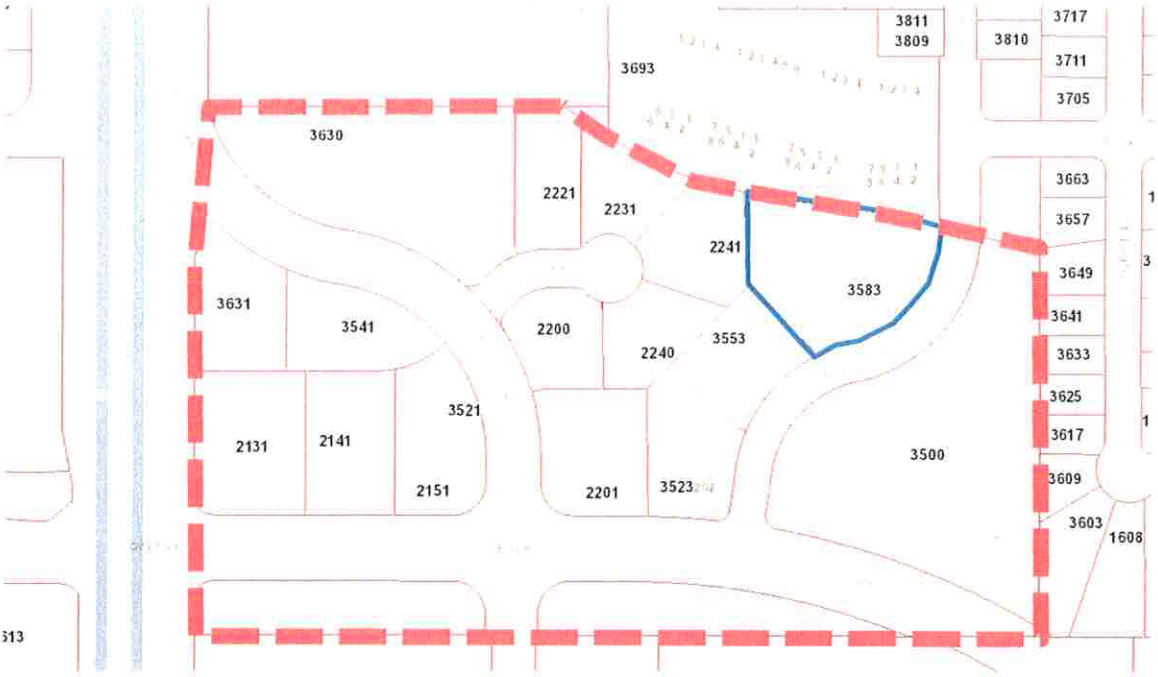


Figure 1 - Tower Business Park PUD (Subject Area is 3583 Arrowhead Drive)

Project Summary

Since residential uses were not part of the original PUD application, a comprehensive plan map amendment, zone change, and revision to the Planned Unit Development is needed in order to allow for the proposed multiple family housing at 3583 Arrowhead Drive. Therefore, this application includes a General Land Use Plan (GLUP) map amendment from GI (General Industrial) to UM (Urban Medium Density Residential), as well as a change of zone from I-L (Light Industrial) to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) in addition to the PUD revisions.

Proposed PUD Modification Requests to PUD-99-141

The PUD revision is to allow for the construction of rowhouse style, multiple family dwellings (18 dwelling units). The subject lot was originally shown as Lot 6 on the Preliminary PUD Plan designated for light industrial use. The proposal is dependent on the above mentioned GLUP and zone change proposals.

Decision: The Planning Commission sent a favorable recommendation to the City Council regarding the proposed GLUP change, approved the zone change, and approved the modification request to allow for the construction of rowhouses on Lot 6 of the Tower Business Park PUD.

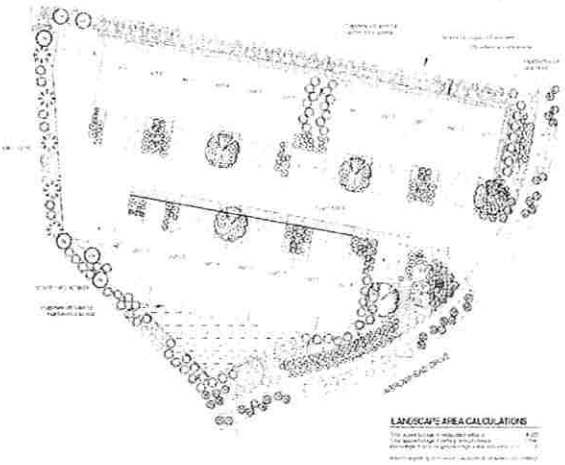


Figure 2 - Proposed Landscape Plan

PUD's Exempt from Site Plan and Architectural Review

Per MLDC 10.192(D), PUD's shall be exempt and there shall be no requirement to apply separately for Site Plan and Architectural Review or demonstrate compliance with the criteria in Section 10.200 if the Planning Director elects to not forward the project to the Site Plan and Architectural Review Commission, as is the case here.

Decision: The Planning Commission decided to not send this application to the Site Plan and Architectural Review Commission.

Compliance with Applicable Development Standards (Based on proposed MFR-15 zoning)

Site Development Standards

All applicable site development standards per MLDC 10.714 are met per the table below.

	Allowed/Required	Proposed
Building Height	35 feet	20 feet 10 inches
Lot Coverage	50%	27.8%
Setback, front	20 feet, 15 feet if vehicular access to the garage is parallel to the street	Min. of 15 feet with vehicular access to garage door parallel to street
Setback, street side	10 feet	No street side yard
Setbacks, side & rear	6.9 feet	Min. of 10 feet

Please note that on the Site Plan (Exhibit H) the applicant accidentally mislabeled the front yard along Arrowhead Drive as a Street Side Yard.

Multiple Family Residential Standards

Multiple Family Dwelling Standards are listed in the MLDC in Sections 10.715A through 10.719. The applicant did address all standards in their *Appendix to Exhibit 1* Findings (Exhibit R) and demonstrated compliance with the applicable standards.

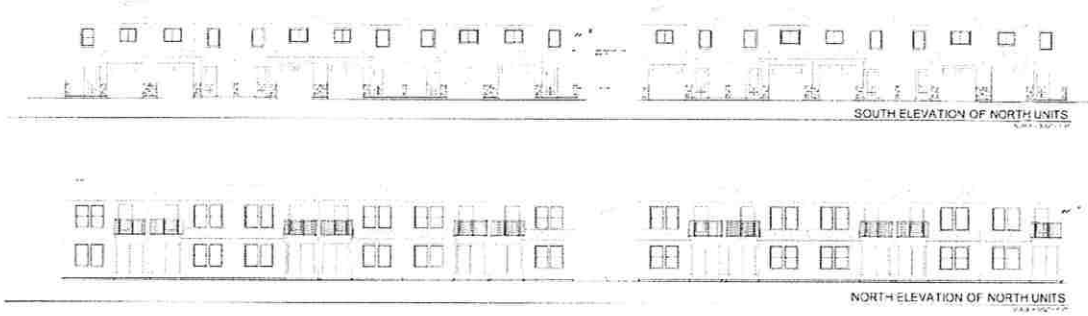


Figure 3 -Proposed Building Elevations

In regards to the findings provided for MLDC 10.717(A)(1) which states that *Building shall be oriented to public streets and public street intersections*, the applicant requested that the City approve a modification to this section per MLDC 10.192(B). The section reads that *Limitations, restrictions and design standards pertaining to location, size, height, yards and setbacks for buildings and other structures may be modified within a Planned Unit Development.* In addition, as MLDC 10.719 does allow

for optional adjustments of the special development standards for multiple family development, Staff does believe that the requested relief request to the building orientation standards will, at a minimum, allow the project to achieve an equivalent quality and, therefore, supports this request.

Staff also supports the applicant's request for building entrances that are within 30 feet of a street to not face the street frontage. The proposed design elementarily meets the requirements of MLDC 10.715(3)(c)(i) and (ii) which state that for *buildings proposed to be perpendicular to public streets (...) main entries may face up to 90 degrees away from the street provided that both of the following apply: (i) They are visible from the street, and (ii) Thief building side facing the street shall contain window occupying a minimum of 15% of the overall façade length.*

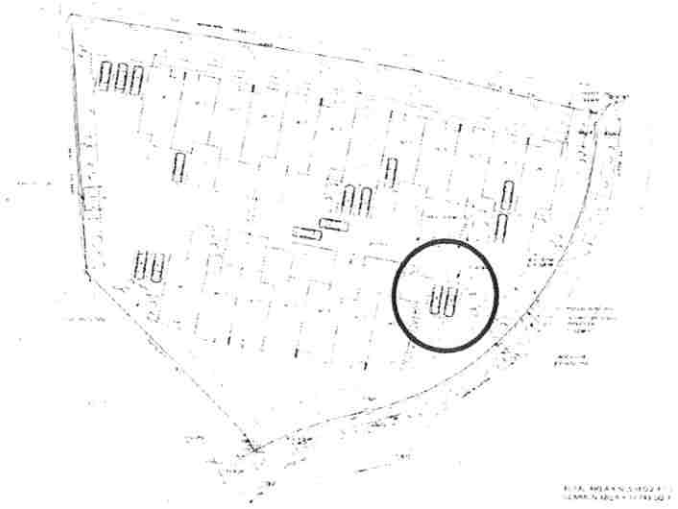


Figure 4 - Parking Area between building and street

Lastly, the applicant argues that MLDC Section 10.717(F)(1), because it is ambiguous in its application to this housing project, is not clear and objective and should not be applied.

> F. Vehicle Circulation and Parking.
> (1) In order to strengthen the presence of buildings on the street, no parking spaces shall be located within any required front yard area, and no automobile circulation or parking areas shall be located between buildings and the street. Any proposed deviation from this standard shall be subject to a request for an Exception as outlined in Section 10.186.
> [Added Sec. 5, Ord. No. 2018-100, Sept. 6, 2018.]

Figure 5 - MLDC Section 10.717(F)(1)

Staff believes that the standard in MLDC 10.717(F)(1) is clear and objective in that no parking spaces shall be located within the required front yard area or between any building and the street. The two parking spaces highlighted in Figure 4 are clearly located between the public right-of-way and Unit 18. Therefore, staff does believe that

an Exception to this standards is required per MLDC 10.186. However, it will ultimately be up to the Commission to decide on whether an Exception will be required or not.

Decision: The Commission decided to not allow for the above discussed modification requests, including the multi-family residential standards pertaining to building orientation, street frontage presence and vehicle parking in the front yard.

Vehicular Parking

There was discussion during the public hearing about the amount of regular and handicapped vehicular parking spaces. It was unclear whether the proposed parking spaces in front of the garages meet the dimensional parking stall standards per MLDC 10.746 and could be counted towards the minimum required amount of parking. There was also discussion about how many (if any) handicap accessible parking will be required.

Decision: The Commission decided to refer this issue to the Planning Director. This will be looked at during the review of the Final PUD Plan.

Facility Adequacy

Transportation Impact Analysis

MLDC 10.461(3) requires a Transportation Impact Analysis (TIA) to be conducted to evaluate development impacts to the transportation system if a proposed application has the potential of generating more than 250 net average daily trips (ADT) or the Public Works Department has concerns due to operations or accident history.

Per the applicant's findings and the Public Works Staff Report (Exhibits S, T and U, respectively), a Transportation Impact Analysis is not required as the proposal is likely to generate less than 250 net ADT. No significant impact to the transportation system are expected.

Sewer Capacity Constraints

Also indicated in the Public Works Department Staff Report is the fact that the downstream sewer system currently has capacity constraints. Based on this information, Public Works suggests three options: One, to deny the proposed applications; two, the applicant to stipulate to only develop so the total sewer flows do not exceed current zoning limitation; or, three, the developer make improvements to the downstream sanitary sewer system to alleviate capacity constraints or provide an engineering study of the downstream sewer system to show capacity exists to allow the proposed applications.

Staff received additional findings from the applicant (Exhibit KK) regarding this issue on September 5, 2019 stating that this wasn't an issue under the new Sewer Master

Plan. Public Works staff agreed with the applicant's findings that the new zoning will lower the impact on the sewer system and, therefore, a restrictive zoning overlay will not be necessary.

Facility Adequacy

Per the agency comments submitted to staff (Exhibits S to Y), it can be found that adequate facilities are available or can and will be made available to serve the future development of the site.

Committee Comments

Identify whether comments were received from a committee, such as BPAC. If not, state so.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Comprehensive Plan Amendment

1. *A significant change in one or more Goal, Policy, or Implementation Strategy.*
   Findings:
   The City has completed an Urban Growth Boundary amendment to accommodate future land need, which has been formally adopted by the State, and the analysis done through that process has provided information demonstrating the need for residential land.
   Conclusions:
   The proposed change is consistent with pertinent Comprehensive Plan policies and implementation strategies that seek to provide an adequate supply of residential land.

2. *Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.*
   Findings:
   The City has completed an Urban Growth Boundary amendment to accommodate future land need, which has been formally adopted by the State, and the analysis done through that process identified a slight surplus (one acre) of industrial land. The proposed swap of 1.16 acres is relatively insignificant compared to the total land base within the City of Medford.
   Conclusions:
   Even though the proposed change will have a minimal effect on the overall available land, it will still help satisfying urban housing needs.

3. *The orderly and economic provision of key public facilities.*

   Findings:

   The Public Works Staff Report identified potential downstream sewer system capacity constraints. As per Exhibit KK, this will not be an issue with the proposed zoning. Per the agency comments submitted to staff, no other issued were identified and it can be found that there are adequate facilities to serve the future development of the site as a residential development.

   Conclusions:

   Sufficient facilities exist to accommodate the proposed classification change.

4. *Maximum efficiency of land uses with the current urbanizable area.*

   Findings:

   The residential designation will accommodate the buildout of the property as a residential development.

   Conclusions:

   The proposed designation change would mean the land could be used for up to 20 dwelling units per the density calculation (Exhibit JJ). The applicant proposes 18 units which is within the density range of 14 to 20 dwelling units. No density bonus has been requested as part of the PUD revision.

5. *Environmental, energy, economic, and social consequences.*

   Findings:

   Environmental: The subject area is already within the UGB, and thus has already met tests concerning environmental impacts; a change of designation does not affect suitability for urbanization.

   Energy: A designation change to UM would not pose any discernable energy consequences, as the site is located within the UGB, and thus has already met tests concerning environmental impacts; change of designation does not affect suitability for urbanization.

   Economic: The City has completed an Urban Growth Boundary amendment to accommodate future land need, which has been formally adopted by the State, and the analysis done through that process identified a slight surplus of industrial land.

   Social: The surrounding area of the subject site is a mix of light industrial, institutional and residential uses. The changing of the subject site to the Urban Medium Density Residential GLUP will result in the site abutting other property also designated with the UM GLUP. The proposed change is not anticipated to have a negative social consequence as the surrounding area is already a mix of uses.

Conclusions:
Environmental: No discernable environmental consequences would result with the proposed change of designation.
Energy: No discernable energy consequences would result with the change of designation.
Economic: The proposed change would provide for additional housing and accommodating housing for the workforce.
Social: No discernable social consequences would result with the proposed change of designation.

6. *Compatibility of the proposed change with other elements of the City Comprehensive Plan.*

Public Facilities Element
Findings:
Policy 2-A deals with the timely provision of essential urban facilities and services. As was pointed out in the Public Works Staff Report, there are downstream sewage system facility constraints which might trigger the implementation of a restrictive zoning overlay.
Conclusions:
With the new sewer master plan in place, it was determined that there will be no unanticipated impacts to public facilities.

Housing Element
Findings:
Policy 3: In planning for needed housing, the City of Medford shall strive to provide a compact urban form that allows efficient use of public facilities and protects adjacent resource lands and consider actions such as upzoning buildable land to medium and high density residential.
The GLUP change to Urban Medium Density Residential and the subsequent rezoning to MFR-15 will allow for the development of up to 20 residential dwelling units in an area where no residential development was previously proposed.

Conclusions:
The proposed change does supply a small amount of residential land for development.

7. All applicable Statewide Planning Goals.

Goal 1 – Citizen Involvement
Findings:
Goal 1 requires the City to have a citizen involvement program that sets the procedures by which affected citizens will be involved in the land use decision proves, including participation in the quasi-judicial revision of the Comprehensive Plan. The City of Medford has an established citizen-involvement program consistent with Goal 1 that includes public review of proposed Comprehensive Plan amendments by the Planning Commission and City Council.
Conclusions:
By following the standard notification and comment procedure, the City provided adequate opportunities for citizen input.

Goal 2 – Land Use Planning
Findings:
The City has a land use planning process and policy framework in the form of a Comprehensive Plan and development regulations in Chapter 10 of the Municipal Code that comply with Goal 2. These are the foundation for decisions and actions.
Conclusions:
There is an adequate factual basis for the proposed designation change.

Goals 3 to Goal 5 are not applicable.

Goal 6 – Air, Water and Land Resources Quality
Findings:
There are no streams on the property that would be impacted. The land in question is not classified as a resource in terms of agriculture because it is classified as urbanizable.
Conclusions:
The proposed change will have no discernable effect on the production of pollutants. There are no water or land resource impacts.

Goals 7 & 8 are not applicable.

Goal 9 – Economic Development
Findings:
Goal 9 outlines that Comprehensive Plans shall 'provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses with plan policies.'

Conclusions:
The proposed change will reduce the available industrial lands by one acre – a land use designation in which the recent UGB analysis demonstrated that a one acre surplus exists.

Goal 10 – Housing
Findings:
Goal 10 requires that 'plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density.' A designation change to residential will allow for the development of 20 additional dwelling units.
Conclusions:
The proposed designation change will create a potential for the expansion of the City's existing housing stock.

Goal 11 – Public Facilities and Services
Refer to No. 3 above.

Goal 12 – Transportation
Findings:
The Transportation Planning Rule (OAR 660-012) requires cities to have plans to accommodate anticipated transportation system needs. A transportation impact analysis was not required as part of this project as the project is expected to generate fewer than 25 additional trips.
Conclusions:
The proposal will not have a significant impact on the public transportation system.

Goal 13 – Energy Conservation
Findings:
Providing for multiple family housing near existing employment uses and shopping areas decreases the amount of energy required to get to those places.
Conclusions:
The development is consistent with the goals that are outlined in Goal 13.

Goal 14 – Urbanization
Findings:
The subject property is situated between commercial, light industrial, institutional and residential uses and will be placed within an area that is already urbanized.

Conclusions:
The proposed GLUP change will not materially change the transition and mix of land uses or livability of the community.

Goals 15 to 19 are not applicable.

Zone Change

Staff has reviewed the applicant's findings and conclusions for the Zone Change (Exhibit P) and recommends the Commission adopt the findings as presented.

Planned Unit Development

Staff has reviewed the applicant's findings and conclusions for the Revision to the Planned Unit Development (Exhibit Q) and recommends the Commission adopt the findings with the following modifications:

- The Commission finds that an Exception application per MLDC 10.186 is required to allow for parking between the proposed buildings and the public right-of-way

- OR -

- The Commission agrees with the applicant findings stating that the standard set forth in MLDC 10.717(F)(1),because it is ambiguous in its application to this housing project, is not clear and objective and should not be applied.

Decision: The Commission decided to not allow the proposed modification requests to the PUD.

ACTION TAKEN

Minor Comprehensive Plan (GLUP Map) Amendment

Forwarded a favorable recommendation for approval of GLUP-19-004 to the City Council per the Staff Report dated September 5, 2019, including Exhibits A to LL.

Zone Change and Revision to Planned Unit Development

Adopted the findings as recommended by staff and directed staff to prepare the final order for approval of ZC-19-014 & PUD-19-003 per the staff report dated September 5, 2019, including Exhibits A through LL.

EXHIBITS

A	Conditions of Approval, dated September 5, 2019
B	Vicinity Map, received June 28, 2019
C	GLUP Map, received June 28, 2019
D	Zoning Map, received June 28, 2019
E	Transportation System Map, received June 28, 2019
F	North Medford Circulation Plan, received June 28, 2019
G	Assessor's Map, received June 28, 2019
H	Site Plan, received June 28, 2019
I	Preliminary Grading and Drainage Plan, received June 28, 2019
J	Elevations, received August 22,2019
K	Floor Plans, received June 28, 2019
L	Landscape Plan, received June 28, 2019
M	Narrative, received June 28, 2019
N	Site Images, received June 28, 2019
O	Applicant's Findings of Fact and Conclusions of Law (GLUP), received June 28, 2019
P	Applicant's Findings of Fact and Conclusions of Law (Zone Change) , received June 28, 2019
Q	Applicant's Findings of Fact and Conclusions of Law (PUD) , received June 28, 2019
R	Appendix to Applicant's Exhibit 1, received August 22, 2019
S	Public Works Staff Report (GLUP), dated August 14, 2019
T	Public Works Staff Report (Zone Change), dated August 14, 2019
U	Public Works Staff Report (PUD Revision), dated August 14, 2019
V	Building Department Memo, dated August 14, 2019
W	Medford Fire-Rescue Land Development Report, dated August 14, 2019
X	City Surveyor Memo, dated July 31, 2019
Y	Medford Water Commission Memo, dated August 14, 2019
Z	Floodplain Coordinator Memo, dated August 8, 2019
AA	Email from ODOT, received August 7, 2019
BB	Planning Commission Report PUD-99-141, received June 28, 2019
CC	Legal Description, received June 28, 2019
DD	Tower Business Park Survey, received June 28, 2019
EE	Covenants, Conditions & Restrictions, received June 28, 2019
FF	PUD Amendment request, received June 28, 2019
GG	Jackson County Assessor valuation data, received June 28, 2019
HH	Tower Retail Center Subdivision Survey, received June 28, 2019
II	Letter from Willam Merrihew, received August 28, 2019
JJ	Density Calculation Form, dated September 3, 2019
KK	E-Mails from applicant re: Sewer Capacity issues, dated August 14, 2019
LL	E-Mail from R. Woerner re: PUD modification, received September 6, 2019

Vicinity map

Joe Foley, Vice Chair

PLANNING COMMISSION AGENDA: **SEPTEMBER 12, 2019**
SEPTEMBER 26, 2019

Steffen K. Roennfeldt

From: Raul Woerner <raul@csaplanning.net>
Sent: Friday, September 6, 2019 12:23 PM
To: Steffen K. Roennfeldt
Subject: PUD-19-003 (Tower Business Park) - parking spaces

<EXTERNAL EMAIL>

Steffen:

Would a third option be available to the Planning Commission to authorize the two parking spaces (8 & 9 on the plan) as a modification of standards pursuant to Section 10.192(B)(3) as relating to Parking, Bicycle and Pedestrian Standards in PUDs? It would seem a reasonable modification to allow given the generous landscaping provided between the spaces and the street and in recognition of the site constraints and curvilinear street alignment.

The needed housing statute - in addition to requiring that cities apply only clear and objective standards, conditions and procedures regarding the development of housing - also provides that the same may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost and delay. ORS 197.304(4)(b). At least in the spirit of that requirement, if a modification can be considered and approved as part of the current PUD permitting process rather than requiring a separate exception application to be filed and approved, I would ask that the Planning Commission to authorize a modification to allow the two spaces as presented.

Very truly yours,

CSA Planning, Ltd.
Raul Woerner

(541) 779-0569

CITY OF MEDFORD
EXHIBIT # LL
File # PUD-19-003
GUP-19-007 ZC-19-014

MEDFORD
PLANNING

MEMORANDUM

To: Planning Commission

From: Sarah Sousa, Planner IV

Date: September 19, 2019 *for September 26, 2019 meeting*

File No: GF-19-008

Subject: Consideration of a Site Plan & Architectural Commission request to amend Chapter 10 of the Medford Municipal Code related to car washes and fuel stations

BACKGROUND

The Site Plan and Architectural Commission recently reviewed an application for a commercial development in a primarily residential area. The project included multiple commercial uses, including a car wash and fuel station. The Commission expressed concerns that the impact of car washes and fuel stations next to residential properties may be too intense and industrial. They also found that the conditions that can be imposed on permitted uses are insufficient to mitigate anticipated impacts. As a result, the Site Plan & Architectural Commission has requested the Planning Commission consider a code amendment to require such uses to be conditional when adjacent to residential zones.

The Planning Commission discussed this topic at the September 9, 2019 study session.

EXISTING CODE

Section 10.337 of the Medford Municipal Code lists uses under each of the commercial and industrial zones. Fuel stations are allowed outright in all of the commercial and industrial zones. Car washes are not permitted in the Service Commercial and Professional Office zoning district and are listed as conditional in the Neighborhood Commercial district. They are permitted outright in all of the other commercial and industrial zoning districts. (See table below)

Existing Use by zone

Use	C-S/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
Fuel Station	P	P	P	P	P	P	P	P
Car Wash	X	C	P	P	P	P	P	P

P=Permitted X=Not Permitted C=Conditional Use

AMENDMENT OPTIONS

If the Commission votes to initiate the amendment, there are different options that could be considered. The Site Plan & Architectural Commission's recommendation is to make fuel stations and car washes conditional when adjacent to residential properties. One option may include adding special standards for fuel stations and car washes if within a certain proximity to residential properties. Yet another possibility may involve mirroring some of the conditional use permit mitigation measures to the Site Plan & Architectural Commission's list of conditions that can be imposed on development.

STAFF RECOMMENDAITON

Staff recommends the Commission pull this item off of the consent calendar and vote on whether or not to initiate the amendment.

ATTACHMENT

1 Memo from the Site Plan & Architectural Commission dated June 7, 2019

MEMORANDUM

Subject	Gas Stations and Permitted Use Status
To	Planning Commission
From	Site Plan and Architectural Commission via Jim Quinn, Chair
Date	June 7, 2019

The Site Plan and Architectural Commission recently heard an application to locate a convenience store with a gas station and car wash in a commercial zone but within a predominantly residential area. The use is permitted outright and not conditional. While this commission has a great deal of latitude in determining compliance with our first criterion – whether a proposed use is compatible with its neighboring uses and development – we found that the conditions we are able to place on permitted uses insufficient to mitigate anticipated impacts.

We request that the Planning Commission consider amending the use table and require conditional use permits for gas stations in proximity to residential areas. Thank you for your consideration.

:ke

PLANNING COMMISSION MINUTES

MEDFORD
OREGON

September 12, 2019
5:30 P.M.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

The regular meeting of the Planning Commission was called to order at 5:30 PM in the Medford City Hall, Council Chambers, 411 West 8th Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present	Staff Present
Mark McKechnie, Chair	Kelly Evans, Assistant Planning Director
Joe Foley, Vice Chair	Carla Paladino, Principal Planner
David Culbertson	Eric Mitton, Deputy City Attorney
Bill Mansfield	Alex Georgevitch, City Engineer
David McFadden	Karl MacNair, Transportation Manager
Jared Pulver	Greg Kleinberg, Fire Marshal
Jeff Thomas	Terri Richards, Recording Secretary
	Kyle Kearns, Planner II
	Steffen Roennfeldt, Planner III

Commissioner Absent
E.J. McManus, Excused Absence

10. Roll Call

20. Consent Calendar / Written Communications (voice vote).
Commissioner Mansfield requested that agenda item 20.4 be removed from the Consent Calendar and considered individually.

20.1 ZC-19-011 Final Order of a request for a zone change of three contiguous parcels totaling 5.26 acres located north of Barnett Road and east of Murphy Road, from MFR-30 (Multiple Family, thirty dwelling units per gross acre) to C-S/P (Commercial, Service & Professional Office) (371W28DC TL 400, 500 & 600); Applicant, Mahlum Architects; Planner, Dustin Severs.

20.2 ZC-19-012 Final Order of a request for a change zone of a 0.155-acre portion of a single 4.4-acre parcel located at 4088 Table Rock Road from I-G (General Industrial) to I-L (Light Industrial) (372W01D901). Applicant: JBR Table Rock, LLC; Planner; Dustin Severs.

20.3 ZC-19-010 Final Order for a minor General Land Use Plan (GLUP) amendment to reclassify 5.07 acres, located at 709 N Phoenix Road, currently containing the "Court House Family Fitness", from

Urban Residential (UR) to Commercial (CM); along with an associated request to rezone the parcel from SFR-4, Single Family Residential – 2.5 to 4 dwelling units per gross acre) to C-C (Community Commercial) (371W27701). Applicant: North Phoenix Property Holding LLC; Agent: CSA Planning Ltd.; Planner: Steffen Roennfeldt.

Motion: The Planning Commission adopted the consent calendar items 20.1, 20.2 and 20.3 as submitted.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Voice Vote: Motion passed, 7-0-0.

20.4 Consideration of a citizen initiated request to amend Chapter 9 of the Municipal Code to expand the types of uses and number of zoning districts that permit electric fences. Planner: Carla Paladino.

Carla Paladino, Principal Planner reported this item was recently heard by the Planning Commission at a study session. This is a citizen request to update Chapter 9 of the Municipal Code to expand the types of uses and number of zoning districts that permit electric fences. If the Planning Commission would like staff to work on the request they need a motion from the Planning Commission this evening. It will become part of staff's work tasks for 2020.

Motion: The Planning Commission directed staff to review the request and return to the Planning Commission for further proceedings.

Moved by: Commissioner Mansfield Seconded by: Commissioner Foley

Chair McKechnie asked, does staff have a different position than what was discussed at the study session? Ms. Paladino responded that staff has the same position. They do not agree to make any changes at this point.

Commissioner Pulver is in favor of staff working on this request. It seemed unclear to him at the study session what their request is. It seems broader than what he is comfortable with and maybe what staff is comfortable with. Ms. Paladino replied that staff will work with the applicant.

Chair McKechnie cannot see the need for the request. He is planning on voting against the request and not recommending that staff further review it.

Commissioner McFadden asked, how many reviews can the Planning Commission do in a time period? Ms. Paladino reported two a year and the Planning Commission has not initiated any this year.

Voice Vote: Motion passed, 6-1-0, with Chair McKechnie voting no.

30. Approval or Correction of the Minutes from August 22, 2019 hearing
30.1The minutes for August 22, 2019, were approved as submitted.

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

50. Public Hearings

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

Continuance Requests
50.1 ZC-18-178 Consideration of a request for a zone change of an approximately 91.5 gross acre parcel located at the terminus of Cadet Drive from SFR-00 (Single Family Residential, one dwelling unit per parcel) to SFR-4 (Single Family Residential, 4 to 6 dwelling units per gross acre) (371W15C TL 300); Applicant: Mike & Gayle Jantzer; Agent: Richard Stevens & Associates Inc.; Planner: Liz Conner. **The applicant requests this item be continued to Thursday, September 26, 2019 Planning Commission meeting.**

Chair McKechnie stated that if there are members in the audience that have come to testify on this agenda item and cannot attend the September 26th hearing, please come forward and the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on September 26th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued ZC-18-178, per the applicant's request, to the Thursday, September 26, 2019, Planning Commission meeting.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Voice Vote: Motion passed, 7-0-0.

New Business
50.2 GLUP-19-003 / ZC-19-013 Request for a minor General Land Use Plan (GLUP) amendment from (UH) Urban High Density Residential to SC (Service Commercial) and to change the zoning from MFR-20 (Multiple Family Residential - 15 to 20 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on a 0.61 acre parcel located at 2217 Barnett Road (371W29DC9800). Applicant: Hong (Kevin) Wu; Agent: Richard Stevens & Associates; Planner: Steffen Roennfeldt.

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

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

Steffen Roennfeldt, Planner III reported that the Minor Comprehensive Plan Amendment approval criteria can be found in the Medford Land Development Code Section 10.222(B). The Zone Change approval criteria can be found in the Medford Land Development Code Section 10.204(B). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report.

Chair McKechnie asked, what is the reason for changing the zoning to C-S/P (Service Commercial and Professional Office) opposed to C-C (Community Commercial)? Mr. Roennfeldt deferred the question to the applicant.

Chair McKechnie asked, what does Mr. Wu plan to do with the property? Mr. Roennfeldt responded the possibility of mixed-use.

The public hearing was opened.

a. Joe Slaughter, Richard Stevens & Associates, Inc., P. O. Box 4368, Medford, Oregon, 97501. Mr. Slaughter addressed Chair McKechnie's question as to why C-S/P opposed to C-C is the minimum parcel size required for the C-C zone.

Mr. Slaughter reserved rebuttal time.

The public hearing was closed.

Motion: The Planning Commission forwards a favorable recommendation for approval of GLUP-19-003 to the City Council per the staff report dated September 5, 2019, including Exhibits A through N.

Also, the Planning Commission also adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of ZC-19-013 per the staff report dated September 5, 2019, including Exhibits A through N, provided the City Council approves the GLUP amendment.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 7-0-0.

50.3 LDS-19-067 / E-19-048 Consideration of a request for approval of Summerfield at Southeast Park, Phases 19 and 20, a 44-lot residential subdivision on 15.23 gross acres and an Exception to allow through lots between Shamrock Drive and Sunleaf Avenue. The Site is located at the easterly termini of Sunleaf Avenue and Shamrock Drive south of Cherry Lane, and is zoned SFR-4/SE/RZ (Single Family Residential, four dwelling units per gross acre/Southeast Plan Overlay/Restricted Zoning Overlay). The request is a revision to the previous approval for Summerfield at Southeast Park Phases 16 – 21 (LDS-17-051). (371W27DA TL 200, 300, 1100 & 1200). Applicant: Crystal Springs Development Group, a Joint Venture; Agent: Neathamer Surveying; Planner: Kelly Evans.

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

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

Kelly Evans, Assistant Planning Director reported that staff received a letter from Westview LLC that is the property adjacent to the north property owner. It will be entered into the record as Exhibit Q. Also, revise Conditions of Approval (Exhibit A) adding a requirement note be on the plat for Condition 3 restricting access to certain lots. Condition 6 does not apply. The Land Division approval criteria can be found in the Medford Land Development Code Section 10.202(E). The Exception approval criteria can be found in the Medford Land Development Code Section 10.186(B). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Evans gave a staff report.

Chair McKechnie asked, where does the multi-use path continue on to? Ms. Evans reported it will be picked up at the east end of the development across Shamrock.

Chair McKechnie asked, how wide is the path? Ms. Evans responded that the proposed path is 10 feet wide.

The public hearing was opened.

a. Bob Neathamer, Neathamer Surveying, 3126 State Street, Suite 203, Medford, Oregon, 97504. Mr. Neathamer reported that Mr. Randy Jones is in the audience that also represents this item and the next agenda item. They are aware of the request from the adjacent property owner and it was an oversight on the conceptual plan. They have always intended to provide sewer and storm drain connections to the properties to the north.

Mr. Neathamer reserved rebuttal time. He will be sharing his rebuttal time with Mr. Jones.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Orders for approval of LDS-19-067 and E-19-048 per the staff report dated September 5, 2019, including Exhibits A through Q, revising Exhibit A adding the requirement that a note be on the plat for Condition 3, delete Condition 6 and including the applicant's stipulation regarding the sanitary sewer being stubbed to the property line as per requested.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Commissioner Pulver asked, do they need to stipulate the utility connection? Ms. Evans responded that in the motion the Commission can accept the applicant's stipulation.

Roll Call Vote: Motion passed, 7-0-0.

50.4 LDS-19-069 Consideration of a request for approval of Summerfield at Southeast Park Phases 23-29, a 183-lot residential subdivision on 65.83 gross acres generally located on the east side of Waterstone Drive extending between Shamrock Drive and Barnett Road. The applicant also proposes to create eight reserve acreage tracts following the phase boundaries. The Site is zoned SFR-4 (Single Family Residential, 2.5 – 4 dwelling units per gross acre), SFR-6 (Single Family Residential, 4 – 6 dwelling units per gross acre), SFR-10 (Single Family Residential, 6 – 10 dwelling units per gross acre), and MFR-20 (Multiple Family Residential, 15 – 20 dwelling units per gross acre) and is within the Southeast Plan (SE) Overlay District and has restricted zoning (RZ). The request is a revision to the previous approval for Summerfield at Southeast Park Phases 23 – 29 (LDS-17-113). (371W27 TL 1001). Applicant: Crystal Springs Development Group, a Joint Venture; Agent: Neathamer Surveying; Planner: Kelly Evans.

Kelly Evans, Assistant Planning Director reported that Exhibit A needs to be revised adding the requirement that a note be on the plat for Condition 3, vehicle access restrictions and Condition 7 needs to include Phase 25. The Land Division approval criteria can be found in the Medford Land Development Code Section 10.202(E). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Evans gave a staff report.

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

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

Commissioner Pulver asked, where the subdivision connects to Barnett Road if the applicant intends to have full access to Barnett Road, in the near term, would they be required to build a 22 foot wide paved road to North Phoenix Road. Ms. Evans responded that it is close to North Phoenix Road.

Commissioner Pulver asked, how do they limit it to the Fire Department only? Ms. Evans reported that no construction traffic would be able to use that. She assumes the end of the street would be blocked to not allow access down to Barnett Road.

Commissioner Pulver asked, how does the Fire Department get in? Ms. Evans replied with a temporary access road.

Vice Chair Foley asked, doesn't that road continue to wind up past the property? Ms. Evans commented yes. Vice Chair Foley commented that there is residential traffic that goes beyond that property on Barnett Road.

Ms. Evans is not talking about blocking Barnett Road. Waterstone would connect at Barnett Road. They will do something capable of supporting fire and emergency vehicles.

Chair McKechnie asked, what is the restriction for the restrictive zoning? Ms. Evans deferred the question to the applicant.

Chair McKechnie asked, did staff have any concerns about the long blocks that result in a dead end opposed to the other one that had a north/south street located at the end of the development? Ms. Evans responded no. This is adjacent to MD-5 which is one of the expansion areas. She is confident that they will be seeing an urbanization plan in the relatively near future that will give a north/south loop.

Commissioner McFadden asked, has the Southeast Plan block length rule changed? Ms. Evans will have to look carefully at the Southeast Plan language. The block length ordinance in Code Section 10.426 explicitly excludes the Southeast Plan area from applicability. Commissioner McFadden stated that maybe it does but the Southeast Plan has a lot that can be separate from the rest of the Code. Ms. Evans agreed.

Commissioner McFadden asked is there room for a school in the general plan west of this development? Ms. Evans reported that areas MD-8 and MD-9 were designated parks/schools in the Southeast Plan. The park was not built where it was designated. The School District has stated the land slopes that will not service them well. There is an agreement with the School District to move into MD-5 in the urban reserve areas.

Ms. Evans stated that the Southeast Plan was adopted in 2004. There have been changes in the last fifteen years with the Plan. Staff will be working on cleaning it up since designations have moved.

Mr. Mitton reported that in Section 5.3 page 10-23 of the Southeast Plan reads: "Maximum block length standards optimize convenience for pedestrians and enhance street connectivity. Street intersections should be located approximately every 600 to 800 feet in single-family areas and 400 to 600 feet in the Village Center and other higher density areas..." He does not know if that applies here or not? Ms. Evans asked, is this in the Comprehensive Plan or Chapter 10? Mr. Mitton responded it is in the Comprehensive Plan. Ms. Evans stated the Southeast Plan is difficult to work in. There are aspirational things in the Comprehensive Plan that were not carried into the clear and objective standards of the Land Development Code.

The public hearing was opened.

a. Bob Neathamer, Neathamer Surveying, 3126 State Street, Suite 203, Medford, Oregon, 97504. Mr. Neathamer concurred with Ms. Evans that working in the Southeast Plan is difficult. Sometimes the proposed street layouts makes it almost impossible to get a good circulation plan.

The applicant understands the concerns with Barnett Road. They have not intentions of using any of the construction traffic on that road. The gate will be placed at the end of Waterstone. It is a system that allows emergency uses but is not used for public access. The project will build from the north to the south.

The School District did not want the school located where it was shown on the Southeast Plan. They are discussing with the School District for a location in the urban expansion area to the south and east.

Chair McKechnie asked Mr. Neathamer to address his concern about the three long streets with no crossings for connections. The original plan had a north/south street at the end of the subdivision. Mr. Neathamer commented that the circulation plan streets that carries traffic through the entire project were dead ends on each end because they were not intended to go further north or south. Parks had an issue with having so many pathways crossing intersections. This layout addresses their issue,

Chair McKechnie stated that Parks is not the only people utilizing this. There is a 600 foot long dead end alley and trash trucks will have to figure out how to get down it and back out. It seems to him there are two of those plus two streets that would be a concern. Mr. Neathamer responded that this has been reviewed by Public Works and the Fire Marshal. Neither one of them had those concerns.

Commissioner McFadden stated he was concerned about the distances but comparing with other developments in the area have blocks longer than this project and some shorter. That mixture seems to be working that eased his concern. Commissioner McKechnie's concern about the traffic at the end of the streets is a valid concern and thinks some of it will be solved by temporary hammerhead

turnarounds or similar treatment at the end of those areas. Commissioner Foley commented that is in the Fire Department report. Mr. Neathamer stated again, that the Southeast Plan with the streets that are placed where they have to stay a major street, makes it difficult. They have to build around it.

b. Randy Jones, 815 Alder Creek Drive, Medford, Oregon, 97504. Mr. Jones reported that going east on long dead ends there will be a connection in MD-5 that will be a gravel road accessible by fire and construction that will go north and south. As they layout MD-5 and present to the Planning Commission they will build another corner lot. There will be a north/south street with residential on the west side and on the east side there will be a school and park. The park will be related to a playground with an elementary school. Until then each one of the streets will have a connection road through. He prefers connecting one street to another and not just a circle for a fire truck turnaround or a hammerhead but an actual loop that helps the construction vehicles, fire and garbage trucks. This has been done in Summerfield further north for years and it works great.

Commissioner Thomas asked, what is the acreage laid out for the school? Mr. Jones responded that the school district for the elementary school is looking at six acres. The park is looking at two acres. The Parks Department would prefer the school district take the lead on how that part of the park looks.

Where the forty foot wide greenway trail would be crossing the block there would be tremendous amounts of crossings. There would be fences in people's backyards. The Parks Department made it clear that they did not have the money to buy the land, build or maintain the forty foot wide trail even though the Southeast Plan says they are to do. The applicant, Planning and the Parks Department design team came up with doing a ten foot wide instead of a 5 foot sidewalk, give more right-of-way land, still have a park strip not as wide as the eight feet, trees, pedestrian scaled street lights, stamped street crossings at the intersection making it work as one. The City does not have to pay for any of it. The applicant will pay for it and build it as they build their development. The park strip irrigation and sidewalk maintenance is tied to each of the lot owners.

Chair McKechnie paraphrased Mr. Jones' earlier comment that the intention on the original plat with the north/south street on the east end goes into the MD-5 area. Mr. Jones responded yes. They have the first pre-application for annexation in the new Urban Growth Boundary. The school will be in that area and a regional detention area. That is the best way to keep development without all the driveways from the houses to where they get to the true greenway that is further southeast. They will get to a real natural greenway that the applicant will enhance and put normal trails on.

Chair McKechnie asked, what is the phasing of the buildouts on the eastern half of the development related to MD-5? Mr. Jones stated that for Phases 23-29 the most north western phase will be the first. The next phase will be directly south of it. The next phase will be in the north east connecting Shamrock through since it is the major residential street that will run into MD-5. They will build south from there. The last to finish will be the further southern parts.

Mr. Neathamer reserved rebuttal time.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of LDS-19-069 per the staff report dated September 5, 2019, including Exhibits A through R, revising Exhibit A adding the requirement that a note be on the plat for Condition 3, vehicle access restrictions and Condition 7 needs to include Phase 25.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 7-0-0.

50.5 PUD-19-003 / GLUP-19-004 / ZC-19-014 Consideration of a revision to the approved Preliminary PUD Plan for Lot 6 of the Tower Business Park Planned Unit Development to allow for the construction of rowhouse-style residential buildings, including an amendment to the General Land Use Plan map from GI (General Industrial) to UM (Urban Medium Density Residential) and to change the zoning to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on 1.16 acres located at 3583 Arrowhead Drive within the I-L (Light Industrial) zoning district (371W08BC2511). Applicant: Dan & Gina Reece; Agent: CSA Planning, Ltd.; Planner: Steffen Roennfeldt.

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

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

Steffen Roennfeldt, Planner III reported that the Minor Comprehensive Plan Amendment approval criteria can be found in the Medford Land Development Code Section 10.222(B). The Zone Change approval criteria can be found in the Medford Land Development Code Section 10.204(B). The Revision to Planned Unit Development approval criteria can be found in the Medford Land Development Code Section 10.198. The Planned Unit Development approval criteria can be found in the Medford Land Development Code Section 10.190. The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report and stated that staff received an email from the applicant requesting to use Code Section 10.192, relief from off-street parking standard, building orientation and entrance standards and to allow for rowhouse-style, multi-family development within the PUD. Staff supports the proposed deviation request. This email will be entered into the record as Exhibit LL.

Commissioner McFadden asked, what is the total number of modifications and deviations that are being requested for this development? Mr. Roennfeldt responded there are two units that face the public right-of-way and the off-street parking standard. There are three modifications.

Commissioner Pulver asked Mr. Roennfeldt to review the topic of architecture review. He heard the Planning Director had the option to require it, he did not. Does the Planning Commission have the option to require that or make it a condition of approval? Mr. Roennfeldt replied yes.

Chair McKechnie asked, how deep are the driveways on the units and if there is a garage and driveway are both allowed to be counted as spaces? Mr. Roennfeldt responded yes if the driveway meets the standard.

Chair McKechnie asked, are the parking spaces in the front going away? Mr. Roennfeldt replied no. If the Planning Commission agrees with the applicant that he can use Code Section 10.192 to modify the PUD standards when it pertains to the locational criteria for parking, they can remain where they are.

The public hearing was opened.

a. Raul Woerner, CSA Planning Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504. Mr. Woerner reported that the applicant wants to construct affordable market rate housing on their one acre similar to the adjacent housing.

They requested a modification where the units have the front door within 30 feet of the street, facing the street or visible from the street but within a 90 degree access. The northeast unit meets that standard but the southern row is more than 90 degrees depending on where it is measured from the street. The doors are still visible from the street.

If they tried to move the parking spaces to the back there would be no open parking near the front. It is currently spaced evenly. The two parking spaces between the building and street have a lot of landscaping in between.

The applicant hopes that Planning Commission looks at the architecture. The have incorporated all the requirements under the new multi-family design code.

The driveways meet the driveway standards on a public street.

Chair McKechnie asked, what is the length of the driveways? Mr. Woerner stated they are 20 feet on the north side and 20 feet on the south side. The driveway is recessed under the second floor. There is also a 5 foot pedestrian walkway.

Chair McKecknie stated that the building code requires two accessible parking spaces for an apartment complex. Where is the applicant putting those?

Chair McKechnie asked, does the applicant object to forwarding the architecture and site plan to the Site Plan and Architectural Commission? Mr. Woerner would like to get the architecture reviewed this evening. A final PUD plan still has to be presented that is the Planning Director's approval process. The applicant can make some adjustments to the number one space adjusting the landscaping to carve enough room to back out. He thought there was a revised site plan that showed the ADA. Spaces six and seven were adjusted to have a center aisle between them. At the end of the development on the lower southwest they could put an isle next to the last space to get a wheelchair out.

Commissioner McFadden commented that his questions would be more for site plan and if they refer it to the Site Plan and Architectural Commission there is no reason for him to ask. He would like something with more shape and see what the neighborhood looked like. Mr. Woerner showed a photograph of the complex next to the subject property. The photograph was the same that was in the agenda packet.

Chair McKechnie asked, was the complex next to the subject property built before or after the multi-family standards? Mr. Roennfeldt replied before.

Vice Chair Foley asked, is there a requirement for bicycle parking? Mr. Woerner responded that in the application the applicant asked that the bicycle parking be placed inside the garages. The chose that on the final design plan with the option of adding some on the outside.

Mr. Woerner reserved rebuttal time.

Ms. Evans reported that the Planning Commission can approve the architecture. Staff felt this project met the new residential design standards with the two exceptions that have been discussed this evening. From staff's perspective they did not feel there was a reason that they could not ask the Planning Commission to review because the standards are clear and objective with the two exceptions. They can make a decision on it this evening or they can send architecture and site design to the Site Plan and Architectural Commission but need to be specific on what it is they want them to look at and decide. Alternatively they could send it to the Planning Director but need to be specific what it is they want the Director to decide. It is a limited review not a full application to the Site Plan and Architectural Commission.

Commissioner Pulver asked, how does it play into time requirements? Is there a 120-day requirement? Ms. Evans responded that if the Planning Commission sends it to the Planning Director it would be looked at in the building permit process with a final decision. Sending it to the Site Plan and Architectural Commission would become a condition of approval. It is awkward for the Site Plan and Architectural Commission. It would be a second 120-day process.

Commissioner McFadden asked, did the Oregon state law change that the classification for homes for speedy development that limited and shortened the 120-day rule that were preapproved? Would this applicant qualify for their low income housing? Ms. Evans understood this to be market rate housing, not affordable housing. There is something for affordable housing at certain income levels.

The public hearing was closed.

Main Motion: The Planning Commission forwards a favorable recommendation for approval of GLUP-19-004 to the City Council per the staff report dated September 5, 2019, including Exhibits A through LL.

Also, the Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Orders for approval of ZC-19-014 and PUD-19-003 per the staff report dated September 5, 2019, including Exhibits A through LL, provided the City Council approves the GLUP amendment.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Commissioner Thomas asked, can the motions be separate? How do they approve parking issues outstanding? Vice Chair Foley responded that if there is further review with the Site Plan and Architectural Commission it would be an amendment to the motion.

Commissioner Thomas asked, is it correct that you cannot approve the project without handicap parking? Mr. Mitton that the Planning Commission should address the handicap parking issue.

In terms of the Site Plan and Architectural Commission (SPAC) review it can go to them in two different ways. Before this hearing the Planning Director can route something to SPAC. This Commission as a condition of approval can require a SPAC review on certain specified issues. In order to address changes the Planning Commission could break it up into two separate motions one for the GLUP recommendation to the City Council then a second motion for the issues resolved at this level or amend the motion that would have the same affect.

Commissioner McFadden commented that the Commission could make a condition of approval provided the applicant fixes the handicap parking problem according to staff if staff were not able to prove the legality of the proper handicap parking.

Chair McKechnie stated that they could also include the Site Plan and Architectural Commission review the two modifications to the multi-family standards. The front door not facing the street and parking in the front yard.

Vice Chair Foley is inclined to deal with the handicap parking but not the other one.

Commissioner Pulver's discomfort is the Planning Commission asked to do SPAC's job because it is procedurally allowed. He does not know what the look at or what their requirements are.

Vice Chair Foley shares Commissioner Pulver's discomfort but the applicant applied all the new multi-family residential standards. That eased his concerns.

Commissioner Pulver stated the front door and parking on the street issues do not concern him. The handicap parking should be addressed if the Commission chooses not do anything beyond that on site plan review.

Chair McKechnie responded that standards are there for a reason. If one cannot meet them for a legitimate reason they cannot meet them. He reviewed the floor plans and it is simple to turn the door another direction. He does not know if it makes the plan any worse. The comment about there is plenty of landscaping in front of the parking spaces so that really should not apply is a bogus argument. There are issues with the parking overall on the Site with the extra spaces. With a little creative work they can find more spaces that meet the criteria without having the Planning Commission to give up arbitrarily. He is happy to do it either way. If they want to act as SPAC the Commission needs to add a lot of conditions. If the Commission feels more comfortable letting SPAC look at the issues he is happy to illuminate the Items he thinks they should review. The zone change and GLUP change makes perfect sense and he does not have an issue with either one of those.

Ms. Evans reported that if the Commission's concern is parking it is clear and objective that staff can change it. She did not encourage the Commission to send parking to SPAC. She does not know how Commissioner Culbertson feels about that since he is the liaison.

Commissioner Culbertson is good with seeing it again or deferring it to Planning.

Commissioner McFadden asked, in Ms. Evans comment is she also referring to the handicap parking? Ms. Evans replied yes. It is a federal requirement. Are Chair McKechnie's comments Items that can be managed through the building permit process or are they so substantive and require such discretion that it needs to go to SPAC?

Chair McKechnie has concerns when staff has already said they think it sort of meets the standards. There are some design tweaks which is more SPAC purview that they would pick up on. Those things need to be addressed. SPAC looks more at the overall development. The parking can be tweaked to get more spaces than they need with some design flips. The front doors is an easy fix. That needs to be looked at. According to the site plan there is a significant slope in the front corner that the two front parking spaces are not going to fit without a four foot retaining wall.

Mr. Mitton reminded the Commission that design tweaks and not wanting design review to be checking boxes legislature with residential housing limited it to a clear and objective standards. If it goes to SPAC it is not supposed to be a subjective analysis with design tweaks.

Mr. Mitton also pointed out that under Code Section 10.192 the ability to modify for a PUD is traditionally applied by the Planning Commission. It is discretionary. The front door issue is in the Planning Commission's purview.

Commissioner Culbertson reported that the Site Plan and Architectural Commission reviews the landscaping plans, elevations, it would be a long discussion on where is the parking. The plans should have had handicap parking clearly identified. Space one is obviously not going to meet the criteria. If they shave out part of the landscaping are they still going to be meeting the minimum standard number of bushes and trees required for that development. If it is only down to finding a handicap parking space the Planning Director should have the discretion to work with the applicant to make that happen effectively so that it is safe.

Amended motion #1: Denial of the modifications under Code Section 10.192 to the multi-family standards regarding the front door and the parking space in the front yard.

Moved by: Chair McKechnie Seconded by: Commissioner McFadden

Commissioner Thomas asked, does or does not the parking in the driveway count? Chair McKechnie stated they are allowed to count parking in the driveway per the code. The applicant has elected not to do that. But it can be counted.

Roll Call Vote: Motion passed, 4-3-0, with Commissioner Pulver, Commissioner Thomas and Vice Chair Foley voting no.

Amended motion #2: Refer the plan to the Planning Director to resolve the issue over the location of accessible parking.

Moved by: Chair McKechnie Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 7-0-0.

Main Motion: The Planning Commission forwards a favorable recommendation for approval of GLUP-19-004 to the City Council per the staff report dated September 5, 2019, including Exhibits A through LL.

Also, the Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Orders for approval of ZC-19-014 and PUD-19-003 per the staff report dated

September 5, 2019, including Exhibits A through LL, provided the City Council approves the GLUP amendment.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 7-0-0.

50.6 DCA-18-180 An amendment to portions of Chapter 10, the Medford Land Development Code (MLDC), regarding the City's transportation concurrency standards and Transportation Impact Analyses (TIAs) to implement the adopted 2018-2038 Transportation System Plan (TSP). Applicant: City of Medford; Planner: Kyle Kearns.

Kyle Kearns, Planner II reported that the Development Code Amendment approval criteria can be found in the Medford Land Development Code Section 10.218(B). The applicable criteria were addressed in the staff report and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Kearns gave the staff report.

Vice Chair Foley asked, have they addressed all the issues raised by incorporating them into the Trip Generation table and scaling that based on size? Mr. Kearns responded that is correct and it is outside the scope of Chapter 10.

Vice Chair Foley asked, do the other issues relate to Subsection (11)? Mr. Kearns replied that is correct.

Commissioner Pulver asked, does the trip generation relate to the commercial zones C-C, C-N, C-R and C-H? Exhibit Q talks about daily trips created. The issues raised by Jay Harland and Kim Parducci were, that in larger commercial developments, the daily rates were unachievable. It created grim traffic studies. Mr. Kearns did not want to speak to the policies directly because it would be largely in the Public Works Department. Public Works would be best to answer specific questions but the idea is as the sites get larger the ADT is reduced based by acreage.

Commissioner Pulver addressed Vice Chair Foley's previous questions stating that it explicitly excludes the conformance of the pass-by rate with the ITE Manual. It stops recommendation. Mr. Kearns clarified the pass-by rate stating they can ask for the use of the ITE Manual and be left to the discretion of the Public Works Director at that point. Right now it is capped at 25 percent.

Chair McKechnie asked, does pass-by have a maximum of 25 percent and a credit in the TIA? Mr. Kearns replied yes.

The public hearing was opened.

a. Jay Harland, CSA Planning Ltd, 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504. Mr. Harland wanted his comments on record on a few of the issues. One is Subsection (9) TPR Prohibition. His understanding from reading the structure of the code, Section 10.204, is directed at Quasi-judicial zone changes of specific pieces of property. It would not necessarily be prohibited as part of a legislative action because it is allowed by TPR. That is flexibility the City should retain. He does not think the amendment proposed by staff would prohibit that.

He is pleased to hear their policy recommendation and how that has moved forward on Subsection (11) of the TPR. It is something that would get used infrequently but could be something to make a big difference for the community. The other part of the staff report seemed to indicate that in the interim one would be able to use Subsection (11) and apply TPR directly even though the City has not written a specific process. From the code language he does not think it would be prohibited.

Mr. Kearns had mentioned that zone changes is when facility adequacy is measured. That is how Medford has done it historically. The City is now making changes to that code section. When he does future zone changes and the development comes in, the neighborhood does not like it and wants the traffic reevaluated. This amendment would benefit from having findings that state this is how Medford has always done it and this is how Medford is continuing to do it under the new code changes. That is consistent with the policy direction that is in the TSP.

Mr. Harland does not have a comment for commercial trip rates. Staff is wanting to get that worked out. It is central to how these amendments will function moving forward.

Chair McKechnie asked, staff is recommending Subsection (11) be studied separately. Does Mr. Harland think that is a good idea? Mr. Harland responded that would be great for the City to do that and have a specific process. He can see the rationale. There are good things happening in the amendments.

The public hearing was closed.

Motion: The Planning Commission, based on the findings and conclusions that all of the applicable criteria are satisfied, forwards a favorable recommendation for approval of DCA-18-180, including the Trip Generation Policy as recommended by the Transportation Commission, to the City Council per the staff report dated September 5, 2019, including Exhibits A through R.

Also, the Planning Commission moves that staff create a General File (GF) project for reviewing the use and application of TPR subsection (11) into Medford Municipal Code following up with study sessions with the Transportation Commission, Planning Commission and City Council (as needed).

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Commissioner Mansfield is confused because there are two motions. He is in favor of one and opposed to the other. Is the Commission voting on them at the same time? Vice Chair Foley responded that he rolled the two into one but if Commissioner Mansfield wants to break them up into two he can do that. Commissioner Mansfield thinks they need to since not all agree to the inclusion of Subsection (11).

Previous motion was withdrawn.

Motion: The Planning Commission moves that staff create a General File (GF) project for reviewing the use and application of TPR Subsection (11) into Medford Municipal Code following up with study sessions with the Transportation Commission, Planning Commission and City Council (as needed).

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Commissioner Pulver is okay either way on the amendment. In his opinion it would become a tricky code to write. He would encourage findings that state Subsection (11) of the TPR be leveraged as the code is currently written and leave the discretion to the Public Works Director or City Council.

Commissioner Mansfield is opposed to studying Subsection (11). It appears to him to be an attempt to subvert the entire process of intelligent limitation in the interest of economic development. In his view, they either stay with their standards or they do not. He wants Subsection (11) prohibited. That is why he is opposed to studying it.

Commissioner Pulver thinks it is a state rule.

Karl MacNair, Transportation Manager reported it is a state law. In order to prohibit an approval under Subsection (11) it would need to be in the code. Staff did prohibit a different subsection that is an option of the TPR. As a local government they could elect to not allow approvals under Subsection (11).

Mr. Mitton commented that one of the requirements with Subsection (11) is that local governments make partial mitigation only if the local government determines that the benefits outweigh the negative impacts on local transportation facilities. There are two ways to do that. A stance in the code can make it easy or impossible to use or be silent which requires a lot of findings if using in a particular case.

Vice Chair Foley thinks that based on what Mr. Mitton just stated he recommends they study Subsection (11) then they have the option to prohibit it, ignore it or adopt it. If the leave it alone they are subject to it.

Commissioner Thomas asked, if they do not study it and leave it does that give more flexibility to have more findings? Chair McKechnie responded that it can be studied and leave it silent.

Commissioner Pulver asked about the approving authority. Ms. Evans replied that if it is a discretionary zone change it would go to the Planning Commission. There would be a traffic study. Staff would make a recommendation. It would likely be the Planning Commission's decision or the Site Plan and Architectural Commission's decision depending on the application it may go to City Council. That is part of the study. Having something in the text acknowledging that it exists would be helpful.

Commissioner Mansfield asked, is Vice Chair Foley's point Subsection (11) exists and if wanting to contest it they should move to study it rather than letting it sit? Vice Chair Foley responded that is his understanding. The Commission has three choices. They can ignore it or build it into the code or not allow any of it.

Roll Call Vote: Motion passed, 6-1-0, with Commissioner Pulver voting no.

Main Motion: The Planning Commission, based on the findings and conclusions that all of the applicable criteria are satisfied, forwards a favorable recommendation for approval of DCA-18-180, including the Trip Generation Policy as recommended by the Transportation Commission, to the City Council per the staff report dated September 5, 2019, including Exhibits A through R.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Commissioner Pulver wanted to amend the motion before going to City Council that staff provide additional findings on when and where facility adequacy is reviewed.

Mr. Mitton reported that a finding can be made that it is determined at the time of zone change.

Commissioner Pulver is fine with that as long staff is. Is zone change the only time facility adequacy is reviewed? Mr. MacNair stated that the code requires a study for facility adequacy in Code Section 10.204 that relates to zone change and show there is Class "A" transportation facilities. That is where staff made the change to reference the TPR as the determinant of that facility adequacy. Being that requirement is already in Code Section 10.204 addressing zone changes he is not clear where the clarification is needed.

Chair McKechnie asked, is Commissioner Pulver's concern other land development issues? Commissioner Pulver nodded yes.

Mr. Mitton stated the legal affect a finding would and would not have is that the code expressly states to do the analysis at this time. A finding like that is not going to contradict a clear part of the

code. It would prevent people from arguing that there is now an implied additional review at the time of site plan review or something like that. It would say, just as always, look at the code as explicitly when this review is done, historically, that has been at zone change. If at some point they have a new land use process that specifically calls for an analysis at that time this sort of finding would not contradict that. Explicit code language would still govern. This helps interpret it to head off an argument that staff is applying to other cases.

Commissioner Pulver asked, is Mr. Mitton's recommendation to amend the motion that says the Commission makes this finding? Mr. Mitton responded it makes it clean to have a motion to amend to include a finding that zone changes historically when this analysis is done and that is still the intent. That amendment would include that finding that would go to City Council as the recommendation on the whole.

Amended motion #1: Facility adequacy is assessed at time of zone change.

Moved by: Commissioner Pulver Seconded by: Vice Chair Foley

Amended motion #1 Roll Call Vote: Motion passed, 7-0-0.

Commissioner Pulver commented that staff is not supportive of using the ITE Manual for pass by rates. The argument is that the manual is being used for a lot of things (i.e. traffic counts, etc.) that it is recognized nationally as a guide for traffic engineering as opposed to the 25 percent that is arbitrary. Why not use it? The manual is being used for other things why chose to ignore its pass by rate?

Chair McKechnie responded that the idea behind the ITE Manual is how many trips it actually generates. Pass-by trips are a subset of trip generation that only apply to commercial / retail developments. They are the people already on the road who the business hopes to suck into their site as they are driving by. It could be as high as 80 percent. Staff is saying they do not care what the ITE Manual states they are only going to allow 25 percent.

Mr. MacNair reported that the ITE Manual does provide trip generation rates for specific uses and also pass-by rates. Currently, the code caps pass-by rates at 25 percent. It has been in the code since 2001. It was put into the code to address specific issues that Public Works had been having with consultant proposing pass-by rates that were not reasonable.

It seems to Commissioner Thomas that the ITE Manual is based on data; the 25 percent is arbitrary. What is better for the business is what the data says and data should drive decisions.

Amended motion #2: The percentage for pass-by trips to be used in accordance with the latest ITE Manual.

Moved by: Commissioner Pulver Seconded by: Vice Chair Foley

Amended Motion #2 Roll Call Vote: Motion passed: 5-2-0, with Vice Chair Foley and Chair McKechnie voting no.

Main Motion Roll Call Vote: Motion passed, 7-0-0.

60. Reports

60.1 Site Plan and Architectural Commission
Commissioner Culbertson reported that the Site Plan and Architectural Commission met on Friday, September 6, 2019. He was not able to attend the meeting but they continued to October 18, 2019 a multi-phase development for Public Works Service Center located on the east side of Corona Avenue and Hilton Road.

60.2 Transportation Commission
Commissioner Pulver reported that the Transportation Commission met on Wednesday, August 28, 2019. They discussed concurrency. Commissioner Pulver asked Ms. Evans to talk about a Citizen's Academy.

60.3 Planning Department
Ms. Evans stated the Citizen's Academy was set up by the City Manager's Office for citizens to come to the City to learn what different departments do. This week they kicked off with the City Manager's Office. October 1, 2019, they will visit the Planning and Building Departments. Discussion will be on zoning and concurrency.

What Commissioner Pulver heard about the Citizen's Academy was that there was a fair amount of interest.

There are training opportunities coming up for the Planning Commission. The League of Oregon Cities is sponsoring a training opportunity at the Oregon City Planner / Director Association in Bend on Wednesday, September 25, 2019 from 1:00 to 4:30 p.m. John Morgan is the speaker. The other training opportunity is the Oregon Chapter of the American Planning Association (OAPA) the end of October in Eugene.

There is a study session scheduled for Monday, September 23, 2019. Discussion will be on Residential Administrative Review.

There will be a joint study session with the Planning Commission, Site Plan and Architectural Commission and the Landmarks and Historic Preservation Commission on Tuesday, October 22, 2019. Discussion will be on findings.

There is business scheduled for Thursday, September 26, 2019 and Thursday, October 10, 2019.

Last week the City Council approved the Annexation of the right-of-way and Wes Howard Sports Park on North Ross Lane and Rossanley to Stearns. The also approved the GLUP for Rogue Valley Transit District at Forest Hills and Crater Lake Avenue from UH to GI.

Next week the City Council will hear the GLUP and Zone Change for North Phoenix Property at North Phoenix Road and Barnett Road from UH to SC and MFR-20 to C-S/P. They will also hear to vacate the pedestrian easement through St. Mary's; food trucks in the right-of-way and food pods; and the Consolidated Annual Performance Evaluation Report for the CDBG.

70. Messages and Papers from the Chair. None.

80. City Attorney Remarks. None.

90. Propositions and Remarks from the Commission. None.

100. Adjournment

101. The meeting was adjourned at approximately 8:40 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Richards
Recording Secretary

Joe Foley
Planning Commission Vice-Chair

Approved: September 26, 2019

MEDFORD
PLANNING

STAFF REPORT

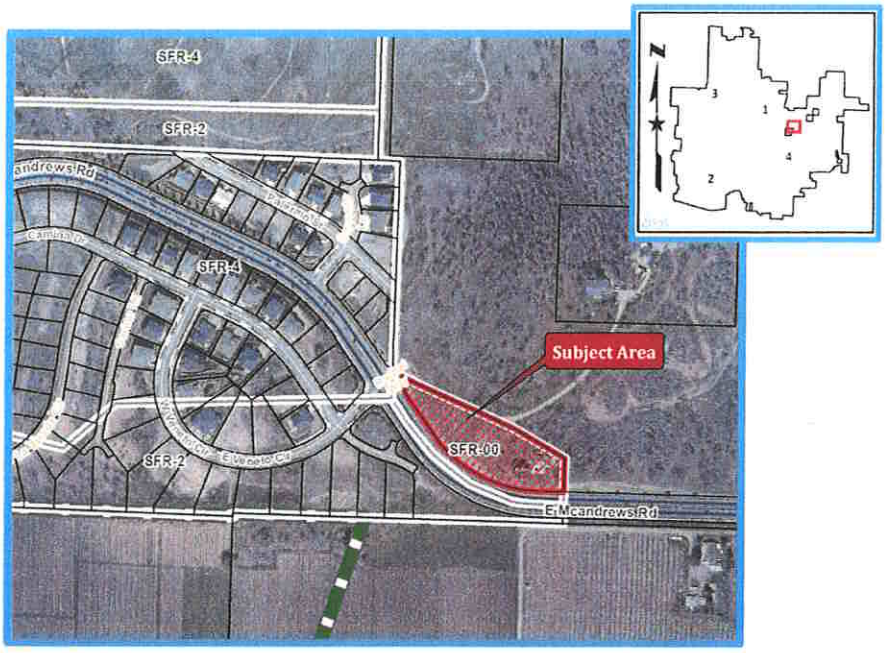
for a Type III quasi-judicial decision: **Zone Change**

Project	Hagle Zone Change Applicant: Jane Erin Griffin-Hagle
File no.	ZC-18-189
To	Planning Commission *for September 26, 2019 hearing*
From	Dustin Severs, Planner III
Reviewer	Kelly Evans, Assistant Director
Date	September 19, 2019

BACKGROUND

Proposal

Consideration of a request for a zone change of a 1.89-acre parcel located at 4199 Rachel Way from SFR-00 (Single-Family Residential, one dwelling unit per lot) to SFR-4 (Single-Family Residential, four dwelling units per gross acre) (371W22400).



Subject Site Characteristics

Zoning: SFR-00

GLUP: Urban Residential (UR)

Overlay(s): None

Use: Single-family residence

Surrounding Site Characteristics

North Zone: Jackson County zoning (Open Space Reserve)
Use(s): Single-family residential

South Zone: SFR-2 (Single-Family Residential, two dwelling units per gross acre)
Use(s): Residential (Bella Vista Heights subdivision)

East Zone: Jackson County zoning (Open Space Reserve)
Use(s): Single-family residential

West Zone: SFR-2 & SFR-4 (Single-Family Residential, four dwelling units per gross acre)
Use(s): Residential (Bella Vista Heights subdivision)

Related Projects

A-04-178 Annexation
PA-18- 075 Pre-application

Applicable Criteria

Inapplicable criteria have been omitted from this report. Omitted sections are identified by ***.

Medford Land Development Code §10.204, Zone Change Criteria

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

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

(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.
*****

(3) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject

property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

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

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

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

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

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

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

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

(iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate

must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.

(c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation, returned to the Planning Department, and may include, but are not limited to the following:

(i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,

(ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,

(iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

ISSUES AND ANALYSIS

Background

The subject site consists of a single 1.89-acre parcel, currently containing one single-family home and a detached two-story garage with a guest house (no kitchen) on the second floor. The property is fronted by East McAndrews Road, a Major Arterial street, to the south; and Rachel Way, a residential street, which is stubbed at the northwest corner of the property, and serves as vehicular access to the property. The subject site is located on the edge of City limits, with Jackson County land abutting the property along both its northerly and easterly property lines.

The subject site was annexed into the City in 2004, at which point it was designated with the SFR-00 zoning district. Pursuant to MLDC 10.307, the primary purpose of this zoning district is to provide a holding zone for properties that are changing from County to City zoning and have not yet been tested for facility adequacy to allow development to urban level densities and intensities.

As stated in the applicant's findings, and illustrated in Exhibit D, the applicant is proposing to continue the current use of the property as a single-family residence, converting the existing guest house to an Accessory Dwelling Unit (ADU), and then subdivide the property, creating three additional parcels to the west of the existing residence.

Sanitary Sewer Facilities

Per the staff report submitted by Public Works (Exhibit E), the downstream sanitary sewer system currently has capacity constraints, and the proposed zone change to SFR-4 has the potential to increase the flows to the sanitary sewer system. Pursuant to MLDC 10.204(3), the applicant must demonstrate that Category A urban services and facilities are available or can and will be provided to adequately serve the subject property with the permitted uses allowed under the proposed zoning. Accordingly, Public Works has recommended this zone change be denied, or the applicant stipulate to only develop so the total sewer flows do not exceed current zoning limitation, or the developer make improvements to the downstream sanitary sewer system to alleviate capacity constraints, or the developer provide an engineering study of the downstream sewer system to show capacity exists to allow the proposed zone change.

At the Land Development meeting held on January 23, 2019, the applicant stated her intent to hire an engineering firm to provide a study of the downstream sewer system to show capacity exists to allow the proposed zone change. A letter from Construction Engineering Consultants (CEC) (Exhibit H) was submitted by the applicant in April, stating that no areas of capacity constraint or surcharging were identified within the flow route until it reaches a Terminal Spur Line.

Public Work's staff report states that the City is planning to make improvements to the sanitary sewer (replace the terminal spur) in the area serving the subject site that will eliminate capacity constraints south of the airport. Until this time, the applicant will be restricted from further developing the property.

As a condition of approval, the applicant will be required to provide staff with a deed restriction recorded in the official records of Jackson County stipulating to only develop the property so that the total sewer flows do not exceed current zoning limitation. The property's approved SFR-4 zoning classification will additionally be designated with a Restricted Zoning (R-Z) administrative mapping overlay, restricting the property from further development until the time that the improvement to the sanitary sewer—Terminal Spur Line—is completed by the City. Once the improvement is completed, the Restricted Zoning overlay will be removed and the applicant will be allowed to further develop the property.

Criteria Compliance

GLUP/TSP Consistency

The General Land Use Plan (GLUP) designation for the subject site is UR (Urban Residential), and according to the General Land Use Plan Element of the *Comprehensive Plan*, the SFR-4 zoning district is a permitted zone within the UR GLUP designation.

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. A traffic Impact Analysis (TIA) is required when an application has the potential of generating more than 250 net Average Daily Trips (ADT) or the Public Works Department has concerns due to operations or accident history. The Public Works Department determined that the subject property, fully built-out, would not exceed this 250 ADT threshold, and therefore a TIA was not required (Exhibit E).

It can be found that the applicant's findings adequately demonstrate that the proposed zone change is consistent with the goals outlined in the City's Comprehensive Plan and TSP, and accordingly, this demonstration of consistency assures compliance with the Oregon Transportation Planning Rule.

Locational Criteria

All zone change proposals require an assessment of the applicable locational criteria, as outlined per MLDC 10.204(B)(2); however, there are no locational criteria for the SFR-4 zoning district.

Facility Adequacy

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

The agency comments included in Exhibits E-G, demonstrate that with the imposition of the condition of approval contained in Exhibit A, Category A facilities can be made to be adequate to serve the property.

Other Agency Comments

None.

Committee Comments

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

FINDINGS AND CONCLUSIONS

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

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposal is consistent with the UR General Land Use Plan Map designation and the Transportation System Plan. The Commission can find that this criterion is met.
- With regard to Criterion 2, there are no locational criteria for a change of zone to SFR-4. The Commission can find that this criterion is met.
- With regard to Criterion 3, the agency comments included as Exhibits E-G, demonstrate that with the imposition of the condition of approval contained in Exhibit A, Category A facilities can be made to be adequate to serve the property at the time of issuance of a building permit for vertical construction. The Commission can find that this criterion is met.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of ZC-18-189 per the staff report dated September 19, 2019, including Exhibits A through H.

EXHIBITS

A Conditions of Approval, dated September 19, 2019.
B Applicant's Findings of Fact and Conclusions of Law, received December 11, 2018.
C Jackson County Assessor's Map, received December 11, 2018.
D Applicant's SFR-4 proposal Map, received December 11, 2018.
E Public Works Staff Report (revised) dated September 18, 2019.
F Medford Water Commission Staff Memo and Map, dated January 23, 2019.
G Medford Fire Department Land Development Report dated January 23, 2019.
H Letter from Construction Engineering Consultants (CEC) to applicant, dated April 25, 2019.
Vicinity Map

Planning Commission Agenda:

February 14, 2019
March 14, 2019
April 11, 2019
April 25, 2019
May 9, 2019
May 23, 2019
June 13, 2019
June 20, 2019
July 11, 2019
July 25, 2019
August 8, 2019

August 22, 2019
September 26, 2019

EXHIBIT A

Hagle Zone Change
ZC-18-189
Conditions of Approval
September 19, 2019

CODE REQUIRED CONDITIONS

Prior to the approval of the zone change, the applicant shall:

1.) Provide staff with a deed restriction recorded in the official records of Jackson County stipulating to only develop the property so that the total sewer flows do not exceed current zoning limitation, which will result in the property's approved SFR-4 zoning classification being additionally designated with a Restricted Zoning (R-Z) administrative mapping overlay, restricting future development of the property; or the applicant shall make improvements to the downstream sanitary sewer system to alleviate capacity constraints; or the developer shall provide an engineering study of the downstream sewer system to show capacity exists to allow the proposed zone change.

CITY OF MEDFORD
EXHIBIT # A
FILE # ZC-18-189

RECEIVED
DEC 11 2018
PLANNING DEPT

FINDINGS OF FACT BEFORE THE PLANNING COMMISSION OF THE CITY OF MEDFORD, OREGON, OF AN APPLICATION FOR A ZONE CHANGE OF PROPERTY DESCRIBED ON THE JACKSON COUNTY ASSESSORS MAP AS:

T37-R1W- Section 22A Tax Lot 400 located on the north side of East McAndrews, at the northerly terminus of E. Veneto Circle.

APPLICANT: Jane Griffin-Hagle
4199 Rachel Way
Medford, Oregon 97504

I. BACKGROUND INFORMATION

Acreage: 1.89 acres

Current Zoning: City SFR-00 (Single-Family Residential – 1 dwelling unit per existing lot.

Proposed Zoning: City of Medford SFR-4 (Single-Family Residential -2.5 to 4 units per acre)

Present Use: Residential. The property is developed with a single family residence and a detached two-story garage with an apartment (without kitchen).

Proposed Use: SFR-4. The owner proposes to continue the current use as a single-family residence, convert the garage apartment to an accessory dwelling unit (ADU) and separate these two structures and property (.84 acre) by lot line adjustment from the western portion (1.05 acre) of the property, with subsequent use as SFR-4 (2.5 to 4.0 dwelling units per gross acre), an additional three lots. ***Note: This is a reduction in the request discussed at the 6/25/18 Pre-planning conference, from 6 lots to 4.***

Comprehensive Plan Designation: Urban Residential (UR)

Access: Current access to the subject property is from Rachel Way, a private drive.

Scope and Purpose of the Application:

This application will demonstrate compliance with the relevant zone change criteria for a zone change from City of Medford zoning district SFR·OO (Single-Family Residential - 1 dwelling unit per existing lot) to City of Medford zoning district SFR-4 (Single-Family Residential · 2.5 to 4 units per acre) consistent with the requirements of City of Medford Land Development Code Section 10.204 (B).

CITY OF MEDFORD
EXHIBIT # B
File # 2C-18-189

The applicant is pursuing: a Lot Line Adjustment for the purpose of creating two tax lots – one, of .84 acre containing the current primary residence and a detached two-story garage with an upstairs apartment that is planned to become an accessory dwelling unit; and, one, of 1.05 acre – both of which will be classified at the SFR-4 zoning designation. This zone change is required because current zoning for the property is at SFR-00, lot line adjustments require that each new adjacent parcel created have the same zoning designation, and to allow for the creation of new parcels to the density desired. Specifically, three parcels will be created from the 1.05-acre parcel for development, and one from the .84-acre, this latter of which will remain at its existing use for an undetermined amount of time.

Regarding expired building permits - #11-2875 and #08-328 – applicant intends to pursue an accessory dwelling unit (ADU) and will pursue that permitting, to replace #11-2875. Applicant will obtain new permit for the original purpose of #08-328, which was to install a heat pump by a local contractor.

II. RELEVANT APPROVAL CRITERIA:

Medford Land Development Code (MLDC) Section 10.204 (B) states that The Planning Commission shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (1) through (3) below:

The Criteria for approval are:

1. The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map Designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.
2. Where applicable, the proposed zone shall also be consistent with the additional locational standards. Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria.
3. It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive Plan.

Finding- Transportation System Plan

The proposed zone must be 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 (OAR 660 Division 12). 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).

"Cities and counties shall prepare, adopt and amend local TSPs for lands within their planning jurisdiction in compliance with this division: Local TSPs shall establish a system of transportation facilities and services adequate to meet identified local transportation needs and shall be consistent with regional TSPs and adopted elements of the state TSP."

The City of Medford has approved a TSP consistent with the requirements of the State of Oregon. 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 has determined that water and rail transportation are not available to this property. The subject property has frontage on East McAndrews Road, (a major arterial street).

Rachel Way is currently developed as a private driveway, does not have sidewalks and is not designated as a bicycle transportation facility. However, a bicycle path runs along the entire southern boundary of subject property, as part of the right-of-way of East McAndrews Road, and sidewalk exists on the southern side of East McAndrews Road, following the entire southern boundary of subject property. Access to sidewalk is 60' from subject property, while access to the bicycle path is within 10' from subject property.

Rapid transit may be available from Rogue Valley Transportation District. It should be noted that due to continuous changing in routing by the transportation district, stops may be added or discontinued depending on district planning.

Interstate 5 is approximately 4.5 miles from the subject property. Rogue Valley International Airport is approximately 4.7 miles from the subject property.

General Land Use Plan Map Designation

"The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map Designation.

The General Land Use Plan Map (GLUP) designation for the subject property is Urban Residential (UR). The General Land Use Plan contained in The Medford Comprehensive Plan specifies the requested SFR-4 (Single-Family Residential – 2.5 to 4 units per acre) zoning district is appropriate within the Urban Residential (UR) designation. A GLUP map is included as part of this application.

This application is requesting the SFR-4 for the subject property. This request can be found to be appropriate and consistent with the GLUP designation of Urban Residential (UR).

Locational Standards

Where applicable, the proposed zone shall also be consistent with the City of Medford Land Development Code Section 10.204 (B).

Finding:

The property directly west of and abutting the subject property is zoned SFR-4; the property directly south of the subject property – across East McAndrews Road - is zoned SFR-2/PD and SFR-4/PD; and, the property east of the subject property (within 1000 feet is zoned SFR-4/PD. The proposed zone change is consistent with surrounding properties, which are developed Planned Developments.

Conclusion

The Planning Commission can find the property is currently served with adequate transportation facilities as required by Transportation System Plan (TSP). As required in the TSP, the Planning Commission can find the change to the transportation plan is not substantial as a result of approval of the requested zone change.

Approval of the proposed zone change will not create a negative impact that was not anticipated by the Urban Residential designation indicated on the GLUP map.

As described in the Medford Land Development Code, the requested SFR-4 zoning district is an appropriate zoning district for the Urban Residential (UR) GLUP designation. The subject parcel is surrounded by properties to the east, west and south with SFR-4/PD, SFR-4/PD and SFR-2/PD zoning designations, respectively.

Relevant Approval Criteria -Category "A" Urban Services & Facilities

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 properties with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive Plan.

(a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
(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 land use, 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: 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 an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432.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 Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change request. Special development conditions, stipulations, or restrictions shall be established by deed restriction or covenant, and must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:

(i) Restricted Zoning is a restriction of uses by type or intensity. In cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development on the subject property or adjacent parcels. In no case shall residential densities be approved that do not meet minimum density standards;

(ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule;

(iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

Findings- Category "A" Urban Services & Facilities

Storm Drainage:

The property is within the Lone Pine Creek Drainage Basin. The subject property currently drains to the west. The City of Medford has existing storm drain facilities along East

McAndrews and at the west end of subject property, at the intersection of Rachel Way and East McAndrews. These storm drain facilities provide services to Planned Developments east and west of subject property. Per City of Medford Public Works Department, this site "would be able to connect to these facilities at the time of development." This site may be required to provide storm water quality and detention at time of development in accordance with MLDC Section 10.729 and /or 10.486.

Finding:

At time of development, conditions will be required to be in compliance with all Applicable City of Medford Drainage Master Plan and Building Division Codes, Area Codes, and Storm and Ground Water Drainage requirements of Chapter 11 of the Uniform Plumbing Code.

Conclusion:

The existing storm drainage system meets the requirements for the City of Medford, and new development will comply with the requirements of the Code and as stipulated by the City of Medford Engineering Division.

Sanitary Sewer Service:

The subject property is currently served by the City of Medford sanitary sewer system. Addition of an accessory dwelling unit is not coded to increase flows from its current usage to the sanitary sewer system. Future development of the subject property will require connection to this facility consistent with the construction requirements of the City of Medford Public Works Department.

The City of Medford Regional Waste Water Treatment Plant provides sewage treatment.

Finding:

The subject property is currently served by an 8-inch City of Medford sanitary sewer line tied in from East McAndrews. Public Works Department Staff Report dated 7/11/18 erroneously referenced the proposed zoning to "MFR-4" and reported that the "downstream sanitary sewer system currently has capacity constraints," but did not specify what were those constraints, as regards numbers or issues of flow. It is this applicant's understanding that a Sanitary Sewer Master Plan (SSMP) is currently under development for the City, but has not yet been finalized; therefore, the Public Works Department Staff Report of 7/11/18 is without objective finding. Without such objective information, this applicant must proceed on the basis of the numbers that are known.

Specifically, due to apparent improper excavation and fill, a March 2012 landslide in the Belle Vista Subdivision, across from subject property and between East La Strada Circle and Carino Lane, caused the subsequent abandonment of three lots in that subdivision, which was long-ago approved as part of the City of Medford's sanitary sewer system. As regards the proposed additional three lots created to the west, the impact upon the flow numbers already anticipated to the City of Medford's sanitary sewer system, as per the approved Belle Vista PD, provide a nil

impact on the sanitary sewer system. Since the proposed accessory dwelling unit will have a nil impact on sewer flow, it is not anticipated there could be an objection to the ADU.

Conclusion:

The information above demonstrates that existing sanitary sewage collection and treatment services and capacities are available for the proposed zone change.

Water Service:

Medford Water Commission (MWC) metered water service does exist to the subject property, which is currently served by a ¾" water meter located at the southeasterly back of sidewalk near the access to East McAndrews Road and Rachel Way. This water meter would be utilized to serve the proposed Lot adjacent to this location. The water line extends along the southern boundary of subject property, from the water meter to the home at 4199 Rachel Way. Access to MWC water lines is available. There is an existing 8-inch water line stubbed for extension on the east side of East McAndrews Road at Rachel Way.

Proposed fire hydrants locations will be coordinated with Medford Fire department.

Finding:

The Medford Water Commission has an adequate supply of water and requisite facilities to serve the subject property via an 8-inch waterline on the east side of East McAndrews Road at Rachel Way.

Conclusion:

There is adequate water capacity from the Medford Water Commission available.

Fire hydrants for fire protection will be installed prior to construction when combustible material arrives at the site.

Streets:

The property takes access from Rachel Way, a private drive off East McAndrews Road, which is classified as a major arterial road. The City of Medford Engineering Division does not monitor traffic counts on Rachel Way. Prior to any vertical structure permitting, Rachel Way will be improved and/or constructed, sufficient to meet the required condition and capacity.

Finding:

According to the City of Medford Engineering Department, East McAndrews Road has adequate street capacity for the zone change and future development of the subject property. Rachel Way, a private drive, will require improvement, to include power and cable facilities, and to be sufficient to meet the required condition for the additional traffic from three lots.

Conclusion:

Adequate street capacity currently exists to accommodate the zone change; however, for future development of the subject property, Rachel Way will require improvement.

Traffic Impact Analysis

The acreage of the property is1.89 acres plus 0.73 acres along the East McAndrews Road frontage, to yield a gross acreage. Therefore, the gross acreage would yield a maximum of 10 units (4 units per acre x 2.5 acres (2.62 units rounded down to 2.5 units)). One unit already exists. Thus, this change would generate approximately (9 additional units x 9.44 trips/unit) = a net increase in vehicle trips of 85 ADT. Typically, a traffic impact analysis is required for more than 250 average daily trips per day. Because the number of vehicles does not exceed the requirement of 250 ADT threshold, a traffic study is not required, per Medford Municipal Code (MMC) Section 10.461 (3).

Finding:

The Planning Commission can find that the applicant has demonstrated that Category "A" urban services and facilities are currently available, or will be available at the time of development, to adequately serve the subject parcel with the permitted uses allowed under the proposed SFR-4 zoning designation.

Conclusion:

Based on the information above, it can be found that the water, storm drain, and sanitary sewer facilities, and streets are currently available to the subject property.

Power Pole & Utilities

There are a power pole and lines supplying power to the subject property, with an underground trench east of the primary residence. PP&L has been contacted and informed applicant that a PME pad-mounted switch gear is already located at the southwest point of subject property's access driveway that was set into place at the time Belle Vista Subdivision was developed, in "obvious planning" for subject property's development. PP&L requires a trench be dug into Rachel Way, and applicant has contacted adjacent undeveloped property owner, who has agreed to coordinate with trenching electrical and cable phone and television services also into this trench.

Finding:

Based on applicant's prior submittal of a Zone Change Application, as part of Belle Vista zone change request to SFR-4/PD, and for which applicant made payment for subject property's portion to Arthur Dubs, Belle Vista construction provided for subject property's future development by placement of a PP&L PMD pad-mounted switch gear at Rachel Way and East McAndrews. Thus, underground power may be developed into Rachel Way and supply power to

all new parcels, existing property and neighbor at 4195 Rachel Way with a coordinated effort. A Request for Development may be initiated with PP&L at such time as this phase is ready for completion.

Conclusion

Underground utilities are available to be developed to serve this zone change request.

Summary and Conclusion

The Planning Commission can find the property is currently served with adequate transportation facilities as required by Transportation System Plan (TSP). As required in the TSP, the Planning Commission can find the impacts to the transportation plan are not substantial as a result of approval of the requested zone change.

Approval of the proposed zone change will not create an impact that was not anticipated by the Urban Residential designation indicated on the GLUP map. As described in the Medford Land Development Code, the requested SFR-4 Residential zoning district is an appropriate zoning district for the Urban Residential (UR) GLUP designation. The subject parcel is within the UR designation.

The Planning Commission can also find the applicant has demonstrated that Category "A" urban services and facilities are currently available, or can be made available at the time of development, to adequately serve the subject property with the permitted uses allowed under the proposed SFR-4 zoning district and the traffic impact is not substantial.

I respectfully request the approval of this request for a zone change of the subject property to the City of Medford SFR-4 (Single-Family Residential – 2.4 to 4 units per acre) zoning district as demonstrated in the findings included.

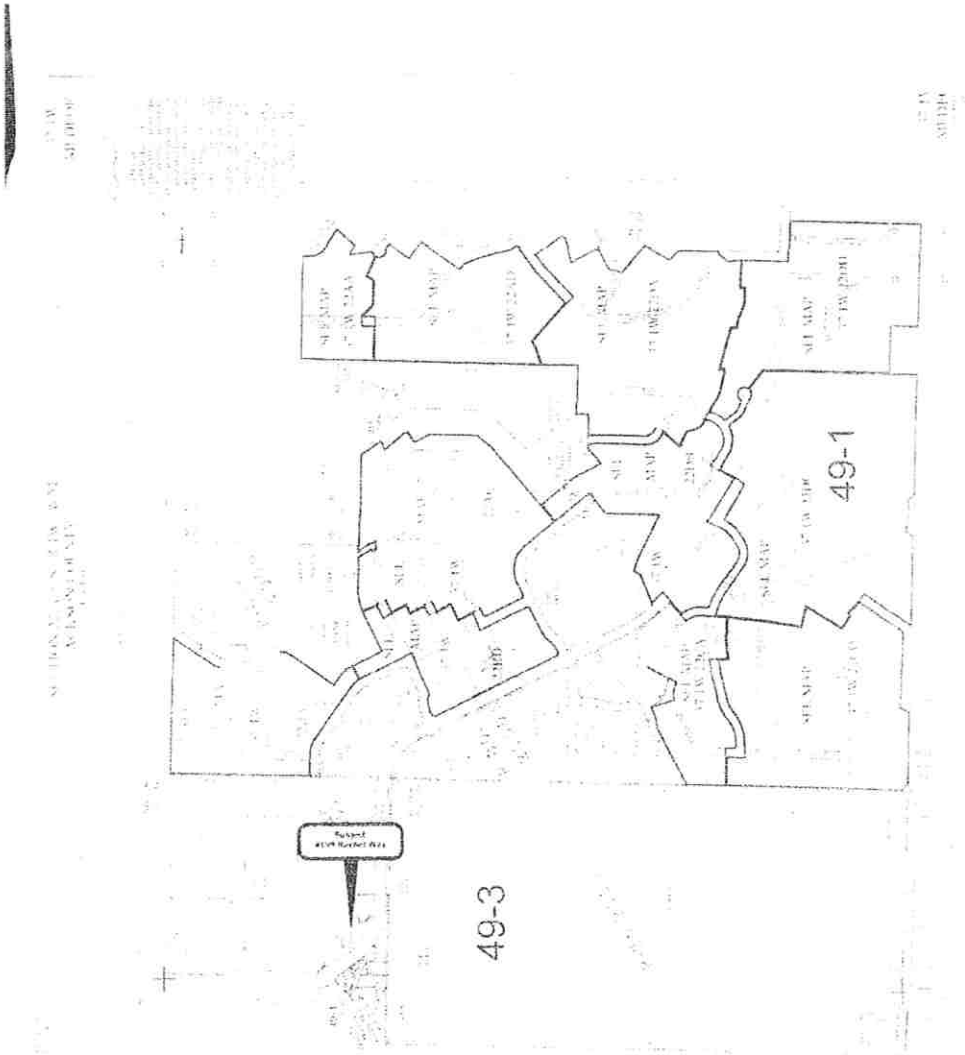
Respectfully,

Jane Griffin-Hagle

Plat Map

Borrower	Jane Griffin-Hagle						
Property Address	4199 Rachel Way						
City	Medford	County	Jackson	State	OR	Zip Code	97504
Lender/Client	Sammanish Mortgage						

RECEIVED
DEC 11 2018
PLANNING DEPT



CITY OF MEDFORD
EXHIBIT # C
File # 2C-18-189

4199 Rachel Way SFR-4 Proposal

CITY OF MEDFORD
EXHIBIT # 3
File # ZC-18-189

RECEIVED
DEC 11 2018
PLANNING DEPT

12/11/2018, 12:06:05 PM

Site Address Point

400 Tax Lot

1:2,257

0 0.01 0.03 0.05

0 0.02 0.04 0.09 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

Jackson County GIS

Data within this application may contain inaccuracies. Maps produced are not intended for legal purposes and do not substitute for a professional land survey. For more information, see ORS 672.060(13), ORS 306.125(1), ORS 308.245(1)-(4), and Oregon SB55.

MEDFORD
PUBLIC WORKS

LD DATE: 1/23/2019
Revised Date: 9/18/2019
File Number: ZC-18-189

PUBLIC WORKS DEPARTMENT STAFF REPORT

4199 Rachel Way (TL 400)
Zone Change

Project: Request for a zone change of a 1.89-acre parcel from SFR-00 (Single-Family Residential, 1 dwelling unit per gross acre) to SFR-04 (Single-Family Residential, 4 dwelling units per gross acre).

Location: Located at 4199 Rachel Way (371W22400).

Applicant: Applicant/Agent, Jane Erin Griffin-Hagle: Planner, Dustin Severs.

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

I. Sanitary Sewer Facilities

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

Public Works is agreeable to a conditional zone change that would allow development after the City planned improvements are complete.

CITY OF MEDFORD
EXHIBIT # E
FILE # ZC-18-189

II. Storm Drainage Facilities

This site lies within the Lone Pine 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 these facilities 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: Jodi K Cope
Reviewed by: Doug Burroughs
Revised by: Jodi K Cope

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 WATER COMMISSION

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: ZC-18-189

PARCEL ID: 371W22 TL 400

PROJECT: Consideration of a request for a zone change of a 1.89-acre parcel located at 4199 Rachel Way from SFR-00 (Single-Family Residential, four dwelling units per gross acre) (371W22400). Applicant/Agent, Jane Erin Griffin-Hagle: Planner, Dustin Severs

DATE: January 23, 2019

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 currently serving the home at 4199 Rachel Way shall be protected in place.

COMMENTS

1. There is adequate capacity within the water distribution system to serve this proposed development.

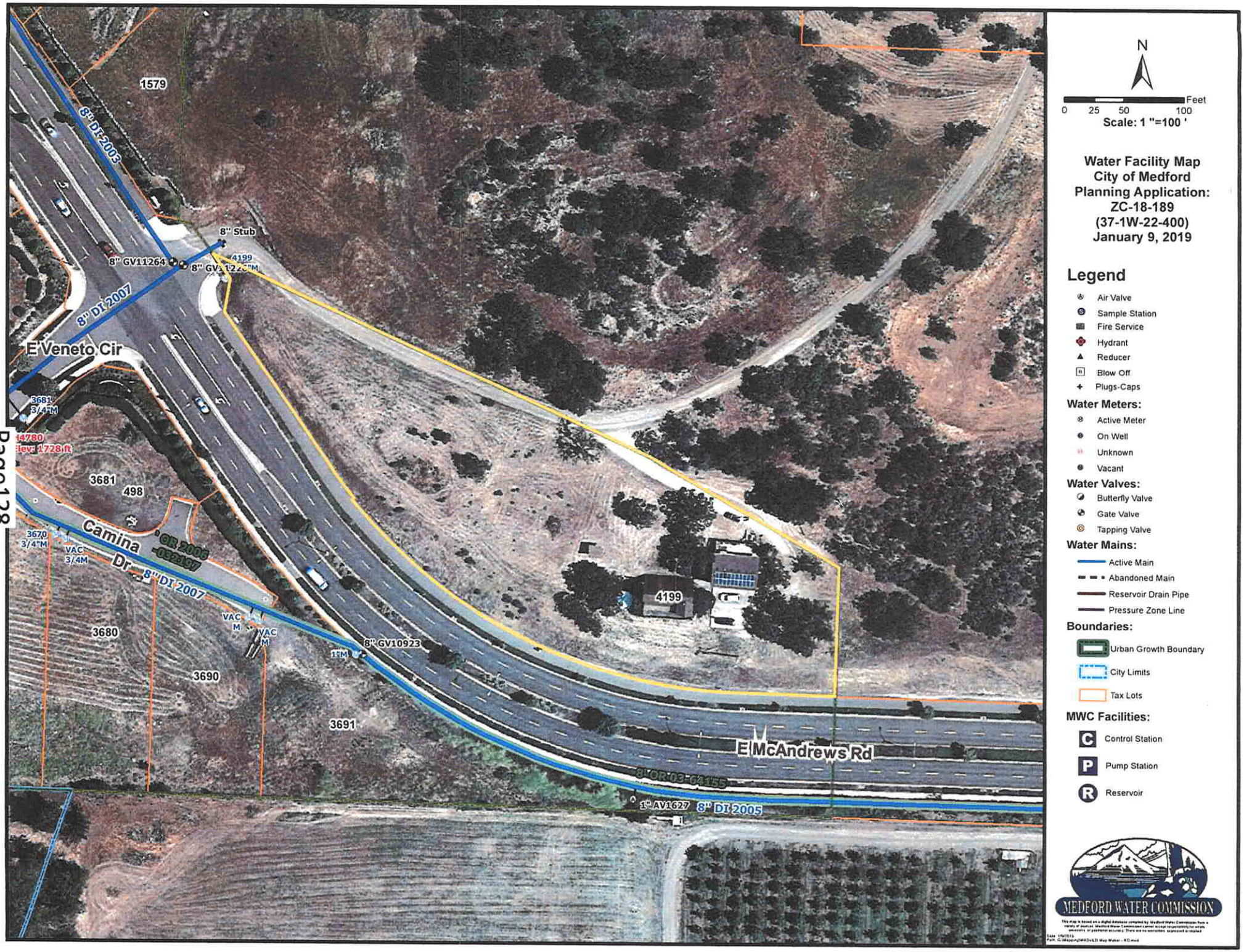
2. Off-site water line installation is not required at this time.

3. On-site water facility construction is not required at this time.

4. MWC-metered water service does exist to this property. There is an existing ¾-inch water meter which serves the existing home located at 4199 Rachel Way. (See Condition 3 above)

5. Access to MWC water lines is available. There is an existing 8-inch water line stubbed for extension on the northeast side of E McAndrews Road at the connection of Rachel Way.

CITY OF MEDFORD
EXHIBIT # F
FILE # ZC-18-189



N
Feet
0 25 50 100
Scale: 1 "=100 '
Water Facility Map
City of Medford
Planning Application:
ZC-18-189
(37-1W-22-400)
January 9, 2019
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
MEDFORD WATER COMMISSION
1579
8" DI 2003
8" Stub
8" GV11264
4199
8" DI 2007
E Veneto Cir
3681
3/4"M
3681
498
Camina
Dr
3670
3/4"M
VAC
3/4M
8" DI 2007
VAC
M
VAC
M
3680
3690
3691
8" GV10923
1"M
4199
E McAndrews Rd
1" AV1627
8" DI 2005

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 1/14/2019
Meeting Date: 1/23/2019

LD File #: ZC18189

Planner: Dustin Severs

Applicant: Jane Erin Griffin-Hagle

Project Location: 4199 Rachel Way from SFR-00 (Single-Family Residential, four dwelling units per gross acre)

ProjectDescription: Consideration of a request for a zone change of a 1.89-acre parcel

Specific Development Requirements for Access & Water Supply

Conditions

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

Construction General Information/Requirements

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

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

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

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

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

www.medfordfirerescue.org

CITY OF MEDFORD
EXHIBIT # 6
FILE # ZC-18-189

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 1/14/2019
Meeting Date: 1/23/2019

LD File #: ZC18189

Planner: Dustin Severs

Applicant: Jane Erin Griffin-Hagle

Project Location: 4199 Rachel Way from SFR-00 (Single-Family Residential, four dwelling units per gross acre)

ProjectDescription: Consideration of a request for a zone change of a 1.89-acre parcel

Specific Development Requirements for Access & Water Supply

Conditions

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

Construction General Information/Requirements

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

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

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

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

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

www.medfordfirerescue.org

CITY OF MEDFORD
EXHIBIT # 6
FILE # ZC-18-189

CONSTRUCTION ENGINEERING CONSULTANTS INC.

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

April 25, 2019

Jane Hagle
4199 Rachel Way
Medford, Oregon 97504

RE: 4199 Rachel Way Property Sanitary Sewer Study 371W22 TL400

Dear Mrs. Hagle,

The purpose of this study is to analyze the existing sanitary sewer capacity downstream of the proposed zone change for the above-mentioned property. The zone change will change from SRF-00 to SFR-4 and will consist of 1.9 acres, yielding four total lots. The proposed basin of the future development is 1.9 acres and is located at 371W22, TL400 on the North side of McAndrews Road at 4199 Rachel Way.

A sewer analysis was performed using data supplied by the City of Medford from the Sanitary Sewer Master Plan sewer model.

A peak flow analysis of the existing sewer system was conducted including current zoned properties, and buildout of the property. No areas of capacity constraint or surcharging were identified within the flow rout until it reaches the Terminal Spur Line. The Terminal Spur is identified by the City of Medford Capital Improvement Plan as a known capacity constraint and is planned to be replaced within the biennium. The Terminal Spur should not be considered as a constraint for this zone change.

The analysis has demonstrated that the exiting sanitary sewer system that serves this property is adequate. As a result, downstream improvements to the existing City system are not required for this project.

Please see the enclosed sanitary sewer flow route map and calculations for additional information.

Sincerely,

Tony Bakke, P.E.
Construction Engineering Consultants, Inc.

REGISTERED PROFESSIONAL ENGINEER
53748PE
OREGON
ANTHONY M. BAKKE

EXPIRES: 12/31/19

CITY OF MEDFORD
EXHIBIT # H
FILE # ZC-18-189

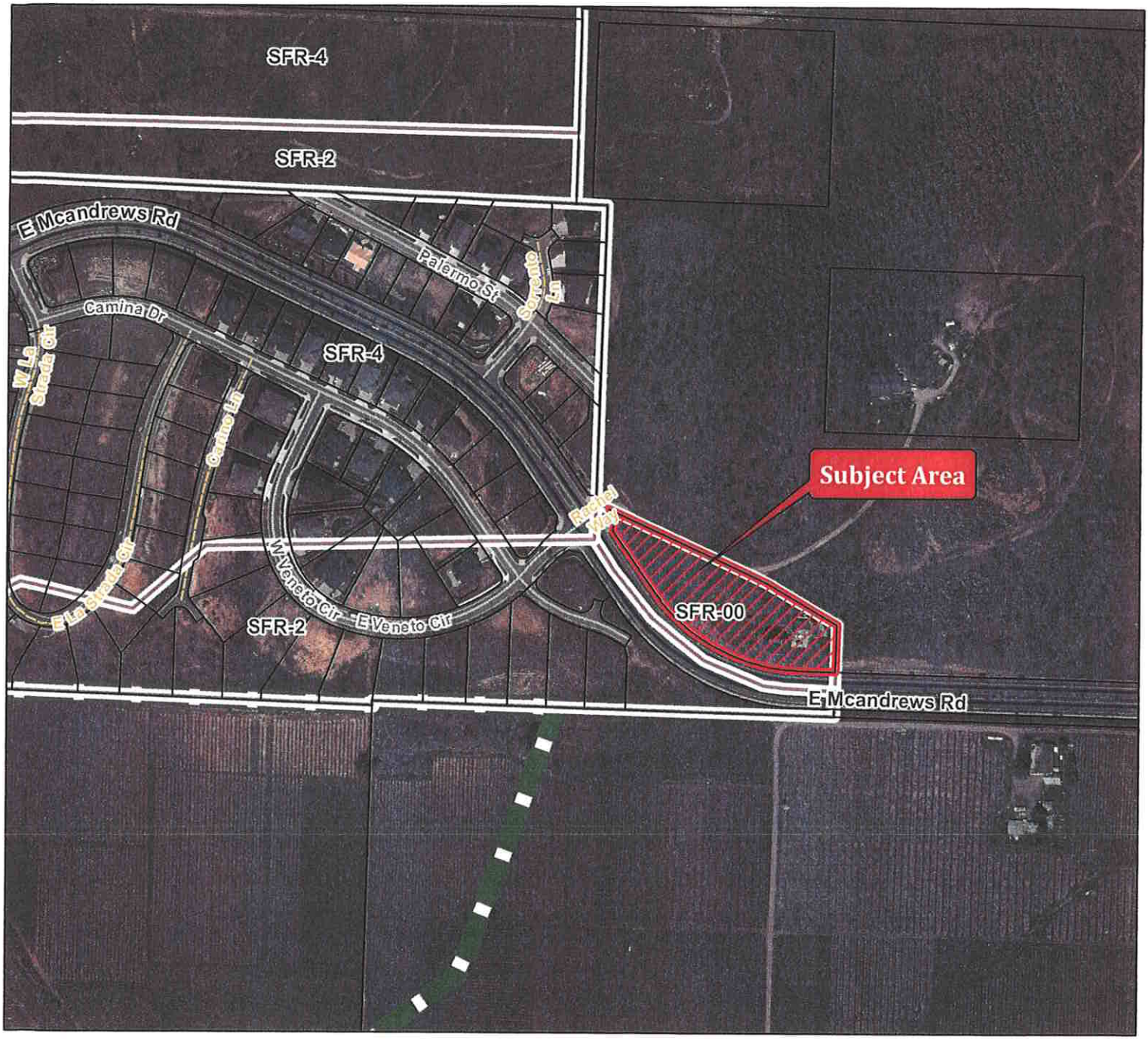
City of Medford

Planning Department

Vicinity Map

File Number:

ZC-18-189



Project Name:

Griffin-Hagle Zone Change

Map/Taxlot:

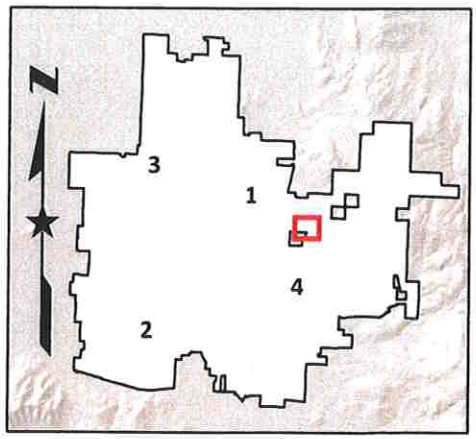
371W22 TL 400

0 250 500 Feet

Legend

- Subject Area
- Zoning Districts
- Tax Lots

12/19/18



MEDFORD
PLANNING

STAFF REPORT

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

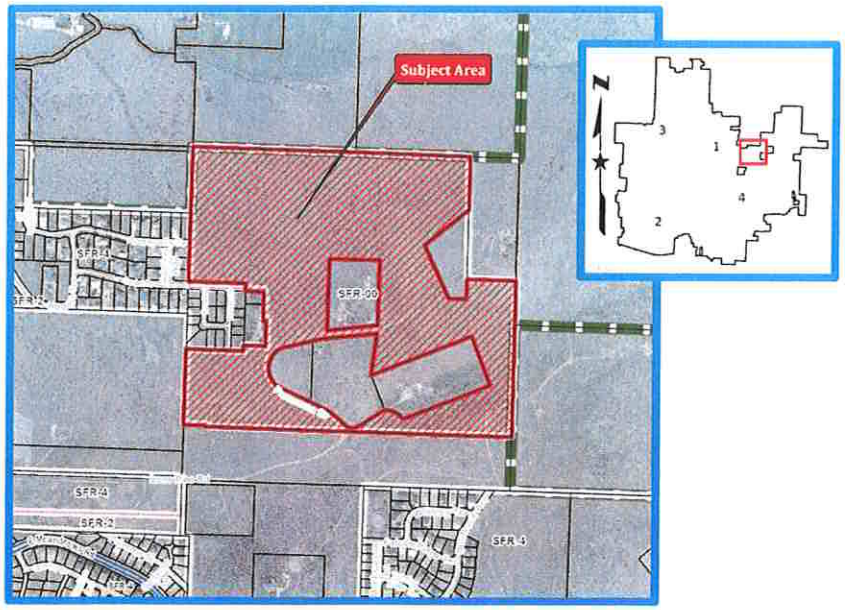
Project	Jantzer Zone Change Applicant: Mike and Gayle Jantzer; Agent: Richard Stevens & Associates	
File no.	ZC-18-178	
To	Planning Commission	*for September 26, 2019 hearing*
From	Liz Conner, CFM, Planner II	
Reviewer	Kelly Evans, Assistant Planning Director	
Date	September 19, 2019	

BACKGROUND

Proposal

Consideration of a request for a zone change of an approximately 91.5 gross acre parcel located at the terminus of Cadet Drive from SFR-00 (Single Family Residential, one dwelling unit per parcel) to SFR-4 (Single Family Residential, 4 to 6 dwelling units per gross acre). (371W15C TL 300)

Vicinity Map



Subject Site Characteristics

GLUP:	UR	Urban Residential
Zoning:	SFR-00	Single-family Residential, one dwelling unit per existing lot
Use:	Vacant	

Surrounding Site Characteristics

North	Zone:	EFU (Exclusive Farm Use) – Jackson County zone
	Use:	Farm Use
South	Zone:	EFU – County
	Use:	Power Transmission Lines
East	Zone:	OSR (Open Space Reserve) – Jackson County zone
	Use:	Residential Home Site
West	Zone:	SFR-4 (Single-family Residential, 4 dwelling units per gross acre)
	Use:	Single Family Residence

Related Projects

A-07-015 Annexation
PLA-16-148 Property Line Adjustment

Applicable Criteria

ZONE CHANGE APPROVAL CRITERIA – SFR-4 ZONE
FROM SECTION 10.204(B) OF THE *MEDFORD LAND DEVELOPMENT CODE*

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

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

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

***

(f) For zone changes to apply or to remove an overlay zone (Limited Industrial, Exclusive Agricultural, Freeway, Southeast, Historic) the criteria can be found in the applicable overlay section (Sections 10.345 through 10.413).

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

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

(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 land use, 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. an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432. 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 de-

scribed 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 Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change request. Special development conditions, stipulations, or restrictions shall be established by deed restriction or covenant, and must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:

(i) Restricted Zoning is a restriction of uses by type or intensity. In cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development on the subject property or adjacent parcels. In no case shall residential densities be approved that do not meet minimum density standards;

(ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule;

(iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

ISSUES AND ANALYSIS

Background

The subject site consists of one parcel approximately 92 acres in size. The site is adjacent to the city limits on all sides with the exception of the portions of East Terrace Estates and Panorama Heights to the west along Cadet Drive. The site was annexed into the City of Medford in 2008 by Ordinance 2008-29. At the time of annexation the SFR-00 zoning designation was applied. It is the applicant's request to change the zone designation of the property from SFR-00 to SFR-4.

GLUP Designation

As mentioned previously, the property was annexed into the City in 2008. At that time the GLUP designation was Urban Residential (UR) as shown on the adopted Medford General Land Use Plan Map adopted December 21, 2006 (Exhibit D).

Jurisdictional Exchange Agreement (Exhibit U)

The Public Works Department and Jackson County Roads Department initiated discussion regarding a jurisdictional exchange for 17 roadway segments within the City that are still under Jackson County jurisdiction for maintenance. Three roadways that are in proximity to the subject parcel are Normil Terrance, Annapolis Drive and Cadet Drive. These three roads are not improved to City standards; normally, the City does not take jurisdiction of unimproved roads.

The City Council approved the jurisdictional exchange at the August 15, 2019, meeting and the Jackson County Administrator signed the Agreement on September 11, 2019. The County requested that the Council adopt a resolution for the jurisdictional exchange, which did not occur on August 15. The resolution is scheduled to go before the City Council on September 19, 2019. The resolution by the City Council will be the final action needed to complete the transfer. An update on the Council decision regarding the resolution will be made during the Planning Commission hearing.

With the approval of the jurisdictional exchange agreement by both agencies, the Planning Commission can find that the Public Works comments (Exhibit H), which restrict the Average Daily Trips (ADT) until a satisfactory TIA is submitted can be applied as the jurisdictional authority of Normil Terrace has been transferred to the City. The Jackson County Road comments (Exhibit L) for Normil Terrace will not be applicable; however, the comments for Foothill Road still apply.

Traffic Study

A Traffic Impact Analysis (TIA) is required when an application has the potential of generating more than 250 net Average Daily Trips (ADT) or the Public Works Department has concerns due to operations or accident history.

Public Works determined that a TIA was required with the subject request, and the applicant submitted a traffic study prepared by Southern Oregon Transportation Engineering (SOTE) on November 5, 2018 (Exhibit F).

The Public Works report (Exhibit H) states that the TIA unsatisfactory and recommends a denial of the proposed zone change to SFR-4. However, if the zone change is approved prior to a satisfactory TIA being received and reviewed by Public Works, it is recommended that the following restriction apply:

The zoning shall be restricted to a trip cap of 258 ADT. This cap is based on the underlying zoning of SFR-00, which allows 9 ADT existing, plus 249 ADT, which is one trip below the threshold at which a TIA is required. 258 ADT is equivalent to 27 single-family residential units. ATIA shall be required for any development beyond the trip cap.

Sanitary Sewer

The Public Works report (Exhibit H) states that the proposed zoning to SFR-4 will increase flows to the sanitary sewer system, and that the downstream sanitary sewer system currently has capacity constraints. Based on the constraints Public Works recommends denial of the proposed zone change. If the proposed zone change is approved, the Public Works Department recommends the following restriction apply:

- The property owner provide staff with a deed restriction recorded in the official records of Jackson County stipulating to only develop the property so that the total sewer flows do not exceed current zoning limitation.
- The developer make improvements to the downstream sanitary sewer system to alleviate capacity constraints.
  Or,
- The developer provide an engineering study of the downstream sewer system to show capacity exists to allow the proposed zone change.

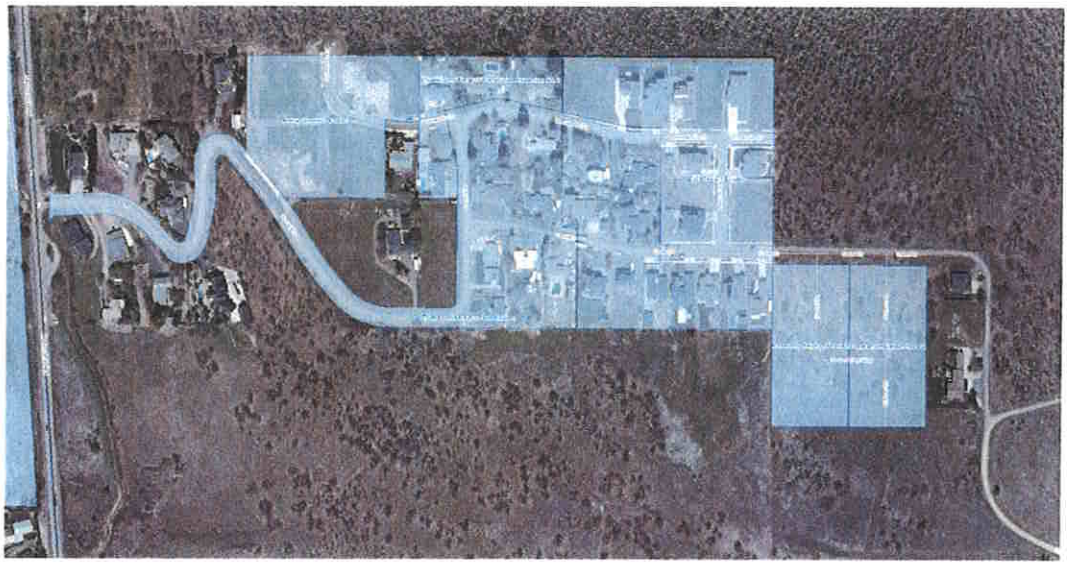
Storm Drainage Facilities

Based on the Public Works report (Exhibit H), the proposed development has access to a storm drain system to serve a small portion of the property just uphill of Cadet Drive. For the drainage north and south of Cadet Drive, the developer will need to provide easements: to Foothill Road for the north drainage, and to Lone Pine Road for the south drainage. A condition of approval has been included to comply with the Public Works report.

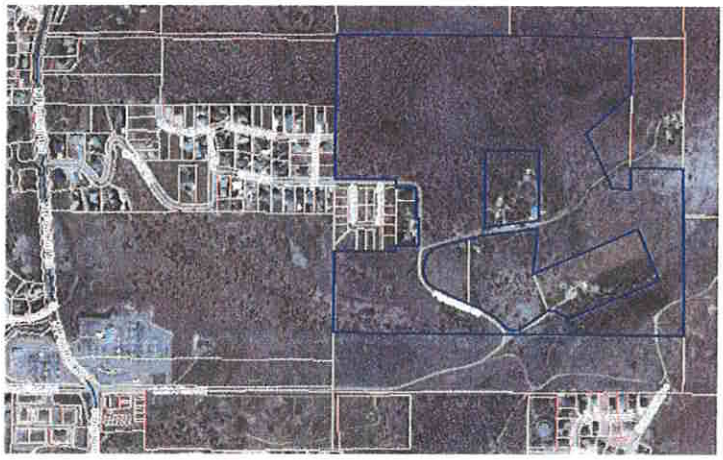
Public Comment (Exhibit N-S)

The Planning Department received numerous letters from residents along Annapolis Drive and within the Panorama Heights subdivision. Concerns are focused around the quality and safety of Normil Terrace which is the sole ingress/egress route from the subdivisions East Terrace Estates, Annapolis Drive Estates, Thames and Fordyce Subdivision, Thames and Fordyce Subdivision Extension No. 1, and the subject parcel.

This image below identifies the approved subdivisions that utilize Normil Terrace.



The image to the right identifies the subject parcel in relation to the existing subdivisions.



Another point of concern is the increase in daily vehicle trips could create potential hazards during an evacuation due to fire or other natural disaster.

The various residents reference Jackson County Engineer Mike Kuntz's comments (Exhibit L) in regards to Normil Terrace will be at capacity once the undeveloped lots are fully developed.

The residents' comments also make reference to the entire subject site development, and do not address the Public Works restriction for ADT's.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

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

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of ZC-18-178 per the staff report dated September 19, 2019, including Exhibits A through U.

EXHIBITS

A Conditions of Approval, dated August 15, 2019
B Applicant's Zone Maps received November 21, 2018
C Assessor Map received November 21, 2018
D General Land Use Plan Map adopted December 21, 2006
E Applicants findings and conclusions received November 21, 2018
F Traffic Impact Analysis Executive Summary dated November 5, 2018
G Public Works Department response to TIA received December 7, 2018
H Public Works report revised August 16, 2019
I Medford Fire report received January 2, 2019
J City Survey Comments received December 21, 2018
K Medford Water Commission Memo received January 2, 2019
L Jackson County Roads Comments received December 21, 2018
M Oregon Department of Transportation comments received January 2, 2019
N Correspondence from Lee and Gloria Jackson received August 14, 2019
O Correspondence from Ellie George received July 23, 2019
P Correspondence from Walter R. Jones received July 10, 2019
Q Correspondence from Teresina and Paul Christy received August 9, 2019
R Correspondence from Pat Krikorian received August 9, 2019
S Correspondence from Greg Howell received August 9, 2019
T Correspondence from Duane & Adrienne Wallace received September 5, 2019
U Jurisdictional Exchange Agreement Received September 18, 2019
Vicinity map

PLANNING COMMISSION AGENDA: **SEPTEMBER 26, 2019**
SEPTEMBER 12, 2019
AUGUST 22, 2019

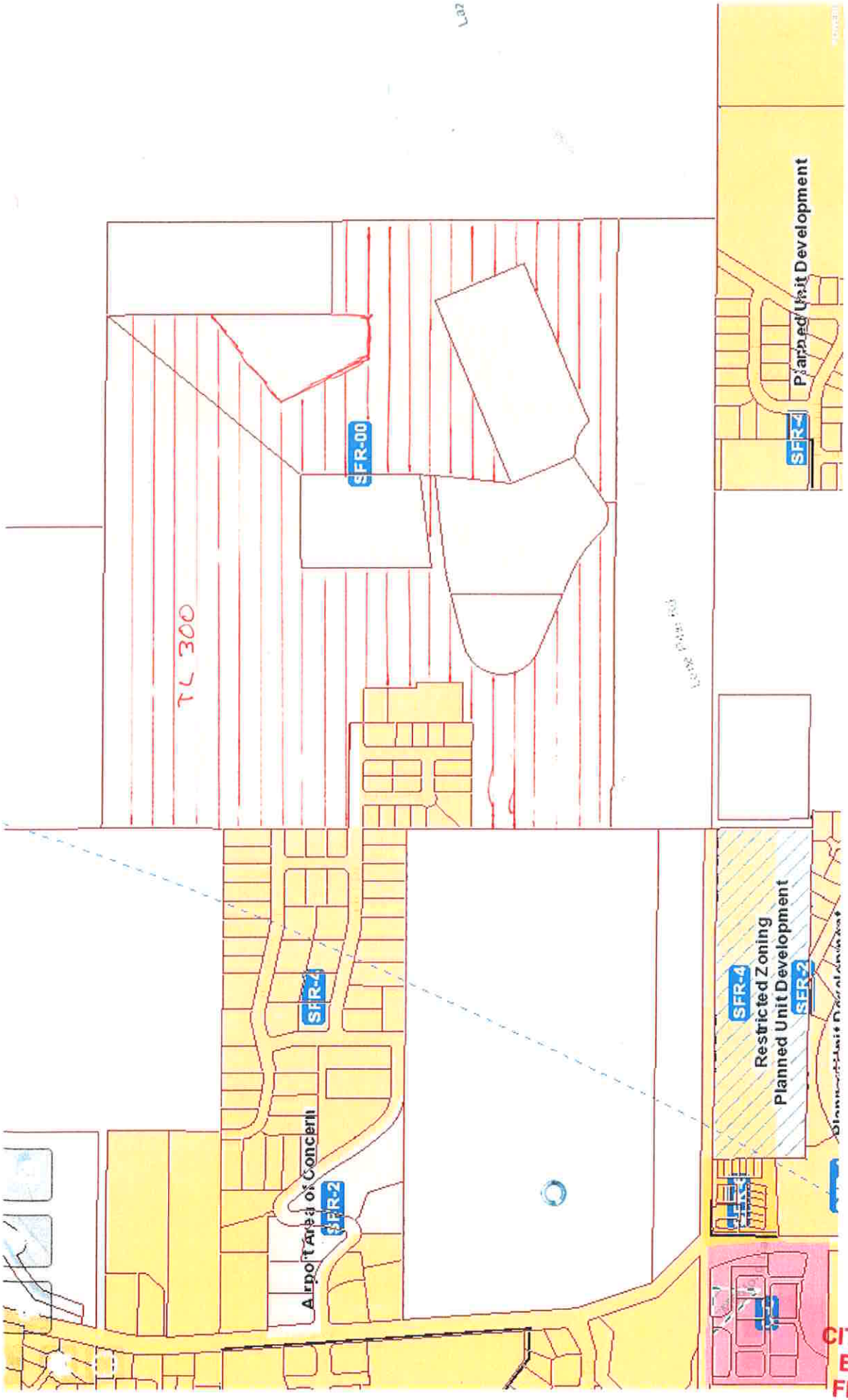
EXHIBIT A

Jantzer Zone Change
ZC-18-178
Conditions of Approval
September 19, 2019

CODE CONDITIONS

1. Comply with the Public Works Department Staff Report, revised August 16, 2019 (Exhibit H).
2. The owner shall provide easements to Foothill Road and Lone Pine Roads for storm drainage.
3. The Restricted Zoning Overlay shall be established by deed restriction or covenant, and must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department within 30 days of the zone change becoming effective. Two restrictions will apply to the subject property:
    a. A trip cap of 258 Average Daily Trips, equivalent to 27 single family residential units;
    b. To only develop so the total sewer flows do not exceed current zoning limitation.

RECEIVED
NOV 21 2018
PLANNING DEPT.



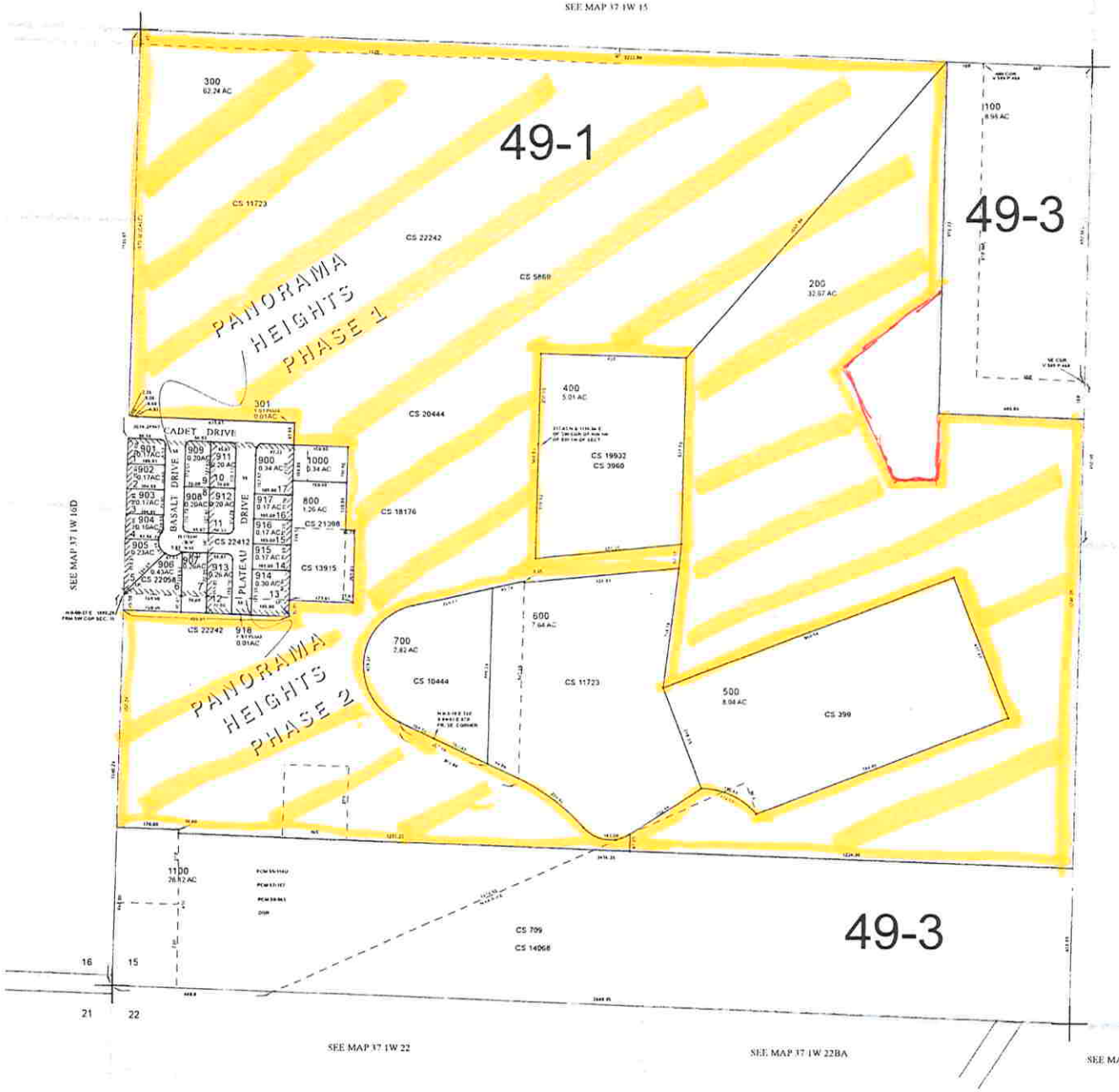
CITY OF MEDFORD
EXHIBIT # B
FILE # ZC-18-178

13

FOR ASSESSMENT AND TAXATION ONLY

S.W.1/4, SEC.15, T.37S., R.1W., W.M.
JACKSON COUNTY
1" = 200'

37 1W 15C
MEDFORD



CANCELLED TAX LOT NUMBERS

916 KILLED TO STREET

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NOV 21 2018
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37 1W 15C
MEDFORD
NEW MAP DECEMBER 19, 2016
REV. NOVEMBER 28, 2017

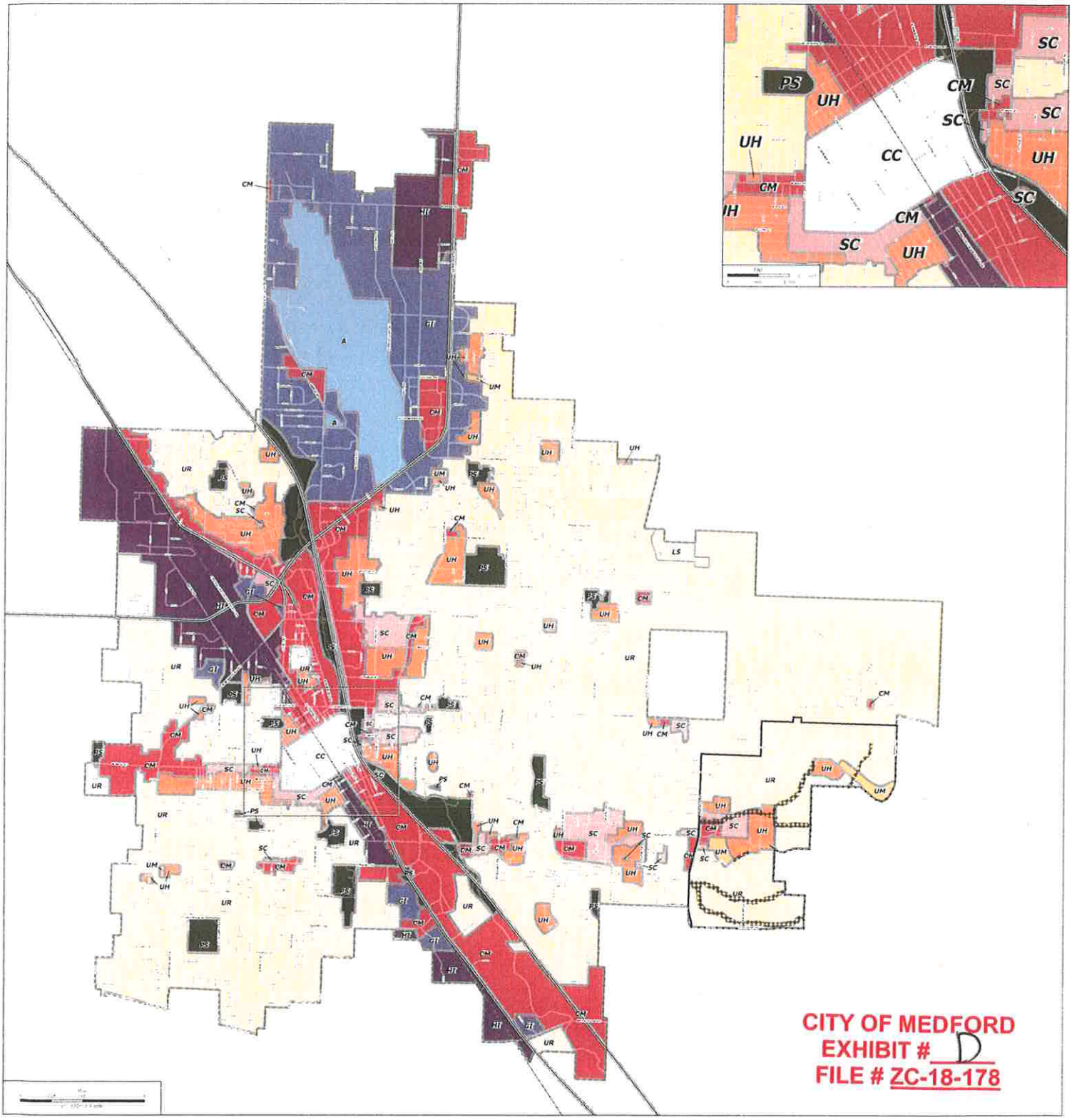
CITY OF MEDFORD
EXHIBIT # C
FILE # ZC-18-178

GIS DATA
12/08/2017 1:09:42 PM Rieckat

Page143

12

MEDFORD GENERAL LAND USE PLAN MAP



LAND USE CLASSIFICATIONS

- Urban High Density Residential (UH)
- Urban Medium Density Residential (UM)
- Urban Residential (UR)
- Limited Service Area Overlay (LS)
- Commercial (CM)
- Service Commercial (SC)
- General Industrial (GI)
- Heavy Industrial (HI)
- Airport (A)
- City Center (CC)
- Parks and Schools (PS)
- Greenways

CITY OF MEDFORD OREGON

Revised Through Ordinance 2006-264 Adopted December 21, 2006

Map is not intended to be Site Specific

Southeast Plan Area

UGB

N W E S

CITY OF MEDFORD
PLANNING DEPARTMENT

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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 91.50 ACRES OF LAND, LOCATED AT THE TERMINUS OF CADET DRIVE, DESCRIBED AS T.37S-R.1W-SEC.15C, TAX LOT 300; MIKE & GAYLE JANTZER, APPLICANTS; RICHARD STEVENS & ASSOCIATES, INC., AGENTS	FINDINGS OF FACT

I. RECITALS PERTAINING TO THE PROPERTY:

OWNERS: Mike & Gayle Jantzer
Jantzer Loving Trust
3451 Cadet Drive
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-4 (SFR-4) zoning, on a parcel described as T.37S-R.1W-15C, TL 300, totaling approximately 91.50 net acres. The Comprehensive Plan designation for the site is UR, Urban Residential, which allows for the SFR-4 zoning designation.

Ownership of the property is by the owners/applicants Mike and Gayle Jantzer. 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.

CITY OF MEDFORD
EXHIBIT # E
FILE # ZC-18-178

6

II. APPLICABLE CRITERIA:

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

1. A vicinity map drawn to scale of 1"=1000' identifying the proposed area of change.

2. An Assessor's map with the proposed zone change area identified.

3. Legal description of the area to be changed. Legal description shall be prepared by a licensed surveyor or title company.

4. Property owner's names, addresses and map and tax lot numbers within 200 feet of the subject property, typed on mailing labels.

5. Findings prepared by the applicant or his representative addressing the criteria for zone changes as per Section 10.204(B), Zone Change Criteria.

FINDING:

The Planning Commission finds that this application for a change in zoning designation from SFR-00 to SFR-4, 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 10.204(B).

FINDINGS IN COMPLIANCE WITH SECTION 10.204(B) OF THE MEDFORD LAND DEVELOPMENT CODE:

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

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

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

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

CONSISTENCY WITH TSP AND THE GENERAL LAND USE PLAN MAP DESIGNATION

TSP Discussion:

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. Like other portions of the Comprehensive Plan, the TSP is implemented through the Land Development Code. Sections 10.460 and 10.461 address the requirements for a traffic analysis letter (TIA) when an application has the potential of generating more than 250 net average daily trips.

The existing use on the subject property is one single family dwelling, that is estimated to generate 9.57 average daily trips (ADT). The property has a gross area of approximately 91.50 acres. The maximum permitted density in the requested SFR-4 zoning designation is 366 dwelling units, the minimum density is 183 dwelling units. No development plan is prepared at this time and will be submitted at a future date. 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 development of the site with single-family dwellings will exceed the 250 ADT or the 25 peak hour trips thresholds; therefore a Traffic Impact Analysis (TIA) is warranted.

Based on the TIA prepared by Southern Oregon Transportation Engineering, LLC, vehicle trip cap stipulations are warranted for the future development of the site. Please find Normil Terrace Zone Change TIA attached. The first threshold/stipulation recommended within the TIA is to allow 24 Dwelling Units without any improvements to the local street system. The second threshold/stipulation is to require a center left turn lane within Foothill Road at Normil Terrace to allow an additional 11 Dwelling Units, or a total 35 new Dwelling Units. The third stipulation is to allow full development of the site with the placement of a left turn barrier within the center of Foothill Road at the intersection with Lone Pine Road.

The subject property is located at the terminus of Cadet Drive and Annapolis Drive designated as minor residential streets, via Normil Terrace (designated as a standard residential street). Panorama Drive to Lone Pine Road provides secondary emergency access to the subject property and other residences in the vicinity. The future development plan for the site will conform with all access location requirements and standards for the City of Medford.

GLUP Discussion:

A review of the General Land Use Plan (GLUP) Map for the City of Medford demonstrates that the subject property is designated Urban Residential (UR). The map designations contained in the General Land Use Plan element of the Comprehensive Plan indicates that the permitted zoning districts within the UR designation are: SFR-2, SFR-4, SFR-6 and SFR-10. The proposed SFR-4 is consistent with the provisions of Section 10.310-1, MLDC.

FINDINGS:

The City of Medford can find that based on the information contained herein this application is consistent with Section 10.204(B)(1) in that:

1. **The subject property totals 91.50 gross acres which could be developed with as many as 366 dwelling units under the requested SFR-4 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 exceeds the thresholds to require a TIA. A TIA has been prepared by Southern Oregon Transportation Engineering, LLC to demonstrate compliance with the Code requirements. The proposed uses are consistent with the Comprehensive Plan and the requested zoning designation as SFR-4.**

2. **The proposed zone change to SFR-4 is consistent with the UR designation on the GLUP map for the subject property.**

LOCATIONAL STANDARDS:

Subsection 10.204(B)(2) prescribes additional locational standards, where applicable. There are no locations standards to address for the requested SFR-4 zoning district; therefore, this criterion is not applicable.

FINDINGS:

As the subject property lies within the City Limits for the City of Medford, and delineated on the General Land Use Plan Map as Urban Residential, the SFR-4 zoning district requested is found to be consistent with the General Land Use Plan Map. The additional locational standards per Subsection 10.204(B)(2), MLDC are not applicable with this application.

CONCLUSIONS:

The City of Medford can conclude that this application for a change of zoning from SFR-00 to SFR-4 is consistent with the City of Medford TSP and the Transportation Planning Rule, which are in compliance with Section 10.204(B)(1), MLDC. Based on 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, this zone change request to SFR-4 does require a TIA. Attached to this application is a TIA prepared by Southern Oregon Transportation Engineering, LLC to demonstrate consistency with the Medford TSP. With the stipulated mitigations, this application will have no adverse impacts on the I-5 interchanges, State highways, or the local street system.

The City of Medford can also find that the subject property is shown on the General Land Use Plan Map as Urban Residential and the SFR-4 zoning requested is found to be consistent with the General Land Use Plan Map.

Further, the City of Medford can find that the additional locational standards per Section 10.204(B)(2) are not applicable. This application is in compliance with Section 10.204(B)(1), MLDC.

COMPLIANCE WITH URBAN SERVICES AND FACILITIES:

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. The subject property is in two differing pressure zones, Zone 3 and Zone 4. There are existing 12-inch water lines in Cadet Drive, Annapolis Drive and Panorama Drive that are adjacent to and traversing the site within Pressure Zone 3. 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 within Zone 3 upon urban development. The area within Pressure Zone 4 will need to make connection with the existing line in Satellite Drive at a future time.

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.

Sanitary Sewer:

Sanitary sewer service is provided by the City of Medford. There are 8-inch sewer lines in Cadet Drive, Annapolis Drive adjacent to the property and in Normil Terrace. These collection lines are available to be extended and to serve the future development of the site. The Sanitary Sewer collection system in the vicinity 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.

Storm Drainage:

Storm Sewer service is provided by the City of Medford. There is a 12-inch storm drain line in Cadet Drive that expands to a 15-inch line and then a 24-inch line in Annapolis Drive. With water detention and retention requirements upon any land division, capacity of storm water drainage should not be 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 standards.

Streets:

The existing use on the subject property is one detached single-family home, which is estimated to produce 9.57 average daily trips (ADT). The property has a gross area of approximately 91.50 acres. The permitted density in the requested SFR-4 zoning designation is 183-366 dwelling units per gross acre. Per the ITE, Trip Generation, 9th Edition, Single-Family Detached Housing (Use 210) is expected to generate 9.57 ADT per dwelling unit. The future worst-case scenario, with 366 additional dwellings, would produce an additional 3,455 ADT or 366 P.M. peak hour trips. The future development of the site with single-family detached dwellings does exceed the 250 ADT threshold or the 25 peak hour trips threshold to warrant a Traffic Impact Analysis (TIA).

Based on the TIA prepared by Southern Oregon Transportation Engineering, LLC, trip cap stipulations are warranted for the future development of the site. Please find Normil Terrace Zone Change TIA attached. The first mitigation and stipulation is to allow 24 Dwelling Units without any improvements to the local street system. The second mitigation and stipulation is to require a center left turn lane within the Foothill Road at Normil Terrace to not exceed an additional 11 Dwelling Units or a total 35 new Dwelling Units. The third mitigation measure is place a left turn barrier in the center of the Foothill Road right of way at the intersection of Lone Pine Road to allow full development of the subject property.

The TIA is submitted to address compliance with the City of Medford Comprehensive Plan, and the Oregon Transportation Planning Rule. The TIA addresses the impacted streets and intersections and concludes that with the proposed mitigation measures and stipulations the proposed SFR-4 zoning district meets the functional classification and level of service standards within the Medford TSP.

FINDING:

Based upon the information contained herein, the City of Medford finds that there are adequate public facilities to supply potable water within Pressure Zone 3 to the property, as water is already available to the property; sanitary sewer service lines are available to the site and capacity at the Regional Reclamation Facility is adequate to accommodate the area; that based on the proposed mitigation and stipulations the expected trip generation that 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.

"E"

CONCLUSION:

The City of Medford can conclude that there are adequate Category "A" public facilities available and with the stipulations and mitigation for traffic generation, sufficient capacity exists to extend these facilities to serve the proposed zoning and uses of the subject property with the SFR-4 zoning.

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 Findings of Fact with the supporting documentation attached, demonstrates that this application complies with the applicable development 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.1W-SEC.15C, Tax Lot 300 as SFR-4 on the Official Zoning Map for the City of Medford, Oregon.

Respectfully Submitted,

Richard Stevens & Associates, Inc.

Normil Terrace SFR-00 to SFR-4 Zone Change

Traffic Impact Analysis

November 5, 2018

Prepared By:

Southern Oregon Transportation Engineering, LLC

CITY OF MEDFORD
EXHIBIT # F
FILE # ZC-18-178

I. EXECUTIVE SUMMARY

Summary

Southern Oregon Transportation Engineering, LLC prepared a traffic impact analysis for a proposed zone change from SFR-00 to SFR-4 on Township 37S Range 1W Section 15C, tax lot 300 in Medford, Oregon. The subject property is approximately 91.5 acres, located east of Foothill Road and north of Lone Pine Road.

Access to the site is provided directly from Cadet Drive and Annapolis Drive, with emergency access through Panorama Drive. It is expected that all development traffic will use Cadet Drive and Annapolis Drive to distribute to Normil Terrace.

Under SFR-4 zoning the site will allow up to 366 single family residential dwelling units, which are estimated to generate 3,455 average daily trips (ADT) with 366 trips occurring during the p.m. peak hour. The distribution of 366 p.m. peak hour trips to the transportation system is shown to reach 23 intersections involving collectors and/or arterials and one development access point with 25 or more peak hour trips. Analysis scenarios include existing year 2018 and future year 2023 no-build and build conditions to determine what impacts the proposed zone change will have on the transportation system.

Conclusions

The findings of the traffic impact analysis conclude that the proposed zone change from SFR-00 to SFR-4 can be accommodated on the existing transportation system with proposed mitigations. A summary of mitigations and stipulations are as follows:

Normil Terrace / Foothill Road:

1) Experiences long queue lengths under future year 2023 build conditions.
a. Proposed mitigation to address queuing includes widening to include a center two-way-left-turn-lane (TWLTL) on Foothill Road. This is shown to significantly reduce queue lengths and address safety concerns through the planning year 2023 with full development.
b. Up to 24 SFR dwelling units can develop before 25 p.m. trips reach Normil Terrace / Foothill Road.
c. Once a TWLTL is in place, full development can occur

Lone Pine Road / Foothill Road:

1) Exceeds LOS "D" under future year 2023 no-build and build conditions.
a. Proposed mitigation includes a median along Foothill Road that restricts traffic movements to right-in, right-out only.
b. Up to 35 SFR dwelling units can develop before 25 p.m. trips reach Lone Pine Road / Foothill Road.
c. Once a median is in place, full development can occur

This analysis was undertaken to address issues of compliance with the City of Medford Comprehensive Plan, Land Development Code, and Oregon Transportation Planning Rule (TPR) in Oregon Administrative Rules (OAR) Chapter 660, Division 012. Based upon our analysis of streets and intersections within the study area, it is concluded that the proposed zone change from SFR-00 to SFR-4 can be approved with recommended mitigations without significantly affecting any existing or planned transportation facility nor result in types or levels of travel or access that are inconsistent with the functional classification of any existing or planned transportation facility such that it would not meet the performance standard identified in the TSP or comprehensive plan.

Continuous Improvement Customer Service
CITY OF MEDFORD
PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
200 SOUTH IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100
FAX (541) 774-2552

RECEIVED
DEC 07 2018
Planning Dept.

December 7, 2018

Kimberly Parducci, P.E.
Southern Oregon Transportation Engineering
319 Eastwood Dr.
Medford, OR 97504

Dear Ms. Parducci:

We have received the Traffic Impact Analysis Report dated November 5, 2018, for the Zone Change on 371W15C300, on an extension of Normil Terrace, and have the following comments:

1. Page 5, Normil Terrace is classified as a local residential street. Adding 3,455 vehicles per day will result in a total volume of approximately 3,855 ADT which is a collector street volume. Given the constraints of the existing road, Public Works does not believe it is feasible to reclassify Normil Terrace as a collector street. For example, there are existing 50 foot radius curves and the minimum curve radii for a collector street in Medford is 300 feet. It appears that alternative accesses will need to be developed to support this development.

2. Page 8, Table 1, Normil Terrace is a Jackson County facility.

3. Page 8, Table 1, Panorama Dr./Lone Pine RD. is a local access/private drive within the study area.

4. Page 28, Table 12, shows a queue of 775' (250' mitigated) during the PM peak hour when most trips are inbound to Normil Terr. This represents approximately 31/(9) vehicles waiting to exit. The question that should be answered is: How long will the queue by in the AM peak hour when a higher percentage of motorists are trying to leave Normil Terr?

CITY OF MEDFORD
EXHIBIT # G
FILE # ZC-18-178

5. Evaluate the intersection of Foothill Rd and Normil Terr for a northbound right turn lane.

6. The intersection of Foothill Rd and Normil Terr appears to satisfy traffic signal warrant 3 in the P.M. peak hour. A traffic signal appears to be needed as mitigation for the development as currently proposed. A traffic signal may not be needed if a viable alternate access can be established. Regardless of whether an alternate access can be developed, a traffic signal should be evaluated as mitigation when warrants are projected to be satisfied based Preliminary Signal Warrants or on A.M. or P.M. peak volumes. The volume on Normil Terrace for this trigger should be based on the total number of single family lots feeding on to Normil Terrace (including existing) and the ITE trip generation rate for the appropriate peak hour, because there are several currently vacant lots that are not accounted for in the existing counts.

If you have questions, please contact me at (541) 774-2121.

Sincerely,

Peter Mackprang
Associate Traffic Engineer

CC: file, Clark Stevens, Liz Connor

"G"

Medford – A fantastic place to live, work and play

CITY OF MEDFORD

LD Date: 1/2/2019
Revised Date: 8/15/2019
File Number: ZC-18-178

PUBLIC WORKS DEPARTMENT STAFF REPORT
Zone Change – Cadet Drive
(371W15C TL 300)

Project: **Consideration of a request for a zone change of an approximately 91.5 gross acre parcel.**

Location: **Located at the terminus of Cadet Drive from SFR-00 (Single Family Residential, one dwelling unit per parcel) to SFR-4 (Single Family Residential, 4 to 6 dwelling units per gross acre) (371W15C TL 300).**

Applicant: **Applicant, Mike & Gayle Jantzer; Agent, Richard Stevens & Associates Inc.; Planner, Liz Conner.**

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 Category 'A' urban services and facilities under its jurisdiction meet those requirements. The Category urban services and facilities the Public Works Department manages are sanitary sewers within the City's sewer service boundaries, storm drains, and the transportation system.

I. Sanitary Sewer Facilities

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

II. Storm Drainage Facilities

The proposed zone change has the potential to increase storm drainage flows to down gradient

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CITY OF MEDFORD
EXHIBIT # H
FILE # ZC-18-178

4C

properties. The proposed development has access to a storm drain system to serve a small portion of the property just uphill of Cadet Drive. For the drainage north and south of Cadet Drive, the developer will need to provide easements: to Foothill Road for the north drainage, and to Lone Pine Road for the south drainage. Based on this information, the Public Works Department recommends this zone change be denied, or the applicant stipulate to only develop so the total storm drainage flows do not exceed current zoning limitation, or the Developer provide evidence of storm drainage easements as noted.

III. Transportation System

We have received the Transportation Impact Analysis (TIA) Report dated November 5, 2018 and have returned comments to the engineer. We have not received a response to those comments to date and therefore recommend denial of the proposed zone change. If the zone change is approved prior to a satisfactory TIA being received and reviewed by Public Works, we recommend the following conditions:

- The zoning shall be restricted to a trip cap of 258 Average Daily Trips (ADT). This cap is based on the underlying zoning of SFR-00, which allows 9 ADT existing, plus 249 ADT, which is one trip below the threshold at which a TIA is required. 258 ADT is equivalent to 27 single-family residential units. A TIA shall be required for any development beyond the trip cap.
- Comply with any conditions of other jurisdictions.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs
Revised 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.

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
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MEDFORD, OREGON 97501
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TELEPHONE (541) 774-2100
FAX (541) 774-2552

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 12/31/2018
Meeting Date: 1/2/2019

LD File #: ZC18178

Planner: Mike & Gayle Jantzer

Applicant: Liz Conner

Project Location: Located at the terminus of Cadet Drive

ProjectDescription: Consideration of a request for a zone change of an approximately 91.5 gross acre parcel from SFR-00 (Single Family Residential, one dwelling unit per parcel) to SFR-4 (Single Family Residential, 4 to 6 dwelling units per gross acre)

Specific Development Requirements for Access & Water Supply

Conditions

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

Construction General Information/Requirements

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

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

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

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

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

www.medfordfirerescue.org

CITY OF MEDFORD
EXHIBIT # I
FILE # ZC-18-178

City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

MEMORANDUM

Subject	Legal Description
File no.	ZC-18-178
To	Jon Proud, Engineering
From	Liz Conner, Planning Department
Date	December 19, 2018

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

1. ZC-18-178
   Applicant: Mike and Gayle Jantzer
   Agent: Richard Stevens and Associates Inc.

18-051

Liz, tax lot 300 was reconfigured with pla 18-51 and no longer looks as shown on attached vicinity map (or on current tax map). It should be configured as depicted on filed survey 22597, and described within JCOR 2014-01894. It appears only page 1 of 2 description sheets is included within this packet.
Thanks, Jon 12/21/18

cp

Attachments:

Vicinity Map, Legal description

CITY OF MEDFORD
EXHIBIT # J
FILE # ZC-18-178

Exhibit "A"

Commencing at the Southwest corner of Section 15 in Township 37 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence, along the Westerly line of said Section, North 00°00'57" East 440.14 feet to a 5/8" iron pin at the Southwest corner of that tract described in Document No. 2017-015829, Official Records of said Jackson County for the **POINT OF BEGINNING**; thence, continue along said Section line and along the boundary of said tract as follows: North 00°00'57" East 605.32 feet (record North 00°00'37" East 605.23 feet) to a 5/8" iron pin; thence South 89°41'42" East 459.960 feet (record South 89°43'00" East 459.96 feet) to a 5/8" iron pin; thence North 00°05'25" West 45.00 feet (record North 00°01'16" E) to a 5/8" iron pin; thence South 89°44'16" East 177.14 (record South 89°43'00" East 177.10 feet) to a 5/8" iron pin; thence North 00°18'23" West 200.01 feet (record North 00°19'21" West 200.04 feet) to a 5/8" iron pin; thence North 89°44'56" West 25.84 feet (record North 89°44'29") to a 5/8" iron pin; thence North 00°01'02" West 230.36 feet (record North 00°00'57" West 230.00 feet) to a 5/8" iron pin; thence North 89°43'13" West 150.00 feet (record 150.02 feet to a 5/8" iron pin) to the Southeast corner of Cadet Drive; thence North 00°01'16" East 63.00 feet to the Northeast corner thereof; thence, along the Northerly line of said Cadet Drive, North 89°43'13" West 435.44 feet (record 435.41 feet; thence, along the arc of a 68.50 foot radius curve to the right (the long chord to which bears North 87°42'07" West 4.83 feet) an arc distance of 4.83 feet; thence North 85°41'00" West 8.57 feet (record 8.60 feet); thence, along the arc of a 131.50 foot radius curve to the left (the long chord to which bears North 87°38'41" West 9.00 feet), an arc distance of 9.00 feet; thence North 89°36'22" West 2.27 feet to the aforesaid Westerly line of Section 15; thence, along said Westerly line, North 00°00'57" East 1071.29 feet (record North 00°00'37" 1071.28 feet) to a brass cap marking the West one-quarter (1/4) corner of Section 15; thence, along the East-West centerline of said Section, South 89°40'03" East 2232.85 feet to the Northwest corner of that tract described in Document No. 2008-018225, Official Records of said Jackson County (record South 89°40'20" East 2232.76 feet to a 5/8" iron pin); thence, leaving said Section centerline and along the Westerly line of said tract, South 00°19'52" East 423.01 feet to a 5/8" iron pin; thence, leaving said Westerly line, South 49°48'00" West 450.30 feet to a 5/8" iron pin; thence South 26°07'35" East 466.37 feet to a 5/8" iron pin; thence South 89°43'00" East 142.68 feet to a 5/8" iron pin; thence North 00°19'52" West 157.38 feet to the Southwest corner of the aforesaid tract described in Document No. 2008-018225; thence, along the Southerly line of said tract, South 89°43'00" East 400.10 feet (record 400.00 feet) to the Southeast corner thereof, said point being on the North-South centerline of Section 15; thence, along said Section centerline, South 00°19'52" East 1245.63 feet to the Southeast corner of that tract described in Document No 2009-027367, said Official Records (record South 00°19'42" East 1246.06 feet; thence, along the Southerly line of said tract to and along the Southerly line of the aforesaid tract described in Document No. 2017-015829, North 89°45'52" West (record North 89°45'55" West) 2476.29; thence North 00°00'57" East 10.00 feet to a 5/8" iron pin; thence North 89°56'49" West 170.08 feet (record 89°59'14 West 169.97 feet) to the Point of Beginning.

DW 7.2.18

3

"J"

25

City of Medford
Planning Department

Vicinity Map	File Number: ZC-18-178

Project Name:

Zone Change
SFR-00 to SFR-4

Map/Taxlot:

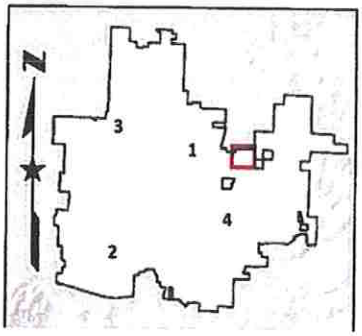
371W15C TL 300

0 310 620 Feet

Legend

- Subject Area
- Zoning Districts
- Tax Lots

12/19/18



J

25

MEDFORD WATER COMMISSION

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: ZC-18-178

PARCEL ID: 371W48C TL 300

PROJECT: Consideration of a request for a zone change of an approximately 91.5 gross acre parcel located at the terminus of Cadet Drive from SFR-00 (Single Family Residential, one dwelling unit per parcel) to SFR-4 (Single Family Residential, 4 to 6 dwelling units per gross acre) (371W15C TL 300); Applicant, Mike & Gayle Jantzer; Agent, Richard Stevens & Associates Inc.; Planner, Liz Conner.

DATE: January 2, 2019

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."

2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.

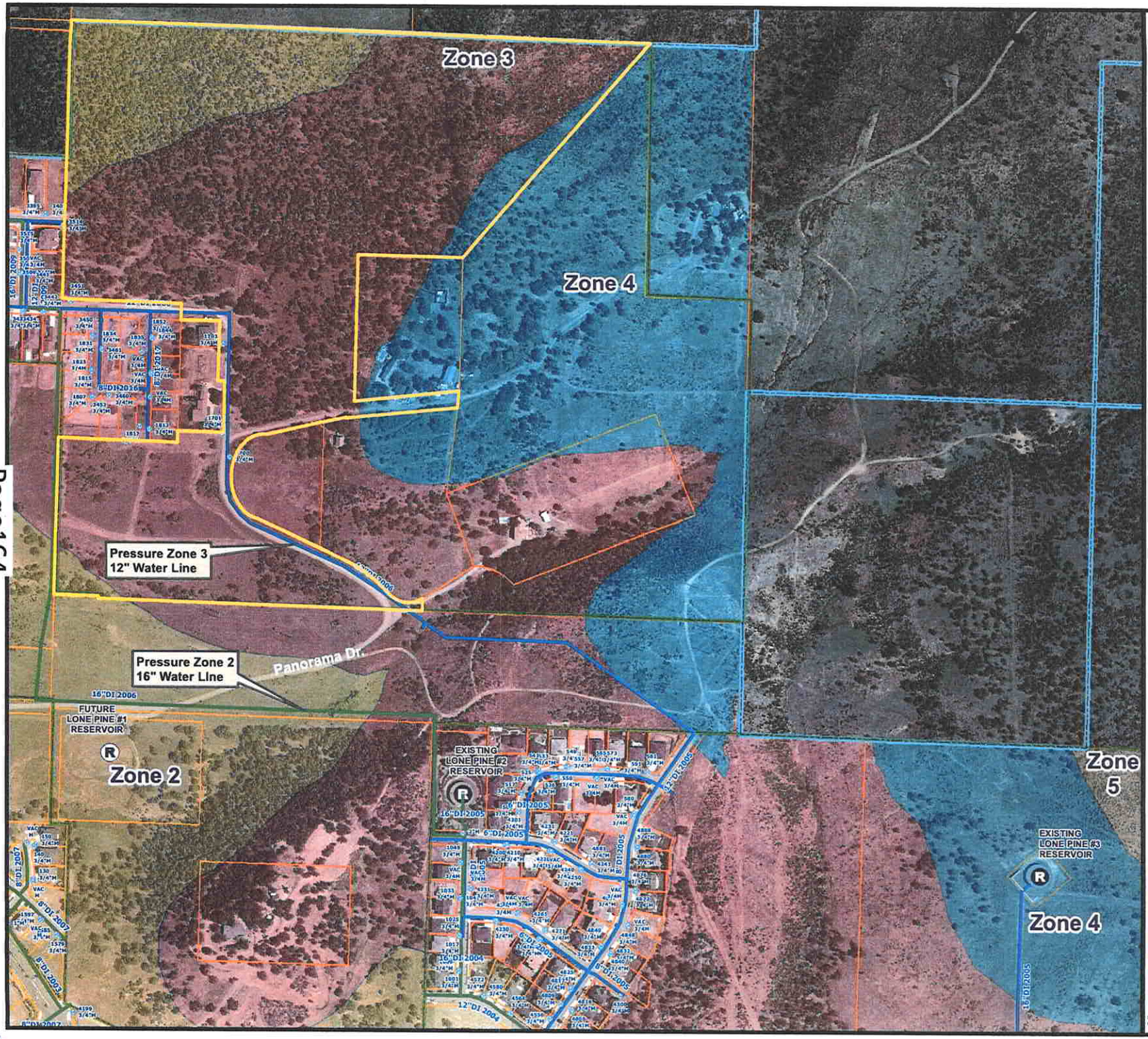
3. The MWC system does have adequate capacity to serve this property.

4. On-site water facility construction may be required depending on future land development review.

5. MWC-metered water service does not exist to this property.

6. Access to MWC water lines for connection is available. There is an existing 12-inch water line (Pressure Zone 3) in Panorama Drive.

CITY OF MEDFORD
EXHIBIT # K
FILE # ZC-18-178


Zone 3
Zone 4
Pressure Zone 3
12" Water Line
Pressure Zone 2
16" Water Line
Panorama Dr.
FUTURE
LONE PINE #1
RESERVOIR
Zone 2
EXISTING
LONE PINE #2
RESERVOIR
Zone
5
EXISTING
LONE PINE #3
RESERVOIR
Zone 4
N
0 125 250 500 Feet
Scale: 1"=500'
Water Faciity Map
for
ZC-18-178
January 2, 2019
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
MEDFORD WATER COMMISSION

JACKSON COUNTY
Roads

Roads
Engineering

Mike Kuntz, P.E.
County Engineer

200 Antelope Rd.
White City, OR 97503
Phone: (541)774-6228
Fax: (541)774-6295
kuntzm@jacksoncounty.org

www.jacksoncounty.org

December 21, 2018

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

RE: A zone change on Cadet Drive–a County maintained road.
Planning File: ZC-18-178

Dear Elizabeth:

Thank you for the opportunity to comment on this request for a zone change of an approximately 91.5 acre parcel located at the terminus of Cadet Drive from SFR-00 (Single-Family Residential – one dwelling unit per parcel) to SFR-4 (Single-Family Residential, - 4 to 6 dwelling units per gross acre) (37-1W-15C TL 300). Jackson County Roads has the following comments:

1. Cadet Drive, Annapolis Drive and Normil Terrace comprise a route of County Rural Local roads and are county-maintained. These roads are built to Jackson County's Rural Local Street "B" standard. Per the Jackson County TSP, the design capacity for a Rural Local Road is 120 to 600 ADT. This capacity is based on design standards (width, alignments, etc.), structural standards and livability.

2. Currently Normil Terrace serves over 60 lots, several of which remain undeveloped. Once the undeveloped lots develop, the estimated ADT will be 600 or more and will be at capacity. The roadway will not safely support additional traffic. Jackson County is opposed to Normil Terrace being utilized for the proposed development and requests alternate access be developed. If alternate access is not provided, Jackson County is opposed to approval.

3. 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 Cadet Drive, Annapolis Drive and Normil Terrace. Jackson County Roads recommends that the city request road jurisdiction.
4. No approaches off Cadet Drive, Annapolis Drive and Normil Terrace will be permitted.

CITY OF MEDFORD
EXHIBIT # L
FILE # ZC-18-178

5. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.
6. We would like to be notified of future development proposals, as county permits may be required.

7. If frontage improvements are required on Cadet Drive, Annapolis Drive and Normil Terrace, they shall be permitted and inspected by Jackson County.

8. Storm water should meet City of Medford requirements that also include water quality.

9. 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.

10. We concur with any right-of-way dedications.

11. See also attached Jackson County comments on the TIA.

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

Sincerely,

Mike Kuntz
County Engineer

"L"

JACKSON COUNTY
Roads

Mike Kuntz, P.E.
County Engineer

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6228
Fax: (541) 774-6295
kuntzm@jacksoncounty.org

www.jacksoncounty.org

December 7, 2018

Kimberly Parducci, P.E.
Southern Oregon Transportation Engineering
319 Eastwood Dr.
Medford, OR 97504

RE: Normil Terrace Zone Change TIA

Kim,

Jackson County has reviewed the subject Traffic Impact Analysis, dated November 5, 2018, regarding a proposed zone change to 37-1W-15C tax lot 300, a 91.5 acre parcel. This TIA has been prepared in anticipation of an application for zone change.

Jackson County offers the following comments:

1. It is proposed that the sole access to the proposed development be via Normil Terrace, Annapolis Drive and Cadet Drive. The TIS assumes these are City of Medford Streets. Actually, all of Normil Terrace and the western approximately 580-feet of both Annapolis and Cadet Drives are local classification roads under the jurisdiction of Jackson County.
2. Jackson County is very concerned about the ability of Normil Terrace, Annapolis Drive and Cadet Drive to handle the estimated 3,455 additional trips generated by the proposed development at full build-out. This concern is based on safety, capacity, and structural durability of these roads. Jackson County is also very concerned about the safety and operation of the Normil Terrace/Foothill Road intersection. Please note that Foothill Road at this location is also Jackson County jurisdiction.
3. Normil Terrace, Annapolis Drive and Cadet Drive were developed and constructed in 1965 and 1966 to standards most resembling our current Rural Local Road B standard. For reference, I've attached a copy of our Rural Local Road B standard, which can also be found in the current Jackson County TSP in Table 7 on page 60. When examining the design tables, you will note there is a significant increase in paved roadway width from our Local Road B to Local Road C standards.
4. Per Jackson County Design Standards, the maximum design capacity for a Rural Local Road B is 600 ADT. Jackson County requires that future development utilizing Normil Terrace, Annapolis Drive and Cadet Drive occur in such a way that a maximum ADT of 600 not be exceeded on any of these roads. Two possible solutions to this limitation are the development of alternative access(es)

that would limit the traffic utilizing these roads, or the reconstruction of Normil Terrace, Annapolis Drive and Cadet Drive to the appropriate City of Medford Standards. Should the developer wish to propose alternate solutions which meet the above criteria, Jackson County would be happy to review those.

5. If alternate access(es) are proposed, a revised TIA shall be prepared which demonstrates the traffic split.
6. Given the estimated queuing of Normil Terrace at Foothill Road, Jackson County is very concerned about the safety and operation of the intersection. Please evaluate the Normil Terrace/Foothill Road intersection for V/C, safety and for a northbound right turn lane from Normil Terrace.

Please feel free to contact me if you have any questions.

Thank You,

Mike Kuntz, P.E.
County Engineer

cc: Clark Stevens, Richard Stevens & Associates, Inc.
Karl MacNair, P.E., City of Medford

"L"

RURAL COUNTY ROADWAY STANDARDS AND SPECIFICATIONS						
	Local Road A	Local Road B	Local Road C	Minor Collector	Major Collector	Arterial
Typical ADT (Average Daily Traffic)	0 - 120	120 - 600	600 - 1,500	1,250 - 5,000	>4,500	>4,500
Minimum Design Speed ①	30	40	40	50	50	55
Number of Vehicle Lanes	2	2	2	2	2	2 - 5
Lane Width	11'	11'	11'	11'	11'	11'-0"
Turn Lane Width	No	No	No	No	No	14'
Shoulder Width	2'	3'	5'	5'	6'	7'
Shoulder Surface	Gravel	Gravel	AC	AC	AC	AC
Pavement Width	22'	22'	32'	32'	34'	36 - 72'
Minimum Access Spacing ②	50' ③	50' ③	50' ③	150'	300'	300'
Surface Type	Oil Mat	Oil Mat	AC	AC	AC	AC
Minimum ROW Width	50'	50'	50'	60'	60'	60'
Applicable Specifications	④	④	④	④	④	④

GENERAL NOTES:

1. Whenever any street or road is created or upgraded within the UGB or ½ mile of any incorporated city, the policy outlined in the goal and policy section of the TSP with respect to the Urban Growth Management Agreement will apply.
2. The urban roadway standard for the corresponding functional classification may be built if the County Engineer determines that the urban standard is more appropriate for the road section.

AC = Asphaltic Concrete Pavement: The asphaltic concrete mixture in the pavement may be either hot-mix or warm-mix and shall conform to Jackson County standards.

① Minimum Design Speed unless approved by the Department Director.
② Lower spacing may be allowed when supported by a traffic study and approved by the Department Director, or when no other public road access is possible.
③ Applies to spacing between street intersections and driveways. No minimum standard between driveways.
④ Oregon Department of Transportation "Standard Specifications for Highway Construction" and Jackson County Supplemental Standard Specifications and "Special Provisions" applicable to the project.

JACKSON COUNTY ROADS

MIKE KUNTZ, P.E.
COUNTY ENGINEER

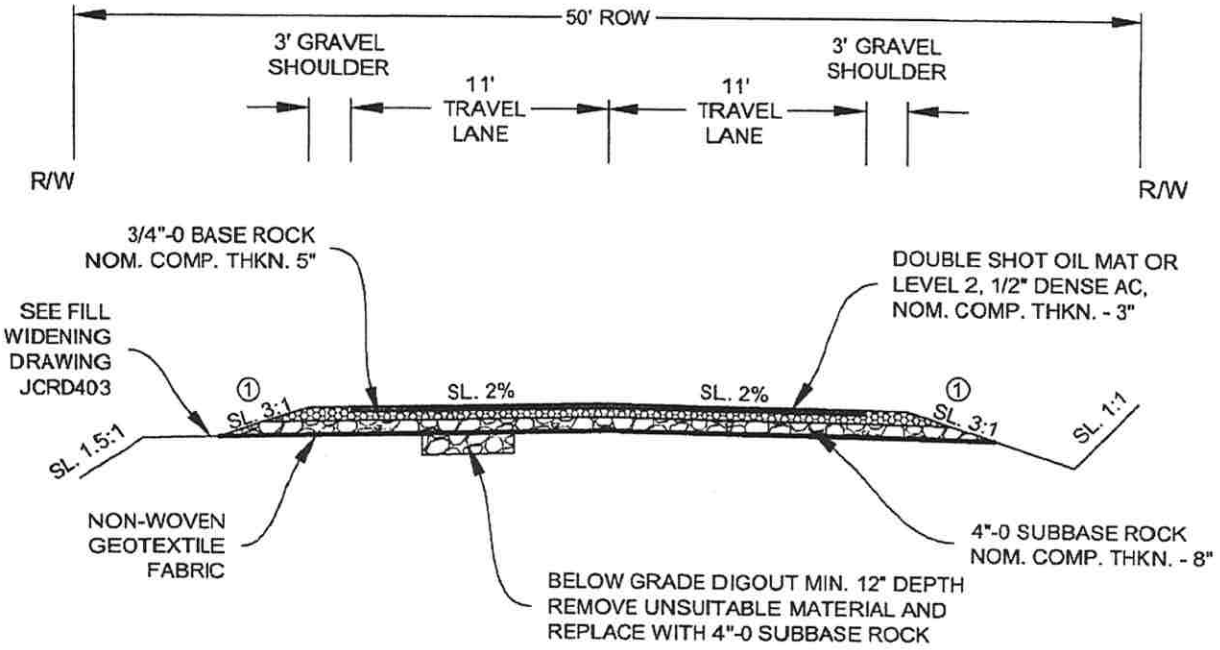
Date	By	Revision

JCRD501: RURAL
COUNTY ROADWAY SPECIFICATIONS

I:\Engineering\LIBRARY\COUNTY\STD_DWG\CURRENT\RD500-Rural\JCRD501-RuralSpecs.dwg

OCT 2017 NO SCALE

JACKSON COUNTY Roads



NOTES:

- MINIMUM RIGHT OF WAY AND MINIMUM CROSS SECTION SHOWN. ADDITIONAL WIDTH MAY BE NEEDED DUE TO TOPOGRAPHICAL CONSTRAINTS OR ADDITIONAL TURN LANES AT INTERSECTIONS.
- INTERIM REDUCED SECTIONS MAY BE CONSTRUCTED WHEN APPROVED BY THE COUNTY ENGINEER AND CONSISTENT WITH TSP POLICY.
- SEE JCRD401 FOR SUPER ELEVATION AND VERTICAL CURVE STANDARDS.

① SLOPE MAY BE STEEPER WITH APPROVAL BY THE COUNTY ENGINEER.

OREGON UTILITY NOTIFICATION CENTER 1-800-332-2344 STOP - CALL BEFORE YOU DIG

CALL 48 HOURS BEFORE YOU DIG

JACKSON COUNTY ROADS

MIKE KUNTZ, P.E.
COUNTY ENGINEER

Date	By	Revision

JCRD503: RURAL COUNTY STREET STANDARDS LOCAL ROAD B

I:\Engineering\LIBRARY\COUNTY\STD_DWG\CURRENT\RD500-Rural\JCRD503-RuralLocalB.dwg

OCT 2017 NO SCALE

JACKSON COUNTY Roads

Liz A. Conner

From: Liz A. Conner
Sent: Friday, February 1, 2019 2:13 PM
To: Karl H. MacNair
Subject: RE: Normil Terrace ZC TIA

What does this mean for the project?

-Liz

From: Karl H. MacNair
Sent: Friday, February 1, 2019 11:28 AM
To: Alex T. Georgevitch <Alex.Georgevitch@cityofmedford.org>; Douglas E. Burroughs <Douglas.Burroughs@cityofmedford.org>; Liz A. Conner <Elizabeth.Conner@cityofmedford.org>
Subject: FW: Normil Terrace ZC TIA

FYI.

Karl

From: Mike Kuntz [mailto:KuntzM@jacksoncounty.org]
Sent: Friday, February 01, 2019 10:16 AM
To: 'Kim Parducci' <kim.parducci@gmail.com>
Cc: Karl H. MacNair <Karl.MacNair@cityofmedford.org>; John Vial <VialJN@jacksoncounty.org>
Subject: RE: Normil Terrace ZC TIA

Kim,

Jackson County has reviewed this concept and while we appreciate your efforts, we do not find it workable.

Normil Terrace is built to a standard that per the Jackson County TSP provides for a maximum of 600 ADT. While we acknowledge it is a rural standard within an urbanizing area, it is still built to the rural standard. The two substandard corners, grades exceeding 15%, narrow width and the missing urban components in the rural standard (no shoulders/bike lane and sidewalks) render this facility unsuitable for this expanded level of use. It is Jackson County's position that without bringing the road up to an urban standard, the maximum ADT of 600 is appropriate. As you note, our urban standard does allow for up to 2,000 ADT, which includes the currently missing urban components. It is the addition of these components that provide for the higher allowed ADT in the urban setting. We acknowledge that arguments can be made that Normil Terrace has the capacity to handle more than 600 ADT, i.e. 1,320 ADT probably will not result in severe delay, long ques, or inadequate gaps for turning movements, our concern however is for traffic and neighborhood safety. The deficiencies in this facility make it unsuitable to handle trips above 600 ADT as safety and livability issues will develop. This is a poor road that was never intended to serve the traffic being suggested.

Jackson County continues to believe there should be no more than 600 ADT allowed on Normil Terrace until it has been upgraded to the appropriate urban standard or the City of Medford accepts jurisdiction of the facility. Jackson County will oppose any development proposal that does otherwise.

Mike

"L"

From: Kim Parducci [mailto:kim.parducci@gmail.com]
Sent: Wednesday, January 30, 2019 12:34 PM
To: Mike Kuntz <KuntzM@jacksoncounty.org>
Subject: EXT: Normil Terrace ZC TIA

Hi Mike,

After we talked on Monday I spoke with Mike Jantzer to verify the number of lots he had sewer and water for. It sounds like he has services for up to 72 lots. I mentioned that we were talking about proposing some new stipulations, after having discussions with the City and County and understanding concerns that weren't known at the time of the TIA. Our intent is to try to meet the County and City standards as well as get some level of development approved. We're not going to even try to evaluate full development at this time because everyone agrees that that isn't reasonable with only one access to the site through Normil Terrace. Instead, we'd like to propose two steps of limited development and improvements that go with them. A summary of this is given below. We will still have to evaluate the second level of development before we know what the new queue lengths and such are on Normil Terrace at Foothill, but this will let you know what we're thinking so that we can begin having some discussion.

1) Phase 1 development is for 24 SFR dwelling units, and would include with it improving Normil Terrace with a 2" A.C. overlay to offset any initial impacts.

2) Phase 2 of development is for 48 additional dwelling units (bringing total to 72 units) and will require two improvements as mitigation. These include a median at Lone Pine / Foothill and a center turn lane on Foothill Road at Normil Terrace, as previously shown in the traffic analysis. Additionally, an analysis will have to be prepared for 72 dwelling units to determine if any other improvements are necessary.

3) Phase 3 of development is for any proposed development above 72 dwelling units, and will require a second access to the site and a follow up limited traffic analysis that evaluates development impacts at Foothill Road/Normil Terrace, Lone Pine/Foothill, the McAndrews/Foothill intersections, and and any connections between Lone Pine Road and McAndrews Road.

We estimate that there was approximately 400 ADT on Normil Terrace when we gathered our peak hour manual count. I haven't looked at in-process development but at our last meeting it sounded like the consensus was that Normil Terrace is estimated to carry approx 600 ADT with everything developed that's currently approved. We're proposing to add a total of 72 lots or 720 ADT, which would bring the total ADT to 1,320 ADT. The County's urban local street has a capacity of 0-2000 ADT, so we're in the middle of that. I was hoping that if we can stay within your street capacity range and perform some additional improvements on Normil Terrace and at the intersection of Normil Terrace / Foothill then we can show that we're adequately mitigating our impacts.

Let me know what you think once you've had a chance to run this by John. I already spoke with Karl at the City but it would probably make sense to have another meeting with everyone.

Thanks.

Kim
--

KIMBERLY PARDUCCI, PE PTOE

11 L 11

SOUTHERNOREGON TRANSPORTATION ENGINEERING

Medford. Oregon 97504 | **(541) 941-4148** Cell

Kim.parducci@gmail.com | Oregon DBE/WBE/ESB Certified: No. 5726

"L"

Liz A. Conner

From: MCDONALD John <John.MCDONALD@odot.state.or.us>
Sent: Wednesday, January 2, 2019 11:42 AM
To: Liz A. Conner
Subject: ZC-18-178 Zone Change at Cadet Drive

Elizabeth,

We have no comments on the proposed zone change.

Sincerely,

John McDonald
Development Review Planner
ODOT Southwestern Region
541-957-3688

CITY OF MEDFORD
EXHIBIT # M
FILE # ZC-18-178

August 1, 2019

RECEIVED
AUG 14 2019
Planning Dept.

City of Medford City Council
Gary Wheeler, Clay Bearnson, Kay Brooks, Tim D'Allessandro, Dick Gordon, Alex Poythress, Eric Stark, Kevin Stine, Michael Zarosinski
411 W. 8th Street, Room 310
Medford, Oregon 97501

Dear City Council:

Re: Proposed Zone Change Planning File: ZC-18-178 and the City of Medford taking over "ownership" of Normil Terrace from the County

We are opposed to the City taking over "ownership" of Normil Terrace from the County for the purpose of approving the proposed zoning change from SFR-00 to SFR-4 and request that this letter be made part of the public hearing record.

We are not opposed to the building of more homes on the proposed site as it is currently designated.. However, the number of homes that have already been allowed to be built have resulted in some incidents and have the potential to create treacherous accidents. The increase in vehicle traffic down Normil Terrace on narrow hairpin turns have resulted in a snowplow going off the edge at the second hairpin turn creating a hole which has not yet been repaired, deteriorating asphalt edges making two vehicles going in opposite directions sometimes tricky, a vehicle crashing in a fence at the second hairpin turn, a trailer hauling a CAT getting stuck resulting in no cars being able to go up or down Normil Terrace, and an almost tragedy as two children were walking up Normil Terrace after being dropped off by the bus encountering a truck coming down the hill at the first hairpin turn.

Of concern as well is the ability of current residents to evacuate the area should an emergency occur. Having only one ingress/egress already creates a bottleneck at Normil Terrace and Foothill during peak traffic hours

Before a zoning change is approved and any additional building is allowed, we respectfully request the appropriate department examine, correct and determine what can be done to ensure the safety of all those who travel up and down Normil Terrace including the current road conditions, emergency evacuation, and ingress/egress issues.

Sincerely,

Lee & Gloria Jackson

Lee and Gloria Jackson
3250 Annapolis Drive
Medford, Oregon 97504
gleejackson@hotmail.com
541-773-3123

CITY OF MEDFORD
EXHIBIT # N
FILE # ZC-18-178

July 22, 2019

RECEIVED
JUL 25 2019
PLANNING DEPT.

Mr. Matt Brinkley, Planning Director
City of Medford
Planning Department
200 South Ivy, Lausmann Annex, Room 240
Medford, Oregon 97501

Dear Mr. Brinkley:

Re: Proposed Zone Change Planning File: ZC-18-178

We are opposed to the proposed zoning change from SFR-00 to SFR-4 at this time and request that this letter be made part of the public hearing record.

The number of homes that have already been allowed to be built have resulted in some incidents and have the potential to create treacherous accidents. The increase in vehicle traffic down Normil Terrace on narrow hairpin turns have resulted in a snowplow going off the edge at the second hairpin turn creating a hole which has not yet been repaired, deteriorating asphalt edges making two vehicles going in opposite directions sometimes tricky, a vehicle crashing in a fence at the second hairpin turn, a trailer hauling a CAT getting stuck resulting in no cars being able to go up or down Normil Terrace, and an almost tragedy as two children were walking up Normil Terrace after being dropped off by the bus encountering a truck coming down the hill at the first hairpin turn.

Of concern as well is the ability of current residents to evacuate the area should an emergency occur. Having only one ingress/egress already creates a bottleneck at Normil Terrace and Foothill during peak traffic hours. In the recent Paradise fire, residents were able to evacuate quickly--this would not be the case now on Normil Terrace.

Before any additional building is allowed, we respectfully request the appropriate department examine, correct and determine what can be done to ensure the safety of all those who travel up and down Normil Terrace including the current road conditions, emergency evacuation, and ingress/egress issues.

Sincerely,

Lee Jackson Gloria Jackson

Lee and Gloria Jackson
3250 Annapolis Drive
Medford, Oregon 97504
gleejackson@hotmail.com
541-773-3123

cc: Jackson County Road Department

Commissioners David Culbertson, Joe Foley, William Mansfield, Mark McKechnie, EJ McManus, Patrick Miranda, Jared Pulver, Jeff Thomas

Liz A. Conner

From: Kelly Evans
Sent: Wednesday, August 14, 2019 8:40 AM
To: Liz A. Conner
Subject: FW: August 15 agenda item 80.2

FYI

Kelly Evans | *Assistant Planning Director*
City of Medford, Oregon | Planning Department
Mailing address: 411 W 8th Street, Medford, Oregon 97501
Office location: 200 S Ivy Street, Second Floor
Ph: 541-774-2380 | F: 541-618-1708

From: Mayor and Council
Sent: Wednesday, August 14, 2019 8:27 AM
To: All Council Members <allcouncilmembers@cityofmedford.org>
Cc: Matt H. Brinkley <Matt.Brinkley@cityofmedford.org>; Kelly Evans <Kelly.Evans@cityofmedford.org>; Sheila M. Giorgetti <Sheila.Giorgetti@cityofmedford.org>; Brian N. Sjothun <Brian.Sjothun@cityofmedford.org>; Crystal L. Palmerton <Crystal.Palmerton@cityofmedford.org>; Donna J. Holtz <Donna.Holtz@cityofmedford.org>; Eric J. Zimmerman <Eric.Zimmerman@cityofmedford.org>; Karen M. Spoonts <Karen.Spoonts@cityofmedford.org>; Kristina M. Johnsen <Kristina.Johnsen@cityofmedford.org>; Winnie M. Shepard <Winnie.Shepard@cityofmedford.org>
Subject: FW: August 15 agenda item 80.2

This message was received in the Mayor and Council's general email inbox.

Thank you,

crystal palmerton | *assistant to the city manager*
city of medford | city manager's office
411 w 8th street, medford, or 97501
p: (541) 774-2000
website

From: lee jackson [mailto:gleejackson@hotmail.com]
Sent: Tuesday, August 13, 2019 6:53 PM
To: Mayor and Council <mayor@cityofmedford.org>
Subject: August 15 agenda item 80.2

<EXTERNAL EMAIL>

We wrote a letter to the City Council regarding an item on the August 15 agenda: Item 80.2 Jurisdictional Exchange Agreement. We also wrote letters to Mr. Brinkley, Planning Director, and the Planning Commissioners.

When roadways are brought up to City standards the City normally accepts jurisdiction, however, three do not. The three are Normil Terrace, Annapolis Drive and Cadet Drive. It is our understanding that the reason the City is agreeing to accept these three streets is because the County will not approve future development until a second access is available from Normil Terrace.

It is interesting the City is willing to take over responsibility for maintenance and improvements for Normil Terrace when it doesn't meet City standards and will probably never be able to meet the standards that are now required such as grade, width, turn radius, etc. How can a street that currently does not meet the City standards be expected to handle the additional traffic that could be generated with the proposed zone change the City wants to approve.

This is not an issue just with volume of traffic, but safety issues such as pedestrian traffic (children are dropped off at the bottom of Normil Terrace and walk up the hill--the lanes are not wide enough to safely accommodate vehicles going in opposite directions and pedestrians. Without an additional egress/ingress, in an evacuation situation, how are the residents going to get out of the area safely and timely?

We encourage you to travel up Normil Terrace to experience first-hand the vehicles, cement trucks, roofing trucks, construction trucks and, yes, sometimes pedestrians, too.

We are requesting you consider voting against the City taking over jurisdiction of these three roadways for the purpose of then being able to approve the proposed zone change (Planning File ZC-18-178).

We are not opposed to the development of additional homes, but believe it is necessary to address the infrastructure first for all those who currently travel up and down Normil Terrace as well as for future residents.

Respectfully,

Lee and Gloria Jackson
3250 Annapolis
541-773-3123

Liz A. Conner

From: Dustin J. Severs
Sent: Tuesday, July 23, 2019 2:27 PM
To: Liz A. Conner
Subject: FW: Zone Change @ Cadet (ZC 18-128) 91.5 acres

From: Planning Department
Sent: Tuesday, July 23, 2019 2:23 PM
To: Dustin J. Severs <Dustin.Severs@cityofmedford.org>
Subject: FW: Zone Change @ Cadet (ZC 18-128) 91.5 acres

Dustin,

I believe they meant file #ZC-18-178) that is being continued Thursday. See below.

p.s. Please reply back to her and not back to me. ☺

Thanks!

Debbie

From: Ellie George [mailto:mselliegeorge@gmail.com]
Sent: Tuesday, July 23, 2019 2:13 PM
To: Planning Department <planning@cityofmedford.org>
Subject: Zone Change @ Cadet (ZC 18-128) 91.5 acres

<EXTERNAL EMAIL>

I'm looking for any further information regarding this zone change. A group of us (about 50) neighbors got together on Saturday as we are EXTREMELY concerned about the traffic that would impact this area should this change happen. We feel that the Normil Terrace/Foothill road is already overtaxed and dangerous. I did notice on the continuance that the city is also concerned about the traffic report. Could you please allow us to see the traffic analysis report that was done? As a group we feel that there's no way to safely add more homes up here unless there were 2 or 3 more ingress/egress out of the neighborhood. Right now there's already concern for fire safety and getting in/out of the area on our one exit on Foothill is almost impossible twice a day. What is the city's future plan on curing this? Is there a stoplight proposal by any chance?

I know that several of us will be showing up this Thursday as well as in August, but we'd like some preliminary information as well. Anything you can send will be appreciated.

Ellie George
1807 Basalt Dr.
541-601-9582
--

CITY OF MEDFORD
EXHIBIT # 8
FILE # ZC-18-178

ELLIE GEORGE
PRINCIPAL BROKER/OWNER HOME QUEST REALTY
t. 541-292-8760
a. 1575 E. MCANDREWS RD #200 MEDFORD, OR 97504
Website Email

Liz A. Conner

From: Planning Department
Sent: Wednesday, July 10, 2019 3:15 PM
To: Liz A. Conner
Subject: FW: Planning Design for ZC-18-178

From: Walt Jones [mailto:kc7hex@hotmail.com]
Sent: Wednesday, July 10, 2019 2:52 PM
To: Planning Department <planning@cityofmedford.org>
Cc: Kamallata Jones <kamallatajones@gmail.com>; kuntzm@jacksoncounty.org
Subject: Planning Design for ZC-18-178

Ms. Liz Conner,

I'm looking at what planning consideration is there if any for ZC-18-178 for a secondary road to the proposed development of an additional 350 homes in our area.

As you are very aware, there is only one feeder road to this area of which is already have reached it maximum throughput and the repairs to this road is much needed. I'm very concern with the safety issues this will have on the intersection of Normil Terrace and Foothill Road. Foothill Road at this intersection is between to hazard blind area where the speed is set at 45MPH. There is no turn lanes either on Normil Terrace or Foothill Road.

I agree with the Jackson County Engineer, Mr. Mike Kuntz, in his letter dated December 21, 2018 (RE: A zone change on Cadet Drive - a County maintained road. Planning File: XC-18-178), in para 2.) . . . If alternate access is not provided, Jackson County is opposed to approval.

I see on the plot plan that Panorama Drive is within the proposed area of development and this road would be most desirable as it empties onto the intersection of Lone Pine Rd and Foothills. I will foresee that there would be a light needed at this intersection due to the increase flow of traffic.

Just between McAndrews underpass to Cedar Links Drive, I have seen many rear ends, esp at Lone Pine Road and Normil Terrace intersection where the traffic on Foothill Road is exceeding the posted limit (which is to fast in this area). I personally feel that the speed limit should only be limited to 35MPH in this area for safety reasons.

Please provide any information that you may have on proposed development plans for this project.

Thank you.

Respectfully,

Walter R Jones Jr
3452 Pluton View Way
Medford, OR 97504

CITY OF MEDFORD
EXHIBIT # P
FILE # ZC-18-178

(541) 816-8499

OREGON WING
CAP ID 182979

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Medford City Planner Liz Conner, CFM

RECEIVED
AUG 09 2019
PLANNING DEPT.

Re: 50.3 ZC-18-178
Request for zone change of approximately 91.5 gross acre parcel located at terminus of Cadet Drive from SFR-00 (Single Family Residential, 1 dwelling unit per gross acre) to SFR-4 (single-family residential, 4 to 6 dwelling units per gross acre).
Applicant: Mike and Gayle Jantzer
Agent: Richard Stevens and Associates Inc.

As home-owners of 3283 Annapolis Drive, we are concerned about this proposed zoning change. There are road quality and safety concerns with Normil Terrace as the sole ingress/egress route from this proposed adjoining neighborhood expansion. We urge you to withhold approval of this request.

Cadet Drive, Annapolis Drive and Normil Terrace are a route of County Rural Local roads maintained by Jackson County. They were built to Jackson County's Rural Local Street "B" standard several decades ago, when there were around 20 homes up here—on well-water & septic tanks. There are now 60-70 homes/lots-for-sale in the same neighborhood. This zone change would ultimately quadruple the number of homes needing to access these rural roads. They are narrow and have no shoulders. The edge of Normil Terrace is crumbling in several areas, particularly around the 3 sharp "S" curves, and there is no lighting. It exits onto Foothill Road, where traffic maintains speeds of 40 to 50 miles an hour, managed only by a stop sign. Increasing the heavy construction machinery and number of car trips on these roads is a safety risk.

A further safety concern is school-children utilizing the same roads simultaneously with the cars. There are no sidewalks on Normil Terrace, and no continuous sidewalks on Cadet Drive or Annapolis Drive. Yet school-buses do not serve these neighborhoods due to the steep grades of the roads. Drop off and pickup is done along Foothill Road.

CITY OF MEDFORD
EXHIBIT # Q
FILE # ZC-18-178

Snowplows have gotten stuck on Normil Terrace in recent years, gouged the

pavement deeply, and also plowed up the asphalt edge a developer was required to build. None of these road degradations has been repaired. Snow and ice make road conditions especially treacherous here.

Finally, these roads and this proposed development are within a Wildfire Danger Zone. The Deer Ridge Fire in 2009 threatened the homes then built here. With only one access road from Foothill Road (Normil Terrace) incoming fire trucks/fire fighting teams and simultaneously evacuating neighbors would be an extreme safety hazard. The current roads, in their current conditions, are inadequate. There needs to be a second entrance from Foothill Road to the planned housing expansion, and ideally it would have a traffic light managing it.

Respectfully,

Teresina M. S. Christy
3283 Annapolis Dr.
Medford OR 97504

Paul T. Christy

"Q"

August 9, 2019

City Council members of Medford, Oregon

Planning Director and members of Planning Commission

Re: Proposed Zone Change Planning File 2C-18-178

I am opposed to the proposed zoning change from SFR-00 to SFR-4 of the 91.5 Savana Oaks Project. Please make this letter part of the public hearing record.

My issue with the proposal is access to the new development. Having sole access via Normil Terrace, Annapolis Drive and Cadet Drive to the proposed development is dangerous and foolish. Mike Kuntz, P.E., Jackson county engineer, has stated that 'Jackson County is very concerned about the ability of Normil Terrace, Annapolis Drive and Cadet Drive to handle the estimated 3,455 additional trips generated by the proposed development at full build-out. This concern is based on safety, capacity, and structural durability of these roads. Jackson County also very concerned about the safety and operation of the Normil Terrace/Foothill Road intersections.'.....'Normal Terrace, Annapolis Drive and Cadet Drive were developed in 1965 and 1966 to standards most resembling our current Rural Local Road B standard....the maximum design capacity for Rural Local Road B is 600 ADT". There is quite a bit of difference between 3,455 ADT and 600 ADT. It is absurd to think that it is acceptable to allow additional housing development which would increase road use from 600 to 3,455 ADT.

Even if the zoning was not changed and kept to 1 house to acre of SFR-00, it would still be too many cars on Normil Terrace.

From my personal experience driving Normil Terrace on a daily basis to and from Foothill, it is already a very precarious road to drive. It is narrow and has two hairpin turns which are very difficult to negotiate when two cars meet. Not to mention the road is in poor condition.

As a resident of this area, I am extremely concerned about how my safety could be challenged if we needed to evacuate in case of a fire or natural disaster not to mention that the structure, capacity and durability of the road in not adequate. The Paradise tragedy comes to mind. We saw what happened there with only one way out. My question for you is how can a street that currently does not meet the City standards handle the additional traffic that could be generated with the proposed zone change?

There should not be any consideration of a zone change until an alternate route to the proposed new tract ZC-18-178 be determined which will be safe for all the residents of existing the proposed tracts.

Respectfully,

Pat Krikorian

3277 Annapolis Drive

Medford, Oregon 97504

CITY OF MEDFORD
EXHIBIT # R
FILE # ZC-18-178

August 9, 2019

City Council members of Medford, Oregon

Planning Director and members of Planning Commission

Re: Proposed Zone Change Planning File ZC-18-178

Normil Terrace road is already substandard per Medford City Road Requirements for a developed area. Grade, turn radius, and other factors will not allow the improvement of Normil Terrace to conform with the city's own requirements. The current proposed development plan will take a road that is capable of 600 trips per day per Jackson County and force it to handle nearly 600% of that amount at full development. This will cause a harm on current residents in the upper levels and lower levels with traffic congestion, increased noise pollution and air pollution. Further, the increased traffic will create a danger due to an inordinate increase in traffic volume along streets designed to handle only normal flows resulting in increased danger to resident pedestrians and drivers. The traffic volume constricted into the proposed one street ingress/egress will further cause an endangerment to traffic on Foothill Ave. along with substantial congestion, literally a choke point, along a route that is designated to help with emergency traffic in the event of damage to I-5.

The tragedy of Paradise, CA stands as a stark harbinger of the Sword of Damocles that is proposed by the City of Medford. One way in and one way out. A single road with 2 hairpin curves, limited ability to handle traffic volume and located in a fire prone area. The city of Medford is on notice that you are proposing a clear endangerment of current and proposed residents of the Normil Terrace area. The proposal, particularly in the density that the zone change requests, without additional arterials to handle the increased traffic density is blinded by greed for increased tax revenue to ignore clear and present risks to the lives of residents. With this knowledge, to continue with this density of development without other means of access exceeds a civil tort of negligence and needs to be considered for one reaching the level of criminal.

There is a solution by developing adequate access along a different route, specifically Lone Pine. Please make this letter part of the public hearing record.

Respectfully,

Greg Howell
3277 Annapolis Dr.
Medford, Oregon 97504
dr.ghowell@gmail.com
541 326-9273

CITY OF MEDFORD
EXHIBIT # 5
FILE # ZC-18-178

August 9, 2019

City Council members of Medford, Oregon

Planning Director and members of Planning Commission

Re: Proposed Zone Change Planning File ZC-18-178

Normil Terrace road is already substandard per Medford City Road Requirements for a developed area. Grade, turn radius, and other factors will not allow the improvement of Normil Terrace to conform with the city's own requirements. The current proposed development plan will take a road that is capable of 600 trips per day per Jackson County and force it to handle nearly 600% of that amount at full development. This will cause a harm on current residents in the upper levels and lower levels with traffic congestion, increased noise pollution and air pollution. Further, the increased traffic will create a danger due to an inordinate increase in traffic volume along streets designed to handle only normal flows resulting in increased danger to resident pedestrians and drivers. The traffic volume constricted into the proposed one street ingress/egress will further cause an endangerment to traffic on Foothill Ave. along with substantial congestion, literally a choke point, along a route that is designated to help with emergency traffic in the event of damage to I-5.

The tragedy of Paradise, CA stands as a stark harbinger of the Sword of Damocles that is proposed by the City of Medford. One way in and one way out. A single road with 2 hairpin curves, limited ability to handle traffic volume and located in a fire prone area. The city of Medford is on notice that you are proposing a clear endangerment of current and proposed residents of the Normil Terrace area. The proposal, particularly in the density that the zone change requests, without additional arterials to handle the increased traffic density is blinded by greed for increased tax revenue to ignore clear and present risks to the lives of residents. With this knowledge, to continue with this density of development without other means of access exceeds a civil tort of negligence and needs to be considered for one reaching the level of criminal.

There is a solution by developing adequate access along a different route, specifically Lone Pine. Please make this letter part of the public hearing record.

Respectfully,

Greg Howell

3277 Annapolis Dr.

Medford, Oregon 97504

dr.ghowell@gmail.com

541 326-9273

"S"

Duane H. Wallace

Adrienne M. Wallace

3430 Cadet Drive

Medford, OR 97504

RECEIVED

SEP 05 2019

PLANNING DEPT.

September 5, 2019

Liz Conner

Planner II

City of Medford

Lausmann Annex

200 S. Ivy Street

Medford, OR 97501

RE: Planning Commission Meeting 9/12/2019

Item 50.3 ZC -18-178

91.5 acres / Termus Cadet Drive

SFR 00 to SFR 4

Dear Ms. Conner:

We are writing this letter regarding the above referenced zone change. Let us first make it very clear, we are not opposed to development of this property; however, we have significant concerns regarding adequate and safe access on a daily basis for the current residents; the workforce required to develop the additional homesites; and, in case of required emergency, evacuation of the area. Currently Normil Terrace is the only developed way in and out of the subdivision.

At the City Council meeting on August 15, 2019 a Jurisdictional Agreement between the City of Medford and Jackson County was approved. The City of Medford received 17 roadway sections from Jackson County and $300,000 upon approving this agreement. Of the 17 roadway sections,

CITY OF MEDFORD
EXHIBIT # 1
FILE # ZC-18-178

14 met city requirements for a city street and three did not. The three that did not meet the requirements are Normil Terrace, the unimproved portion of Annapolis Drive and the unimproved portion of Cadet Drive. It is our understanding that the city does not usually accept road way sections that do not meet current street requirements. It is also our understanding, from reading the report for this meeting, that the county would not approve any additional development in this area without additional access being provided. If Jackson County does not feel the current street system is adequate to handle any additional development, why does the City of Medford? This is extremely concerning given the fact that Normil Terrace will most likely never meet requirements due to the grade, width, turn radius and visibility issues that currently exist.

The Medford School District does not provide school bus service to the students whose homes are accessed from Normil Terrace. Any students who ride the bus are picked up and dropped off at the intersection of Foothill Road and Normil Terrace. The safety of children walking Normil Terrace should be a primary concern. Additionally, when a school bus is stopped on Foothill Road, it poses an imminent risk due to the limited visibility of vehicles traveling south, and the 45 MPH speed limit. We are aware that the Traffic Impact Analysis prepared 11-5-18 states the visibility is adequate at this intersection; however, when a bus is making numerous stops on a busy street or road, oftentimes there are numerous vehicles behind it. Visibility is only marginally adequate under the best of circumstances at this intersection, and with several vehicles stopped behind the bus, this visibility distance is reduced considerably.

The traffic study prepared by Southern Oregon Transportation Engineering LLC, states an additional 24 homes could be constructed without any additional ingress/egress to the area. The report also states (Page 5, Executive Summary - Conclusions) if the following requirements are met, full development could occur for the proposed 91.5 acre project:

- Center two-way left turn lane constructed on Foothill Road at Normil Terrace
- Lone Pine Road traffic is required to only have right in/right out access to Foothill Road
- Emergency access is available through Panorama Drive

Emergency access through Panorama Drive is a poor contingency plan, due to the fact that in the event of a wildfire, this road will most likely not be accessible, either because of the fire itself, or, the resources being utilized to combat the fire. Normil Terrace would be the only remaining way for hundreds of residents to evacuate. That many residents attempting to flee on a road like Normil Terrace will result in disaster.

We understand the approval of the zone change and the approval to build out the property are separate issues. We only ask that additional safe access be provided prior to any additional development. The current recommended improvements for access are not satisfactory and do nothing to improve Normil Terrace or to reduce the traffic on the street and most importantly, they do not begin to address the safety issues previously stated.

11-T-11

We appreciate, in advance, your attention to these concerns, and look forward to your development of alternative access options.

Sincerely,

Duane H. Wallace

Adrienne M. Wallace

RECEIVED
SEP 18 2019
Planning Dept.

JURISDICTIONAL EXCHANGE AGREEMENT CITY OF MEDFORD, OREGON, AND JACKSON COUNTY, OREGON FOR THE JURISDICTIONAL TRANSFER OF ROADS

THIS INTERGOVERNMENTAL AGREEMENT (hereinafter "Agreement") is entered into by and between the CITY OF MEDFORD, an Oregon municipal corporation (hereinafter "CITY"), and JACKSON COUNTY, a political subdivision of the State of Oregon (hereinafter "COUNTY"), collectively referenced as the PARTIES, for the jurisdictional exchange of COUNTY roads within the CITY.

RECITALS

WHEREAS, the COUNTY presently has jurisdiction over several COUNTY maintained roads that are within the city limits of the CITY, including:

1. Annapolis Drive (125' West of Normil Terrace to 625' East of Normil Terrace)
2. Bullock Road (OR Hwy 62 to 3050' Northerly)
3. Cadet Drive (Normil Terrace to 550' East)
4. Columbus Ave. (Garfield St. to Diamond St.)
5. Corona Ave. (Hilton Rd. to 700' North)
6. Cunningham Ave. (Columbus Ave. to Warren Way)
7. Cunningham Ave. (Orchard Home Dr. N. to Orchard Home Dr. S.)
8. Garfield Street (Kings Hwy. to 625' East)
9. Harbrooke Road (N. Phoenix Rd. to 370' East)
10. Hillcrest Road (Monterey Dr. to 1500' West of Cherry Ln.)
11. Lowry Lane (OR Hwy 99 to 850' Easterly)
12. Lozier Lane (West Main St. to Stewart Ave.)
13. Midway Road (Biddle Rd. to 700' West)
14. Myers Lane (Stewart Ave. to Garfield St.)
15. Normil Terrace (Foothill Rd. to Annapolis Dr.)
16. Orchard Home Drive (Cunningham Ave. to Westwood Dr.)
17. Roberts Road (Corona Ave. to Serenity Dr.); and,

WHEREAS, the CITY has an ongoing street maintenance and improvement program for roads and streets within the city limits; and,

WHEREAS, the PARTIES desire to exchange road jurisdiction of certain COUNTY maintained and operated roads within the city limits; and,

WHEREAS, the CITY and COUNTY are authorized to enter into such an agreement pursuant to Chapter 190 of the Oregon Revised Statutes.

DEFINITIONS

"Subject Roads" is defined and described as all land within the public right of way boundaries of the roads, or portions of roads, within the CITY limit boundaries as follows:

i. Annapolis Drive (125' West of Normil Terrace to 625' East of Normil Terrace)
ii. Bullock Road (OR Hwy 62 to 3050' Northerly)
iii. Cadet Drive (Normil Terrace to 550' East)

CITY OF MEDFORD Page 1
EXHIBIT # 14
FILE # ZC-18-178

64

iv. Columbus Ave. (Garfield St. to Diamond St.)
v. Corona Ave. (Hilton Rd. to 700' North)
vi. Cunningham Ave. (Columbus Ave. to Warren Way)
vii. Cunningham Ave. (Orchard Home Dr. N. to Orchard Home Dr. S.)
viii. Garfield Street (Kings Hwy. to 625' East)
ix. Harbrooke Road (N. Phoenix Rd. to 370' East)
x. Hillcrest Road (Monterey Dr. to 1500' West of Cherry Ln.)
xi. Lowry Lane (OR Hwy 99 to 850' Easterly)
xii. Lozier Lane (West Main St. to Stewart Ave.)
xiii. Midway Road (Biddle Rd. to 700' West)
xiv. Myers Lane (Stewart Ave. to Garfield St.)
xv. Normil Terrace (Foothill Rd. to Annapolis Dr.)
xvi. Orchard Home Drive (Cunningham Ave. to Westwood Dr.)
xvii. Roberts Road (Corona Ave. to Serenity Dr.)

AGREEMENT

NOW, THEREFORE, in consideration of the terms and conditions contained herein, it is mutually agreed by the CITY and COUNTY as follows:

1. CITY Obligations

   A. Within 90 days of the execution of this Agreement by both parties, CITY shall consider passage of appropriate municipal legislation (as described in ORS 373.270(6)(a)) requesting that the COUNTY surrender all right, title, interest, jurisdiction, maintenance, and control of all Subject Roads to the CITY.

2. COUNTY Obligations

   A. Within 90 days of receipt of appropriate municipal legislation (as described in ORS 373.270(6)(a)) requesting the surrender of all right, title, interest, jurisdiction, maintenance, and control of all Subject Roads, the COUNTY shall provide notice and hold a public hearing to consider the request as described in ORS 373.270.

   B. If following the public hearing as required in COUNTY Obligation 2(A), the COUNTY determines to surrender jurisdiction as requested, COUNTY shall adopt an Order surrendering jurisdiction with the following conditions:

      i. All Subject Roads will be transferred to the CITY and the COUNTY shall make a one-time payment to the CITY in the amount of $300,000. After making the payment, the COUNTY shall have no further obligation, financial or otherwise, with regard to all Subject Roads.

   C. COUNTY agrees to furnish any maps, records, permits, as-built drawings and any other related data in COUNTY's possession upon adoption of the Order described in COUNTY Obligation 2(B).

GENERAL PROVISIONS

1. Indemnification. Unless prohibited by the Oregon Tort Claims Act and the Oregon

"4"

Constitution, the PARTIES shall indemnify and hold harmless each other as follows.

1.1 Indemnification City. The CITY shall defend, indemnify and hold harmless the COUNTY, its elected officials, officers, deputies, employees and agents from any and all costs, claims, judgments or awards of damages resulting from claims concerning acts or omissions of the CITY, its officers, employees, elected officials, or agents acting under this Agreement.

1.2 Indemnification County. The COUNTY shall defend, indemnify and hold harmless the CITY, its elected officials, officers, deputies, employees and agents from any and all costs, claims, judgments or awards of damages resulting from claims concerning acts or omissions of the COUNTY, its officers, employees, elected officials, or agents acting under this Agreement.

2. Amendments. This Agreement may be amended at any time by the mutual written agreement of both the CITY and the COUNTY.

3. Entire Agreement. This Agreement contains the complete understanding of the parties with respect to the subject matter hereof. Any prior agreements, promises, negotiations, or representations of or between the parties, either oral or written, relating to the subject matter of this Agreement, which are not expressly set forth in this Agreement, are null and void and of no further force or effect.

4. Waiver. The waiver by either party of a breach or violation of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach thereof. No delay or failure to require performance of any provision of this Agreement shall constitute a waiver of that provision as to that or any other instance.

5. Severability. If any of the provisions contained in this Agreement are held illegal, invalid, or unenforceable by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

6. Counterparts. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.

7. Debt Limitation. This Agreement is expressly subject to the debt limitation of the Oregon counties set forth in Article XI, Section 10, of the Oregon Constitution, and is contingent upon funds being appropriated therefore.

8. Termination for Breach. This Agreement may be terminated in the event of a breach of the Agreement by any party. Prior to such termination the party seeking termination shall give to the other party written notice of the breach and intent to terminate. If the party committing the breach has not entirely cured the breach within fifteen (15) days of the date of notice, or within such period as the party giving notice may authorize or require, then the Agreement may be terminated at any time thereafter by a written notice of termination by the party giving notice. The rights and remedies of the parties provided in this subsection are not exclusive and are in addition to any other rights and remedies provided by law or under this agreement.

"U"

9. Notice. Any notice to another party of this Agreement that is required or permitted under this Agreement is deemed received: three (3) days after deposited in the United States mail, certified and postage paid, and addressed to the address set forth below or to such other address as may be specified from time to time by either of the parties in writing; or by confirmed delivery date by facsimile or overnight mail; or upon the date of personal delivery or service.

Jackson County:
Jackson County – County Administrator
10 South Oakdale, Room 214
Jackson County, Oregon 97501

Medford:
City of Medford - City Manager
411 West 8th St.
Medford, OR 97501

IN WITNESS WHEREOF the parties have caused this Agreement to be signed in their respective names by their duly authorized representatives as of the dates set forth below.

CITY OF MEDFORD:

Gary Wheeler, Mayor

Date: August 15, 2019

JACKSON COUNTY:

Danny Jordan, County Administrator

Date: 8/14/19

Approved as to Legal Sufficiency:

Peter Philbrick
SR Assistant County Counsel

"U"

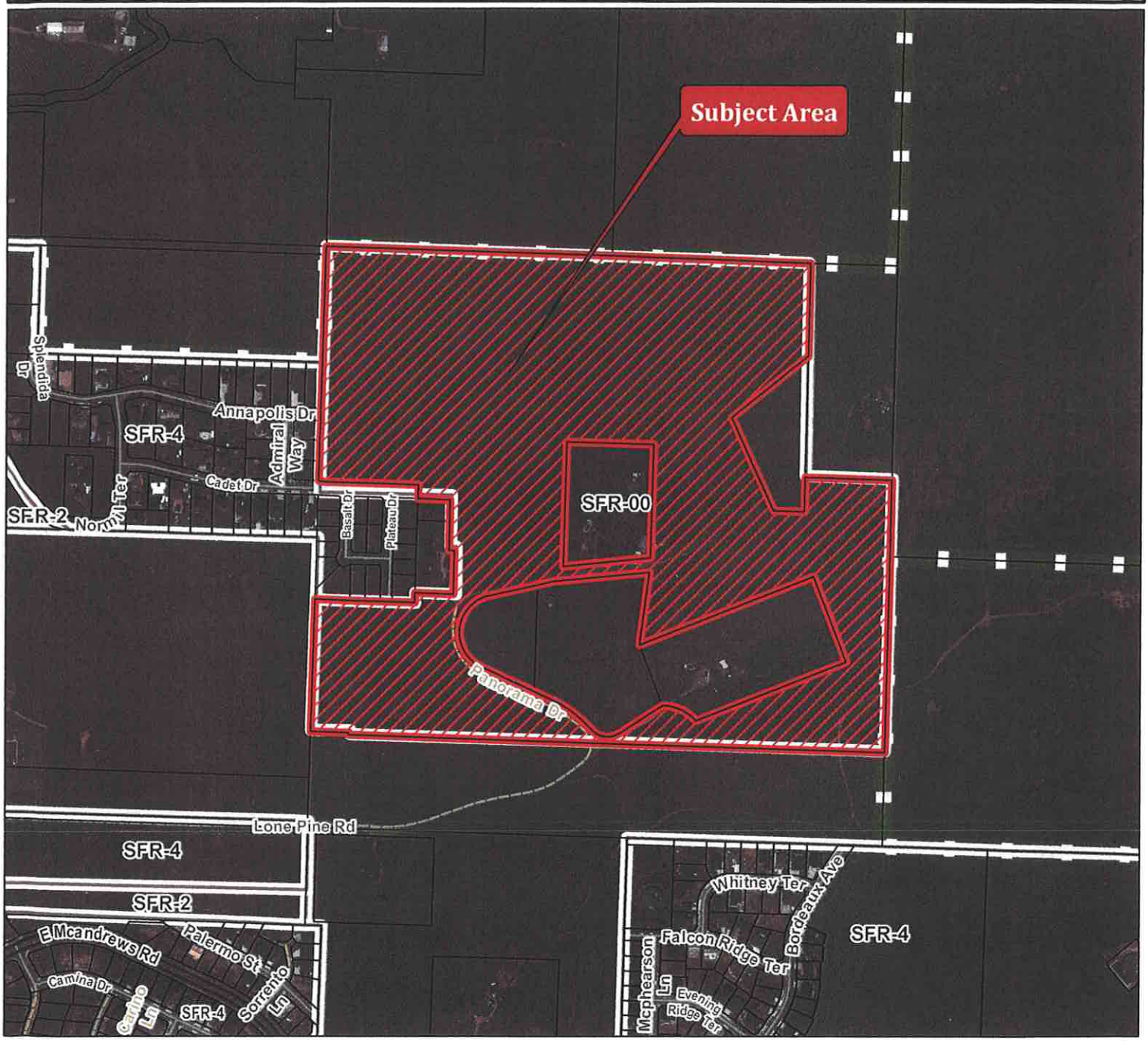
City of Medford

Planning Department

Vicinity Map

File Number:

ZC-18-178



Project Name:

Zone Change
SFR-00 to SFR-4

Map/Taxlot:

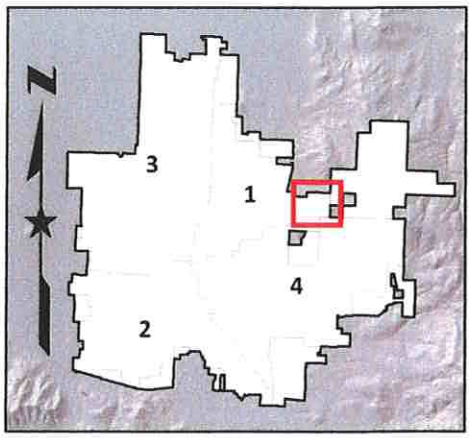
371W15C TL 300

0 500 1,000 Feet

Legend

- Subject Area
- Zoning Districts
- Tax Lots

07/02/2019



MEDFORD
PLANNING

REVISED STAFF REPORT

for a Type-III quasi-judicial decision: **Planned Unit Development Revision**

Project	Cedar Links Apartments Applicant & Agent: Koble Creative Architecture	
File no.	PUD-19-002	
To	Planning Commission	*for 09/26/2019 hearing*
From	Steffen Roennfeldt, Planner III	
Reviewer	Kelly Evans, Assistant Planning Director	
Date	September 19, 2019	

BACKGROUND

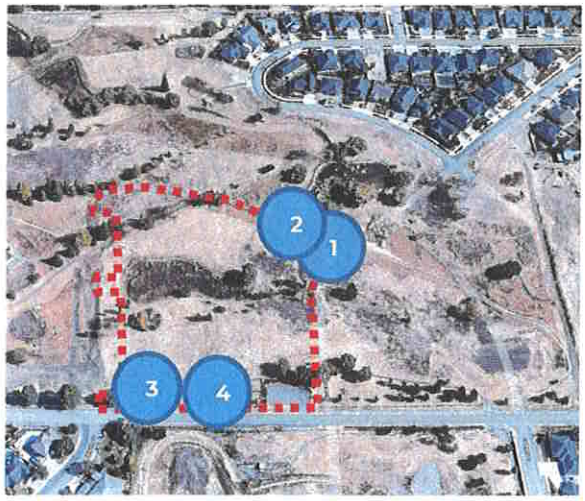
Proposal

Consideration of a request for a revision to 'the Village' area of Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to 120, a mixed-use structure, increase maximum building height for mixed-use building to 40 feet, and increase the paved width of the private street. Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 2.5 to 4 dwelling units per gross acre / Planned Development) zoning district.

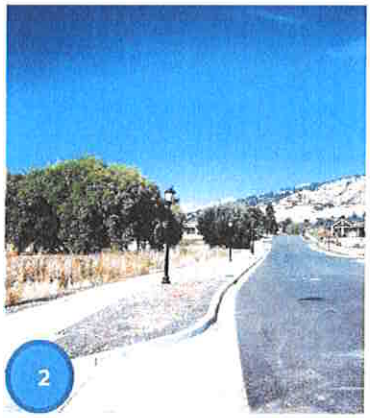
Note: This description is different from the description that was part of earlier notices. The original description was partially incorrect. This is the correct description.

Vicinity Map

Aerial View



Site Visit



Subject Site Characteristics

GLUP	UR	Urban Residential
Zoning	SFR-4	Single Family Residential – 2.5 to 4 dwelling units per gross acre
Overlays	PD	Planned Unit Development
	A-C	Airport Area of Concern
Use	Vacant	

Surrounding Site Characteristics

North	Zone:	SFR-4
	Use:	Vacant
South	Zone:	SFR-4
	Use:	Single Family Residential
East	Zone:	SFR-4
	Use:	Single Family Residential
West	Zone:	SFR-4
	Use:	Vacant

Related Projects

PUD-05-035	Cedar Landing PUD
LDS-05-036	Cascade Terrace Subdivision
LDS-05-037	Sky Lakes Subdivision
PUD-05-035	Termination of 5.47 acre portion of PUD for park property in 2011
LDS-13-121	Sky Lakes Village Subdivision Phases 7A & 7B
PUD-13-119	PUD Revision
E-14-059	Exception to required right-of-way dedication
PUD-14-136	PUD Revision
LDS-14-137	Sky Lakes Village Phase 1 Tentative Plat
LDS-14-138	The Village at Cedar Landing Phase 1 Tentative Plat
PUD-15-043	South portion of Cedar Landing PUD Revision for reconfiguration area into the High Cedars subarea, phases 1 through 5 and modifying land use.
LDS-15-044	Tentative plat for High Cedars Subdivision Phases 1 through 5 (176 lots).
PUD-16-024	PUD Revision
LDS-16-025	Revision to Cascade Terrace at Cedar Landing Subdivision Phase 1 through 5

LDS-16-026	Replat of Sky Lakes Village Subdivision- Phase 7A
LDS-16-027	Tentative Plat for Sky Lake Village at Cedar Landing, Phase 1 through 4, The Village at Cedar Landing and the Cottages at Cedar Landing.

Applicable Criteria

Medford Land Development Code §10.198 Revision or Termination of a PUD

(A) Revision of a Preliminary or Final PUD Plan
The expansion or modification of a PUD approved under earlier PUD ordinances of the City of the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:

(1) Applicant for Revision; Filing Materials; Procedures
An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.

(2) Consolidated Procedure.
At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.

(3) Burden of Proof; Criteria for Revisions
The burden of proof and supporting findings of fact and conclusions of law for the criteria in Sections 10.190(D) or 10.196(D), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Section 10.190(D)(5). It is further provided that before the Planning

Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

(4) De Minimis Revisions
Notwithstanding Section 10.192(E), the Planning Director may approve revisions to an approved Preliminary of Final PUD Plan that they determine is de minimis. Proposed revisions shall be considered de minimis if the Planning Director determines the changes to be slight and inconsequential and will not violate any substantive provision of this Code. The Planning Director's written approval of a de minimis revision(s) shall be appended to the Final Order of the Planning Commission or Final Approval of the Final PUD Plan. Revisions that are de minimis shall not require public notice, public hearing or an opportunity to provide written testimony. However, if, while the record is open, any party requests in writing to be notified of future de minimis revisions of a Preliminary PUD Plan, then all de minimis revisions of a Preliminary PUD Plan shall be subject to review as a Type III land use action or such other procedure as may be permitted by law.

(B) Termination of a PUD.
A PUD may be terminated by action of the Planning Commission subject to the following procedures:

(1) If issuance of building permits for vertical construction has not occurred of if no lots or units therein have been sold, the PUD may be terminated as provided in this Subsection. Termination proceedings may be initiated by filing with the City a written petition signed by the owner(s) who control a majority interest in more than 50% of the land covered by the approved PUD and which also constitutes more than 50% of the total assessed value of land and improvements of the PUD. Upon receipt of a valid petition, the Planning Commission shall consider the matter in an open meeting and shall declare the PUD terminated. The Planning Commission's termination of a PUD shall be evidenced by a Final Order declaring the same. When the Final Order is signed the PUD shall be terminated and previous PUD Plan approvals shall be considered void and of no further effect. Termination of a PUD shall not affect other land use actions taken by the City which concern the PUD property.

(2) If issuance of building permits for vertical construction has occurred of if lots or units within the PUD have been sold, the PUD may be terminated as provided in this Subsection. Termination proceedings

may be initiated by filing with the City a written petition signed by the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD which also constitutes more than 50% of the total assessed value of vacant land within the PUD. If there is an association of owners established within the boundaries of the whole PUD, the owner(s) petitioning for termination of the PUD shall also supply the City with the correct mailing address of the association which shall be notified along with others entitled to notice under this Subsection. Upon receipt of the petition, the Planning Commission shall provide notification of the proposed PUD termination and conduct a public hearing on the matter. The Notice and public hearing shall be subject to Type III procedures. The Planning Commission shall declare the PUD terminated if it concludes that the termination will not produce greater than minimal harm to the public health, safety or general welfare. The Planning Commission's termination of a PUD shall be evidenced by a Final Order declaring the same and after approvals shall be considered void and of no further effect. Termination of PUD shall not affect other land use actions taken by the City which concern the PUD property.

Medford Land Development Code §10.190 Planned Unit Development – Application and Approval Provisions

(D) Approval Criteria for Preliminary PUD Plan
The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

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

(2) The proposed PUD complies with the applicable requirements of this Code, or
- (a) the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and
- (b) the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and

(c) the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

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

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

(5) If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either:
(a) Demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or
(b) By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:
(i) Public sanitary sewerage collection and treatment facilities.
(ii) Public domestic water distribution and treatment facilities.
(iii) Storm drainage facilities.
(iv) Public streets.

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

(6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.

(7) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.

Corporate Names

Joe M Westerman is the Registered Agent and Member for Cedar Links Apartment LLC according to the Oregon Secretary of State Business Registry.

WSCJ Business Services, Inc. is the Registered Agent for Koble Creative, Architecture LLC according to the Oregon Secretary of State Business Registry. Terry Amundson is listed as Member and Melissa Meiners is listed as Manager.

William H Caffee is the Registered Agent and President for WSC Business Services, Inc. according to the Oregon Secretary of State Business Registry. Jon R Summers is listed as the Secretary.

ISSUES AND ANALYSIS

Background

In 1986, the City granted the original conditional use permit (CUP-86-04) to allow the development and operation of the then 9-hole Cedar Links Golf Club, to expand southward across Cedar Links Drive. On April 27, 2006, the Planning Commission approved Cedar Land Planned Unit Development (PUD-05-035), a master plan for the redevelopment of the 122.12-acre site to provide a mixture of residential uses, commercial development and a preservation of existing open space. The overall project was organized into four sub areas with multiple phases that are described as follows:

1. High Cedars (43 ± acres) consists of five phases including single-family lots, 55 and older, pad lots and common area/open space.
2. The Village at Cedar Landing (21 ± acres) is made up of five phases of single-family lots, condominiums, retirement facilities and common area/open space.
3. Cascade Terrace (15 ± acres) is comprised of two phases of small single-family lots targeted for detached dwellings and residents aged 55 or older.
4. Sky Lakes Village (42 ± acres) consists of single-family residential lots and common area/open space.

A 5.47-acre portion of the project terminated from the PUD and sold to the City for use as a public park in 2005 which is currently under construction.

In 2013, a revision to the PUD was approved which included modifications for naming, numbering, and design. An important item discussed in the Public Works Staff Report at that time was the realignment of Cedar Links Drive at Foothill Roads. A traffic signal and the realigned intersection were completed in 2016.

In January 2015, an Exception was approved for the reduction of required right-of-way dedication for Cedar Links Drive. The Planning Commission approved modification to the street design as part of the original approval in order to preserve existing Cedar trees on the north side of Cedar Links Drive. An Exception was necessary in order to reduce the amount of right-of-way dedication.

In April 2015, the Planning Commission approved a revision to the PUD regarding changes to the north side of Cedar Links Drive and tentative plats for Sky Lakes Phase 1 and The Village Phase 1.

In May of 2015, the applicant received approval to revise the portion of the PUD south of Cedar Links Drive (PUD-15-043). Specifically, major revision to the plan consisted of reconfiguring the entire area into 5 phases, changing all commercial, multi-family, and condominium uses to single-family detached residential, and more. Concurrently with the PUD amendment, the applicant received approval of a 176-lot tentative plat (LDS-168-044) extending over the entire project area south of Cedar Links Drive.

In 2016, the Planning Commission approved several revisions to the PUD along with three corresponding land division applications consisting of 'Revision to Cascade Terrace phase 1 through 5', 'Replat of Sky Lakes Village – Phase 7A', and 'Tentative Plat for Sky Lake Village at Cedar Landing, Phase 1 through 4, The Village Cedar Landing and the Cottage at Cedar Landing.'

The 2016 PUD revision (PUD-16-024) included several revisions that are pertinent to this current application:

1. To allow for the reconfiguration of the Multi-Family, Commercial, Congregate Care and Open Space land uses to a mixture of Single Family, Multi-Family, Commercial and Open Space.
2. To serve a portion of the property with a private street.
3. To allow for an increased maximum building height for multi-family structures within 'The Village" sub-area to provide more architecturally appealing rooflines on three story units.
4. To defer the decision to allow for a minimum of 1.4 parking spaces for multi-family units rather than 1.5 to the Site Plan and Architectural Review Commission.
5. To allow for flexibility between multi-family unit counts and commercial square footages in a manner commensurate with the total parking provided on site.

6. To allow for an option of mixed residential and commercial within the commercial buildings subject to final design review.

Additionally, in response to conversations between the applicant and neighbors, a design narrative from Kistler + Small + White Architects, updated July 6, 2016, was added into the record as the design concept to be followed for the multi-family component.

Procedure to apply for Revision to Planned Unit Development

Prior to the applicant submitting this PUD Revision application, staff had an extensive conversation with the applicant about the interpretation of the application criterion included in MLDC 10.198(A). The applicant's interpretation of this section is different to how staff and the Commission have historically interpreted this criterion. This is why staff urged the applicant to include findings regarding their interpretation of this section into their findings (Exhibit E). After the initial public hearing on this application, the matter was raised by several parties (see Exhibit CC) and a clarification by staff was requested.

Section 10.198(A) includes criteria pertaining to the revision to a Preliminary PUD Plan. Under subsection (1) it is stated that '*the application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD.*'

The above quoted section was historically interpreted by City staff and other applicants to mean that a 'double-majority' number of signatures is required in order to initiate a PUD revision application. This means that signatures are required from at least 50% of the land owners of vacant land (measured in acres) within the PUD and signatures are also required of citizens that own more than 50% of land and improvements within the PUD that equals more than 50% of the total assessed value (in dollars) of the vacant (in acres) portion of the PUD.

Prior to the submittal of this PUD revision, staff provided the applicant with background information on how Section 10.198(A) was traditionally interpreted by City staff and subsequently the Planning Commission. Staff also provided the applicant with a spreadsheet showing the then current assessed real market values of all vacant and improved properties within the PUD. However, the applicant decided to provide findings for how their interpretation of Section 10.198(A) would satisfy this requirement. The applicant's interpretation, as submitted in Exhibit E, includes findings stating that this criterion is met as the required signatures of land owners that are both majority vacant land area and

majority land value owners of the vacant portion of the PUD have been submitted. As the applicant did not address the section that reads '...and improvements', the applicant's interpretation would mean that individuals that now own improved areas (in this case mostly single family residences) within the PUD would have no say at all when it comes to applications for revisions.

As Section 10.198(A) is a submittal requirement, and based on the differing interpretations of this section of the code, it is staff's recommendation to the Commission to make a decision of whether the submitted signatures satisfy this requirement or not prior to any other decisions being made on this application. Should the Commission accept the applicant's findings regarding this code section, then the Commission may continue their deliberation on this project and decide whether to approve, approve with conditions or deny this project based on the evidence in the record. Should the Commission decide to interpret MLDC 10.198(A) as it has traditionally been interpreted, then the Commission can find that the application criteria for PUD Revisions have not been fulfilled and the Commission should therefore deny the application. This decision should be made prior to any other discussion regarding the proposed PUD revisions.

Proposed PUD Modification Requests to PUD-16-024

1. Proposed reconfiguration of the mixture of Single Family, Multi-Family Commercial and Open Space (See #2 of PUD-16-024 Cedar Landing PUD Revision).

Land Use/Housing Type	Currently Approved PUD	Proposed Revision (PUD-19-002)
Commercial Square Footage	8-000 to 21-000	8,000 to 21,000
Single Family Dwellings	23	23
Condominium Units (Over Commercial)	0	0
Cottage Units	22*	22*
Apartment Units	75-100	**120**
Congregate Care Units	64 (24,000 sq. ft.)*	64 (24,000 sq. ft.)*
*either/or		

With the 2016 PUD Revision, the developer was given two development options for the part of the PUD that is situated north of Cedar Links Drive. Option 1 included Commercial space between 8,000 and 21,000 square feet, 23 Single Family Dwellings, 22 Cottage Units, and 75 to 100 Apartment Units. Option 2, included 64 Cottage Care Units and did not permit for 'regular' Cottage Units. All other development options stayed the same. The table below above combined the currently approved uses in one table.

The only proposed change to what is currently approved within the area north of Cedar Links Drive is specific to 'the Village' area and is highlighted in bold above: An increase in apartment units from a maximum of 100 to 120 units.

The apartment units will be located in the second and third floor of Building A (40 units) which is the new mixed-use component of the project and Buildings C (24 Units), D1 (26 Units) and D2 (30 Units) which are all proposed to be three- story multi-family structures that are comprised of one and two-bedroom apartment homes.

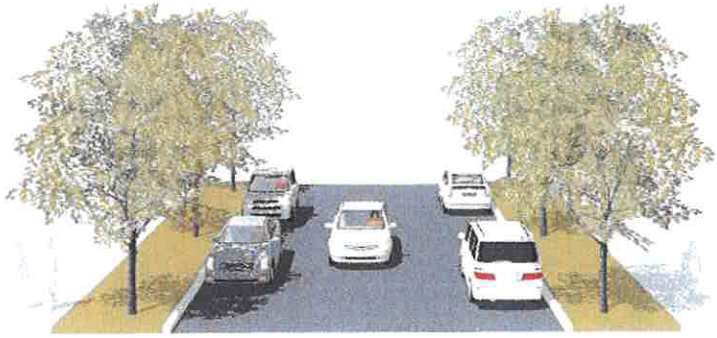
Construction of the apartment units will not affect any of the other permitted building types/uses within the northern part of the PUD. The configuration of future development may still include either the construction of 22 units of small lot single family "cottage" units or a scaled down 24,000 square foot congregate care facility, as well as 23 single family dwellings and 8,000 to 21,000 square feet of commercial square footage.

Based on the findings for File No. PUD-16-024 the maximum allowed density (including the 20% PUD Density Bonus) is 560 dwelling units. Approval of this revision would increase the previously approved number of dwelling units from 462 -487 (consisting of 387 single family units and 75 to 100 multi-family units) to 507 dwelling units (387 single-family units and 120 multi-family units). 507 units is equal to approximately 90% of the maximum density of 560 dwelling units.

2. Serve a portion of the property with a private street

With the 2016 PUD revision, the Planning Commission approved plans that contained a private street, having a paved section of 24 feet in width that would separate the apartment complex site from the cottage unit/congregate care site. Parking was not permitted on the street.

With this application, the applicant is now requesting to install a 28-foot wide public street with a 20-foot, 2-way drive-aisle and 17 parallel parking stalls on one side. No dwelling unit will take direct access from the private street.



The 28-foot curb-to-curb width is equal to the pavement width of the above shown cross-section of a Minor Residential Street, which does allow for parallel parking on both sides of the street.

In a letter submitted by Richard Conklin on September 3, 2019 (Exhibit U), the issue on who is going to patrol and maintain the private street was raised.

Private streets are permitted in PUDs and may vary from limitations, restrictions and design standards of public streets. MLDC Section 10.192(B)(6)(c) states that '*private streets shall be posted as such and that they shall connect to the public street system, which is the case here. Also, the applicant shall convey to the City and all appropriate utility companies a perpetual easement over the private street for use by emergency vehicles and City and utility company employees in the maintenance of public facilities and utilities.*'

Additionally, MLDC 10.192 Subsection (C) states that '*where a PUD has open spaces, private streets, parking or other elements to be owned or maintained in common by the owners or future owners of land or improvements within the PUD, the Final PUD Plan shall not be approved and no unit shall be sold or conveyed until the PUD has been found to comply with the following requirements, (...) (3), if the PUD contains elements intended for common ownership but ORS 94 and 100 do not apply, there shall be appropriate legal documents which assure that the common elements will be improved and perpetually maintained for their intended purposes. The legal documents in such instance shall be submitted to the Planning Director for approval as part of the Final PUD Plan before recording in the official records of Jackson County.*'

Typically, the requirements per MLDC 10.192(C)(3) and (5)(b), which requires common elements to be improved and maintained and also the creation of an 'association of owners', are satisfied by the creation and recordation of

'Covenants, Conditions & Restrictions' (CC&Rs) for the subject area. Such CC&Rs do already exist for several phases of the Cedar Landing PUD as well as a document covering the entire PUD titled 'Declaration of Covenants, Conditions and Restrictions for Cedar Landing Residential, a Planned Community' established in November of 2007 (Exhibit Z). However, Article 1, Subsection 1.5(3) of the 'Master CC&Rs' states that only the pedestrian and bicycle pathways within the 'The Village at Cedar Landing' (which is the subject area) shall be governed by the Master Declaration. All other development within the subject area shall be governed by one or more separate sets of covenants, conditions and restrictions.

Staff added a condition of approval to guarantee fulfillment of the above discussed code sections as well as to clarify that only the owners of land and improvements which are directly benefiting from the private street shall be responsible for the improvements and maintenance of said private street.

3. Increased maximum building height for multi-family structures within "the Village" sub-area to provide more architecturally appealing rooflines on three story units.

With the 2016 PUD Revision, the Planning Commission approved the applicant's requested modification to allow for a 40-foot height limit (instead of 35 feet) for the three apartment buildings. The changes were subject to compliance with the multi-family development standards provided in the Kistler, Small and White design narrative, dated July 6, 2016 (Exhibit S). **The original renderings were added to the record as Exhibit Y.**

Figure 1 - Apartment Building Elevation

The three proposed apartment buildings as shown on the revised elevations (Exhibit B-1, pages 10 and 11) are shown to be 35 feet tall to the mid-point of the roof and, therefore, are within the permitted height for buildings in this zoning district. No building height modification to the PUD is required for the apartment buildings (Buildings C & D as shown on the revised Site Plan).

However, the applicant did not address the design standards that were discussed in the KSW letter. The applicant did however address all applicable standards of the Multiple-Family Residential Design Standards in MLDC 10.716 through 10.719 as addressed in Exhibit E. Staff did review the proposed structure against the standards listed in the KSW letter and found that many of the features, such as the layout of the open space, do not apply to the current proposal. The required architectural features do appear to be present in the proposal. However, it is up to the applicant to provide adequate findings that explain how the content of the KSW letter does, or does not, apply to the proposed amendments. At the time this staff report was written, no such findings were received.

In addition to the mixed-use building, the applicant also proposes to add another building at the southwest corner of Farmington Avenue and the Private Street as well as several amenities: Building B is a 'common building' containing a leasing office for apartment rentals, a fitness room, and two community lounge spaces that open up to the swimming pool, which is now featured, as well. **Building B is proposed to be 2-stories in height, with a proposed building height of approximately 30.5 feet.**

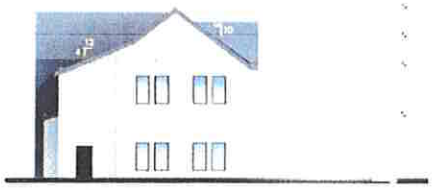


Figure 2 - Building B

As a new addition to "the Village" subsection, the application is proposing a three-story mixed-use building with a footprint of approximately 20,000 square feet located northwest of the Cedar Links Drive and Farmington Avenue intersection. The building is proposed to house approximately 13,000 square feet of commercial square footage on the ground floor with two residential-use only stories above. The building is planned to be 40 feet in height. A modification to the PUD is necessary as the 2016 PUD revision did only include height exceptions to residential structures and did not include exceptions for commercial or mixed-use structures.

The applicant did provide staff with renderings showing how the proposed structure would fit into the existing neighborhood (Exhibits B-1, pages 12, 14 & 15).

The KSW letter does only apply to the proposed residential structures and not this mixed-use building. Similarly, the standards in MLDC 10.716 to 10.719 do also apply to residential structures with three or more attached dwelling units only. As mixed-use is defined differently in the MLDC, it is staff's opinion that this mixed-use building cannot be reviewed against the multiple-family standards in MLDC 10.716 to 10.719. The applicant did address the height issue in their 'Building Height Narrative' section of the findings in Exhibit F.

4. Allow a minimum of 1.4 parking spaces for multi-family units rather than 1.5

This proposed modification of the 2016 application was actually not approved by the Planning Commission. The Commission deferred their decision to the Site Plan and Architectural Review Commission. The revised Site Plan (Exhibit B, page 2) and the additional findings (Exhibit F) now identify a total of 240 parking spaces. No modification regarding the required amount of parking is necessary. The proposed parking, should the Commission accept the applicant's modifications to the private street standards (see No. 2, above), meets the standards of the Medford Land Development Code.

Parking Spaces	**Required**	**Proposed**
Total Spaces	120 dwelling units * 1.5 = 180 13,214 square feet commercial space * min. 4.5/max. 5.4 = min. 60/max. 72 **Min. 240/max. 252**	**240**
Regular Spaces		157
Accessible Stalls	7	7
Compact Stalls	Max. 48	47
Motorcycle Stalls	Max. 12	12
Parallel (on Private Street)		**17**
Total	**240**	**240**

5. Allow flexibility between multi-family unit counts and commercial square footages.

With the 2016 PUD Revision, the Commission approved the applicant's revised modification to allow for up to 50% increase in commercial square footage than shown in the preliminary development plan (15,750 square feet). Rationale included the significant amount of commercial inventory that has been removed from the PUD plan. The Planning Commission determined that if the area could support the additional square footage than it should be permissible. Thus, the Commission agreed to the Applicant's stipulation to limit commercial expansion square footage to no more than 50%.

The requested increase in commercial square footage as part of this application from 10,500 square feet to 13,214 square feet is within the previously approved maximum of 15,750 square feet. No further PUD modification is required.

6. Allow option of mixed residential and commercial within the commercial buildings subject of final design review, as required by the MLDC.

As part of the 2016 PUD revision, the applicant agreed and stipulated to limiting second stories to office or storage area for any of the commercial buildings. Since the applicant is now proposing a mixed-use building, instead of commercial, the Commission will have to approve the proposed residential use on the 2nd and 3rd-floor of the building. Additionally, the Commission will have to approve the location of the mixed-use building at the corner of Cedar Links Drive and Farmington Avenue, itself.

Figure 3 - Proposed Mixed-Use Structure

One of the issues that was linked to the restriction on commercial square footage and 2nd story uses was parking. According to the provided site plan and parking calculations, parking is no longer an issue and the proposed parking is able to support the increased amount of commercial square footage and dwelling units.

The revised elevations for the mixed-use building still show the building to be over the maximum building height of 35 feet at 38 feet and 7 inches. The Commission will have to approve this modification request to the maximum building height or condition the structure to be at or below the maximum building height of 35 feet, for example by limiting the structure to be 2-stories tall.

Additional proposed PUD Modification Requests

Parking space drive-aisle design standards

MLDC 10.746(16) requires 2-way drive-aisles for 90 degree parking spaces to be a minimum width of 24 feet. The applicant proposes all of the 2-way drive-aisles to be 20 feet in width. Aisles serving the proposed parking lot are proposed to be between 14 and 20 feet wide. The 14-foot sections are located towards the corners of the

parking lot where there is expected to be relatively little vehicle movement. 20-foot aisles will act as the main connection for the parking lot between Farmington Avenue and Cedar Links Drive. MLDC 10.746(12) does not specify an aisle width; however, it does state that groups of more than three parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter the street in a forward manner.

Review of Additional Standards & Information

Multi-Family Residential Standards

Multiple-Family Dwelling Standards are listed in the MLDC Sections 10.716 through 10.719. The applicant addressed all applicable standards in their findings and the Commission can find that these standards are met.

It should be pointed out that the multi-family standards do not apply to the proposed mixed-use building at the corner of Cedar Links Drive and Farmington Avenue. However, the residential portion which is located above the ground floor, does seem to meet the multi-family residential standards, as well.

Site Design Standards

	Allowed	**Proposed**
Lot Coverage, max.	40%	21%
Min. Front Yard Setback	15 feet	15 feet
Min. Street Side Yard Setback	10 feet	Min. 10 feet
Min. Side Yard Setback	Min. of 15.5 feet for Buildings D1 and D2	Building D1 – 18 feet Building D2 – 17'-1"
Min. Rear Yard Setback	Min. of 15.5 feet for Buildings D1 and D2	Building D1 & D2 – 15.5 feet +

As shown in the table above, it can be found that the proposed building identified on the submitted site plan seems to meet all applicable standards for the PUD and Multiple-Family dwellings standards. It should be pointed out that the front yard setback was set to 15 feet as vehicular access to the parking is, in part, parallel to the street. Additionally, future balconies for Building D2 seem to encroach into the required 15.5-foot side yard setback by more than 1-foot as allowed per MLDC 10.707(A)(2).

Parking

Vehicular parking standards are met based on the calculations provided earlier in this document. Bicycle parking standards were not addressed by the applicant. It will be a condition of approval to meet all applicable standards as set forth in MLDC 10.747 through 10.751.

Bicycle parking will have to be provided at one space per unit for multiple-family residential uses (120 spaces) and 10% of the number of spaces provided for automobiles for commercial uses (60 automobile spaces provided = 6 bicycle parking spaces). The total amount of bicycle parking required is 126 spaces.

Bike parking	**Required**	**Proposed**
Multiple Family Residential	1 per unit = 120	?
Commercial	10% of vehicular spaces provided for commercial uses 60 vehicular spaces = 6	?
Total	**126**	**?**

Landscaping

The applicant submitted a revised landscape plan (Exhibit B-1, pages 17 to 25) showing the proposed landscaping for the entire project area. The revised plans do seem to conform to the parking area landscaping requirements as listed in MLDC 10.797. The plans do also conform to the street frontage landscaping requirements per MLDC 10.797 for the amount of trees and shrubs along Cedar Links Drive and Farmington Avenue. Seven more trees will be required along the south side of the proposed private street.

Street Frontage	**Required (Trees/Shrubs)**	**Proposed (Trees/Shrubs)**
Cedar Links Drive	13/84	15/84+
Farmington Avenue	15/100	15/100+
Private Street	19/119	**12**/119+

It will be a condition of approval to meet all applicable landscaping standards set forth in MLDC 10.746, 10.780 and 10.797.

Transportation Impact Analysis

A full Transportation Impact Analysis (TIA) is not required as part of this application. As per the Public Works Staff Report (Exhibit H), the applicant has submitted a letter showing that the proposed changes result in a net reduction of 3 P.M. peak hour trips when compared to the previous approval.

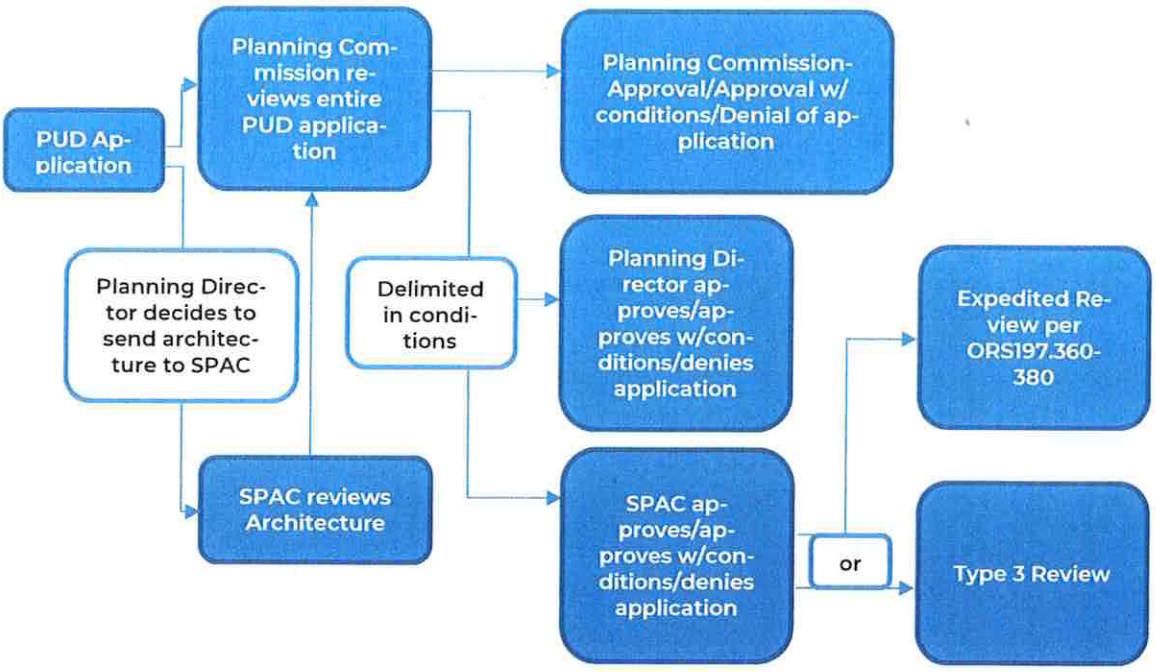
Rogue Valley International Airport (Exhibit N)

Rogue Valley International Airport requests an Avigation, Noise and Hazard Easement to be required as part of the permit process. In the 2010 LUBA decision on Michelle Barnes vs. City of Hillsboro and the Port of Portland, Nollan/Dolan findings are required to support the request (LUBA No. 2010-011). None were provided; therefore, a condition requiring compliance with the airport's request for an Avigation, Noise and Hazard Easement has not been included.

In addition, the Airport also requires the applicant to contact the FAA regarding submittal of a 7460-1 form.

PUD's Exempt from Site Plan and Architectural Review

Per MLDC 10.192(D), PUD's shall be exempt and there shall be no requirement to apply separately for Site Plan and Architectural Review or demonstrate compliance with the criteria in Section 10.200 if the Planning Director elects to not forward the project to the Site Plan and Architectural Review Commission (SPAC), as is the case here.



The Planning Commission may delegate authority to the SPAC or to the Planning Director to approve, in its name, the plans for buildings or other elements of a PUD or revision thereto after the Planning Commission has approved the Preliminary Plan (MLDC 10.192(E).

The illustration above delineates possible paths on how to deal with Planned Unit Development applications that include architectural decisions.

Floodplain/Wetlands/Drainage

There is no mapped floodplain on the property; however, portions of the property contain wetlands as shown on Exhibit AA. As per the Department of State Wetlands Note Response (Exhibit P), the subject area is within a wetland delineation (WD2014-0455) that is still valid. Removal and fill was completed, and mitigation and monitoring are still pending as of July 2017. A delineation is not required but applicant shall contact the Department of State Lands to assure the terms of the removal/fill authorization are carried through.

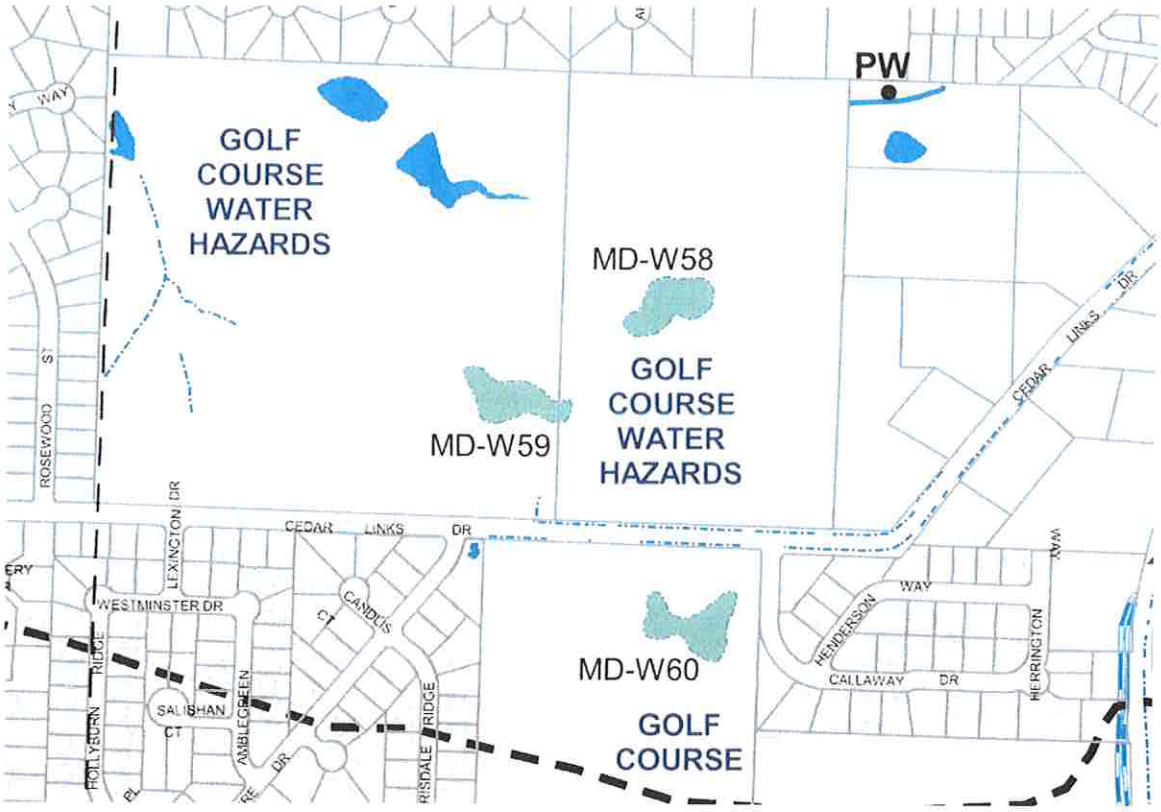


Figure 4 - Excerpt from local wetland inventory map

The local wetlands inventory describes the pond as non-locally significant golf course water hazards (Exhibit BB).

Committee Comments

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

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit E & F) and recommends the Commission adopt the findings, subject to the following amendments:

- Increase amount of apartment units from 100 to 120.
- Adding the mixed-use building at the corner of Cedar Links Drive and Farmington Avenue.
- Increase maximum building height of mixed-use building to **38'-7".**
- Adding the 'common building' including a leasing office, fitness room, and outdoor swimming pool.
- Increase the paved with of the Private Street to 28 feet and allowing 17 parallel parking spaces.

Additionally, staff finds that the proposal does meet the criteria found in MLDC 10.190(D)(1) through (7). The criteria found in MLDC 10.190(D)(1), (2), (5), (6) & (7) have been adequately addressed by the applicant in their findings and conclusions. In regards to criterion (4), staff finds that the location, size, shape, and character of all common elements in the PUD are appropriate for their intended use and function. The proposed changes present minimal differences in regards to common elements for the overall PUD design. Criterion (3) is not applicable.

RECOMMENDED ACTION

Should the Commission find that the applicable criteria in MLDC 10.198(A) which are related to the property owner consent have not been satisfied, the Commission should deny PUD-19-002 per the staff report dated September 19, 2019.

Should the Commission find that the applicable criteria in MLDC 10.198(A) have been satisfied, the Commission should adopt the findings as recommended by staff and direct staff to prepare the final order for approval of PUD-19-002 per

the staff report dated August 15, 2019, including Exhibits A through HH including the following revisions:

- **Increase amount of permitted apartment units from 100 to 120.**
- **Adding the mixed-use building at the corner of Cedar Links Drive and Farmington Avenue.**
- **Increase maximum building height of mixed-use building to 38'-7".**
- **Adding the 'common building' including a leasing office, fitness room, and outdoor swimming pool.**
- **Increase the paved with of the Private Street to 28 feet and allowing 17 parallel parking spaces.**

EXHIBITS

A-1 Conditions of Approval, dated August 15, 2019

B-1 Partially Revised Architectural, Civic and Landscaping Plans, received June 14, 2019 and August 13, 2019 & September 17, 2019, consisting of:

- Cover Sheet
- Architectural Site Plan
- Overall Floor Plan – Level 1
- Overall Floor Plan – Level 2
- Overall Floor Plan – Level 3
- Overall Roof Plan
- Exterior Elevations
- Materials Board
- Conceptual Grading and Drainage Plan
- Conceptual Utility Plan
- Planting Schedule
- Planting Plans
- Planting Schedule
- Irrigation Plans

C Assessor Maps, received June 14, 2019
D Project Narrative, received June 4, 2019
E Applicant's Findings of Fact, received June 14, 2019
F Additional Findings and Revisions, received August 13, 2019
G Traffic Impact Analysis, dated July 2, 2019
H Public Works Report, revised July 29, 2019
I Medford Water Commission Report, dated July 24, 2019
J Medford Fire Department Report, dated July 15, 2019
K Building Department Memo, dated July 17, 2019
L Jackson County Roads Letter, dated July 16, 2019

M Jackson County Roads E-Mail re: Condition 2, dated August 5, 2019
N E-Mail from Medford Airport, dated July 24, 2019
O E-Mail from Oregon Department of Fish & Wildlife, dated July 22, 2019
P Oregon Department of State Lands Wetland Land Use Notice Response dated July 30, 2019
Q Traffic Impact Analysis Form, received June 14, 2019
R Neighborhood Meeting Notice, dated February 19, 2019
S Exhibit J of File No. PUD-16-024, dated June 29, 2016
T Proposed Site Plan by neighbor Rick Conklin, received August 15, 2019
U Letter from Richard Conklin, received September 3, 2019
V Letter from Gary Olson, received September 3, 2019
W Letter from Anna-Mario Sardo, received September 10, 2019
X Letter from Ron and Karen Weathers, received September 16, 2019
Y Original Renderings from PUD-16-024
Z Declaration of Covenants, Conditions and Restrictions for Cedar Landing Residential
AA Wetland Delineation Report
BB Excerpt from Local Wetlands Inventory Map
CC Letter from Tom Michaels, received September 18, 2019
DD Letter from James Greathouse, received September 18, 2019
EE Letter from David Rabon, received September 18, 2019
FF Letter from Kathy Rabon, received September 18, 2019
GG Response Letter from applicant addressing Planning Commission Comments, received September 19, 2019
HH Letter from Jim Wilson, received September 19, 2019
Vicinity map

PLANNING COMMISSION AGENDA: **AUGUST 22, 2019**
SEPTEMBER 26, 2019

EXHIBIT A-1

Cedar Landing Apartments
Conditions of Approval
September 19, 2019

All conditions of the Preliminary PUD plan approval (PUD-05-035 & PUD-16-024) are still in effect, other than those modified by this revision request.

CODE CONDITIONS

Prior to issuance of any Building Permits for vertical construction, the applicant shall:

1. Comply with MLDC 10.192(B)(6) and (C)(6) regarding all applicable standards for Private Streets within a PUD;

2. Comply with the landscaping standards in MLDC 10.780 & 10.797;

3. Provide calculations for and comply with MLDC 10.746(3) – Parking Area Planters;

4. Comply with both, the Multi-Family Residential Design Standards as set forth in MLDC 10.716 through 10.719 and the design guidelines as outlined in the letter from Kistler, Small & White (KSW), dated July 6, 2016 (Exhibit K of PUD-16-024). If conflicting standards exist, the KSW letter shall govern the development.

5. Comply with the Public Works Staff Report July 29, 2019 (Exhibit H);

6. Comply with the Medford Water Commission Memorandum July 24, 2019 (Exhibit I);

7. Comply with the Medford Fire Department Report dated July 15, 2019 (Exhibit J);

8. Comply with the Jackson County Roads Letter dated July 16, 2019 (Exhibit L);

9. Comply with the E-Mail from Rogue Valley International Airport received July 24, 2019 (Exhibit N) related to the filing of FAA Form 7460-1;

10. Comply with the E-Mail from Oregon Department of Fish & Wildlife received July 22, 2019 (Exhibit O);

11. Contact the Department of State Lands regarding the State Removal/Fill permit (Exhibit P).

12. Prior to Final Plat approval, the applicant shall

(a) submit for approval with the Planning Director Covenants, Conditions & Restrictions for the subject area to include all code required language and to include that only the owners of land and/or improvements adjacent to the proposed public street shall be responsible for the improvements and maintenance of the private street; and

(b) create and record legal documents that establish an 'association of owners' for the subject area.

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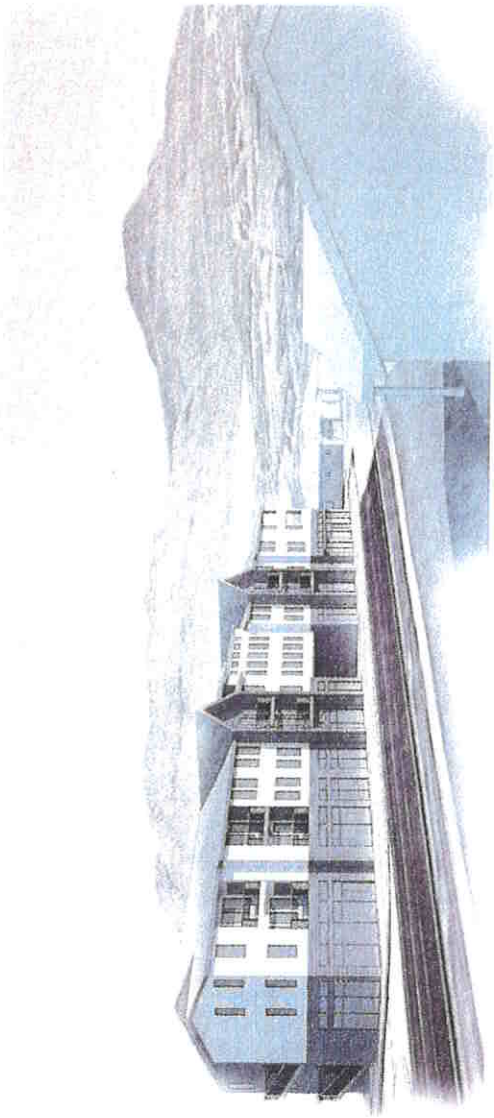

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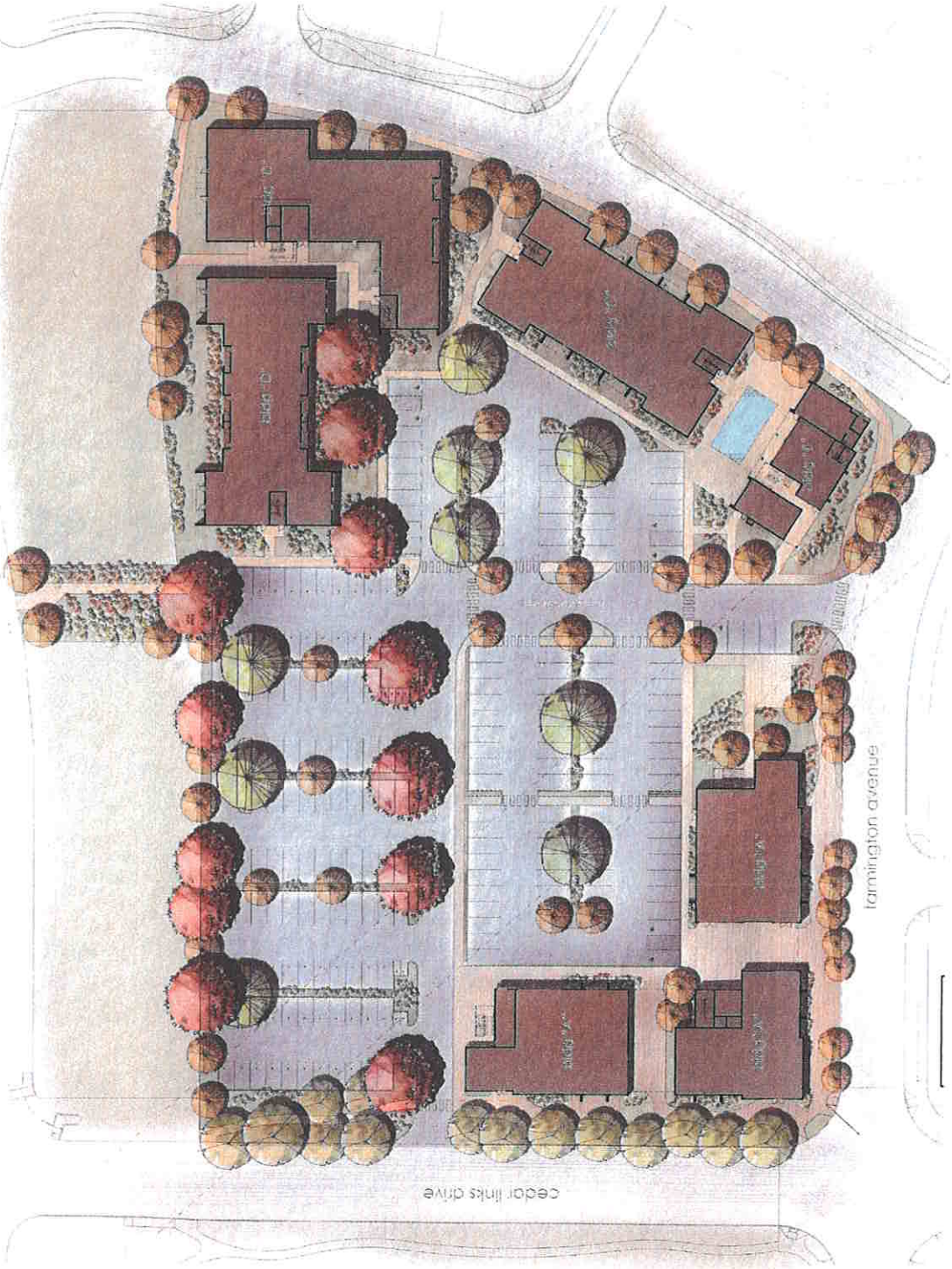

SITE PLAN

SEPTEMBER 16, 2019

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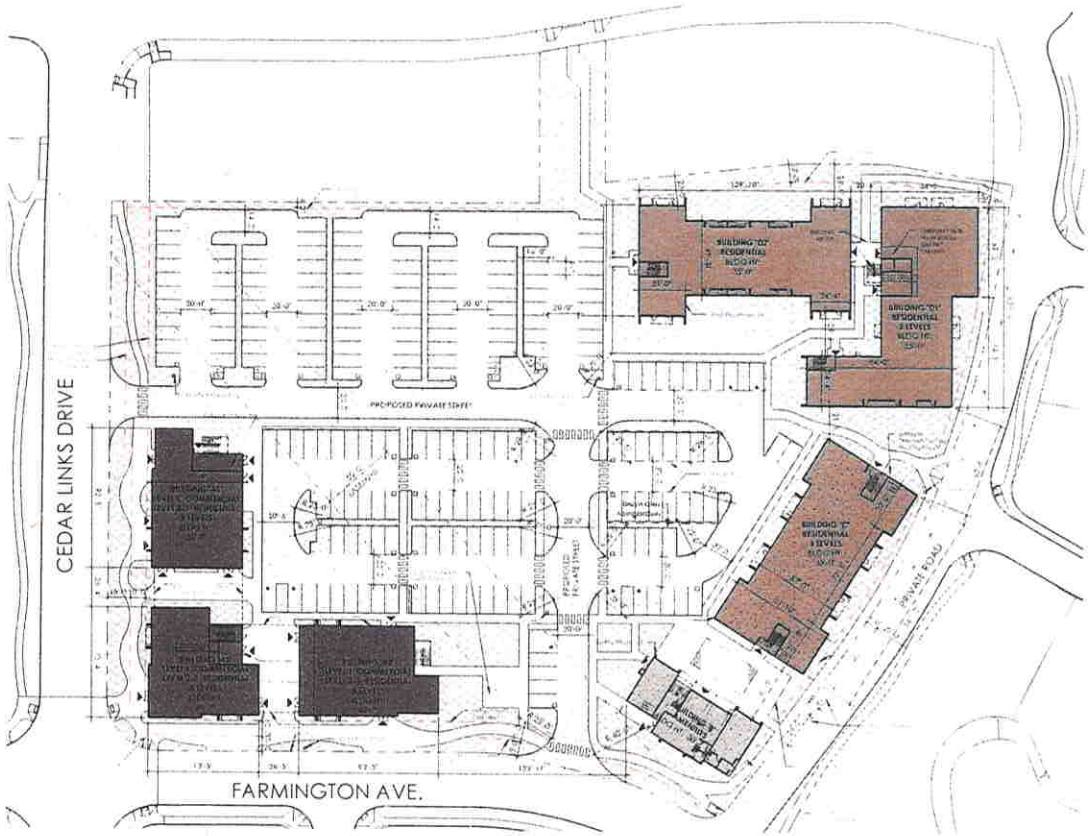
File # PUD-19-002



1 / SITE PLAN

SITE

SITE DENSITY	21%	40%
building coverage		previous PUD

BUILDING AREA		
BLDG. A1	4,970 SF	
BLDG. A2	4,549 SF	
BLDG. A3	5,000 SF	
BLDG. B	2,408 SF	
BLDG. C	8,849 SF	
BLDG. D1	8,194 SF	
BLDG. D2	9,134 SF	
	44,227 SF	21.0%

LANDSCAPING / IMPERVIOUS AREA		
HARDSCAPE	33,354 SF	
	33,354 SF	15.8%

LANDSCAPING / PERVIOUS AREA		
LANDSCAPE	32,166 SF	
	32,166 SF	24.7%

SITE AREA		
ROADS/PARKING	81,238 SF	
	81,235 SF	38.5%
TOTAL SITE AREA	210,985 SF	100.0%
	4.85 ACRES +/-	

PARKING

Required Vehicle Parking = 233 Stalls
Commercial = 13,214/1000 (+) = 53 Stalls
Residential = 120 (1.3) = 160

Provided Vehicle Parking Breakdown = 240 Stalls
STANDARD 162
PARALLEL 17
COMPACT 48 (20%)
MOTORCYCLE 12 (5%)

REQUIRED AND PROVIDED BIKE PARKING = 124 SPACES
Residential = 1 per unit = 120 bike spaces
Commercial = 10% of required vehicle parking = 13,214/1000 (+) = 53 bike spaces

Bike Parking Breakdown
Building A = 35 spaces
Building B = 5 spaces
Building C = 24 spaces
Building D = 62 spaces

BUILDING

OVERALL BUILDING AREA

BLDG. A1	5,531 SF
BLDG. A2	2,974 SF
BLDG. A3	4,709 SF
BLDG. A	38,433 SF
BLDG. A SERVICE	1,219 SF
BLDG. A STAIR	234 SF
BLDG. B	6,298 SF
BLDG. C	26,441 SF
BLDG. D1	27,310 SF
BLDG. D2	24,610 SF
	137,879 SF

6,298 SF
amenity

13,214 SF 15,750 SF
commercial previous PUD

118,366 SF
residential

UNIT INFO	120	100
total dwelling unit		previous PUD

BLDG. HEIGHT MAX.	38'-7"	40'
building 'A'		previous PUD

LEGEND

AMENITIES
RESIDENTIAL
COMMERCIAL

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File # PUD-19-002

1 / LEVEL 1
scale: 1" = 30'-0"

LEGEND | AREA CALCS

LEVEL 1

BLDG. 'A1'	5,897 SF
BLDG. 'A1' SERVICE	605 SF
BLDG. 'A2'	2,940 SF
BLDG. 'A2' & 'A3' SERVICE	800 SF
BLDG. 'A3'	4,377 SF
BLDG. 'B'	3,285 SF
BLDG. 'C'	8,924 SF
BLDG. 'D1'	9,243 SF
BLDG. 'D2'	8,201 SF
	44,271 SF

- AMENITIES
- RESIDENTIAL
- COMMERCIAL
- APARTMENT - ONE BEDROOM
- APARTMENT - TWO BEDROOM

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MEDFORD, OREGON

OVERALL FLOOR PLAN - LEVEL 1
MINOR REVIEW SUBMITTAL
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A2-1

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1/ LEVEL 2

LEGEND | AREA CALCS

LEVEL 2

BLDG. 'A'	19,424 SF
BLDG. 'B'	3,292 SF
BLDG. 'C'	8,869 SF
BLDG. 'D1'	9,042 SF
BLDG. 'D2'	8,203 SF
	48,829 SF

- AMENITIES
- RESIDENTIAL
- COMMERCIAL
- APARTMENT - ONE BEDROOM
- APARTMENT - TWO BEDROOM

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FILE # PUD-19-002

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OVERALL FLOOR PLAN - LEVEL 2
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A2-2

1/ LEVEL 3
scale: 1" = 30'-0"

LEGEND | AREA CALCS

LEVEL 3

BLDG. 'A'	19,606 SF
BLDG. 'C'	8,869 SF
BLDG. 'D1'	9,046 SF
BLDG. 'D2'	8,207 SF
	45,727 SF

- AMENITIES
- RESIDENTIAL
- COMMERCIAL
- APARTMENT - ONE BEDROOM
- APARTMENT - TWO BEDROOM

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OVERALL FLOOR PLAN - LEVEL 3
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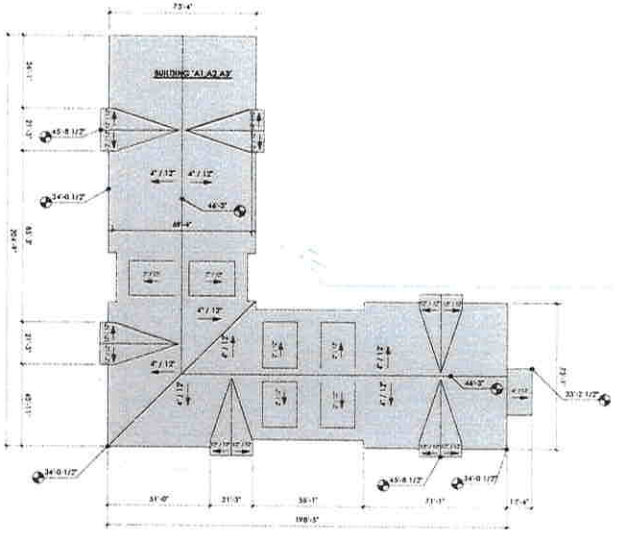
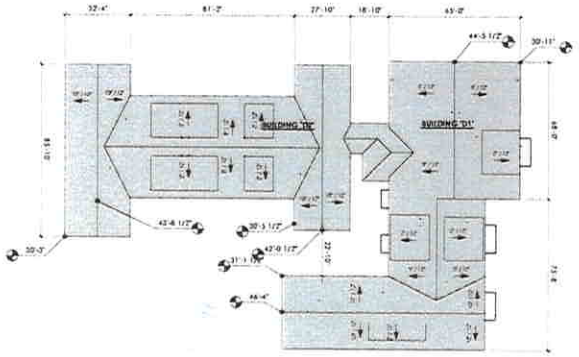
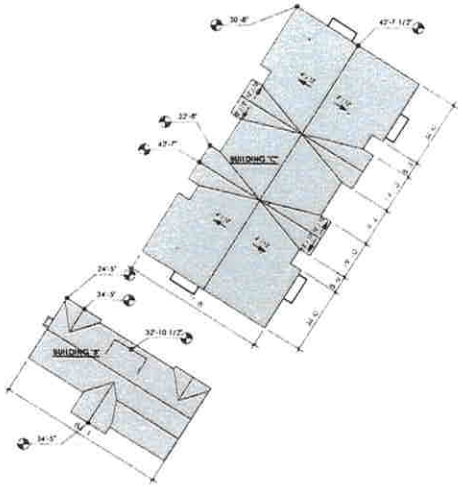
A2-3







1/ ROOF PLAN
SCALE: 1" = 30'-0"

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OVERALL ROOF PLAN
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MAY 06 2019

A2-4

Farmington Avenue Elevation

Cedar Links Drive Elevation

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BUILDING "A" ELEVATIONS

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MEDFORD, OREGON

SITE MAP

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Partial North Elevations

Partial West Elevations

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BUILDING "A" ELEVATIONS

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MEDFORD, OREGON

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North Elevation Along Private Street

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BUILDING "B" and C" ELEVATIONS

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North Elevation

West Elevation

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BUILDING "D" ELEVATIONS

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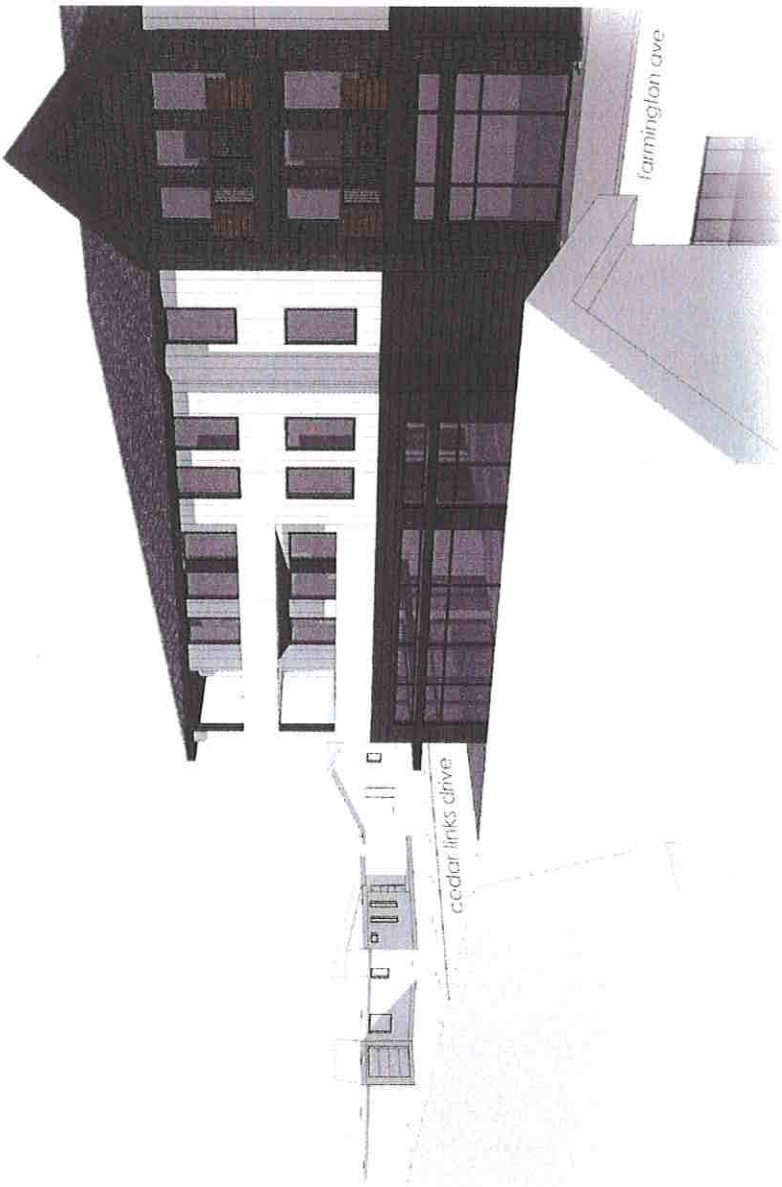

ADJACENT NEIGHBORHOOD EXHIBIT

SEPTEMBER 16, 2019

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File # PUD-19-002

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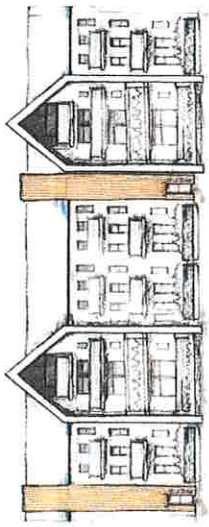

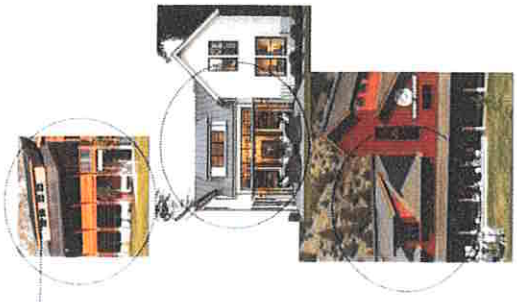

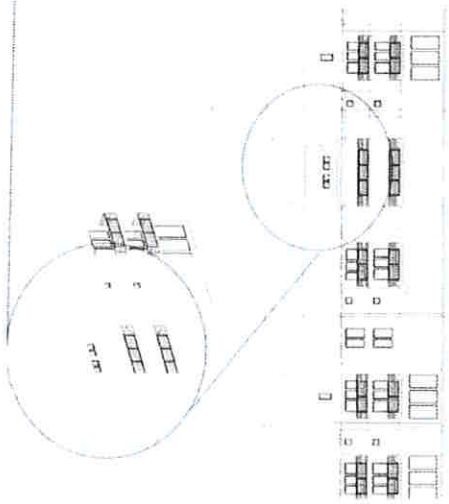

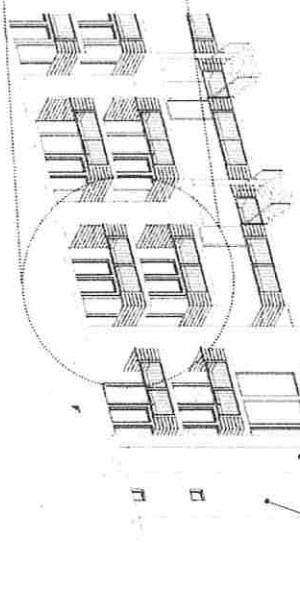

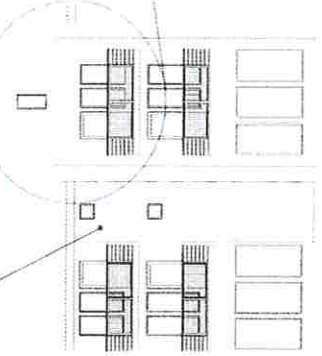

MATERIALS BOARD
MINOR REVIEW SUBMITTAL
MAY 06, 2019

CEDAR LINKS
MEDFORD, OREGON

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CITY OF MEDFORD
EXHIBIT # B
FILE # PUD-19-062

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SEPTEMBER 16, 2019

CEDAR LINKS

MEDFORD, OREGON

SITE MAP

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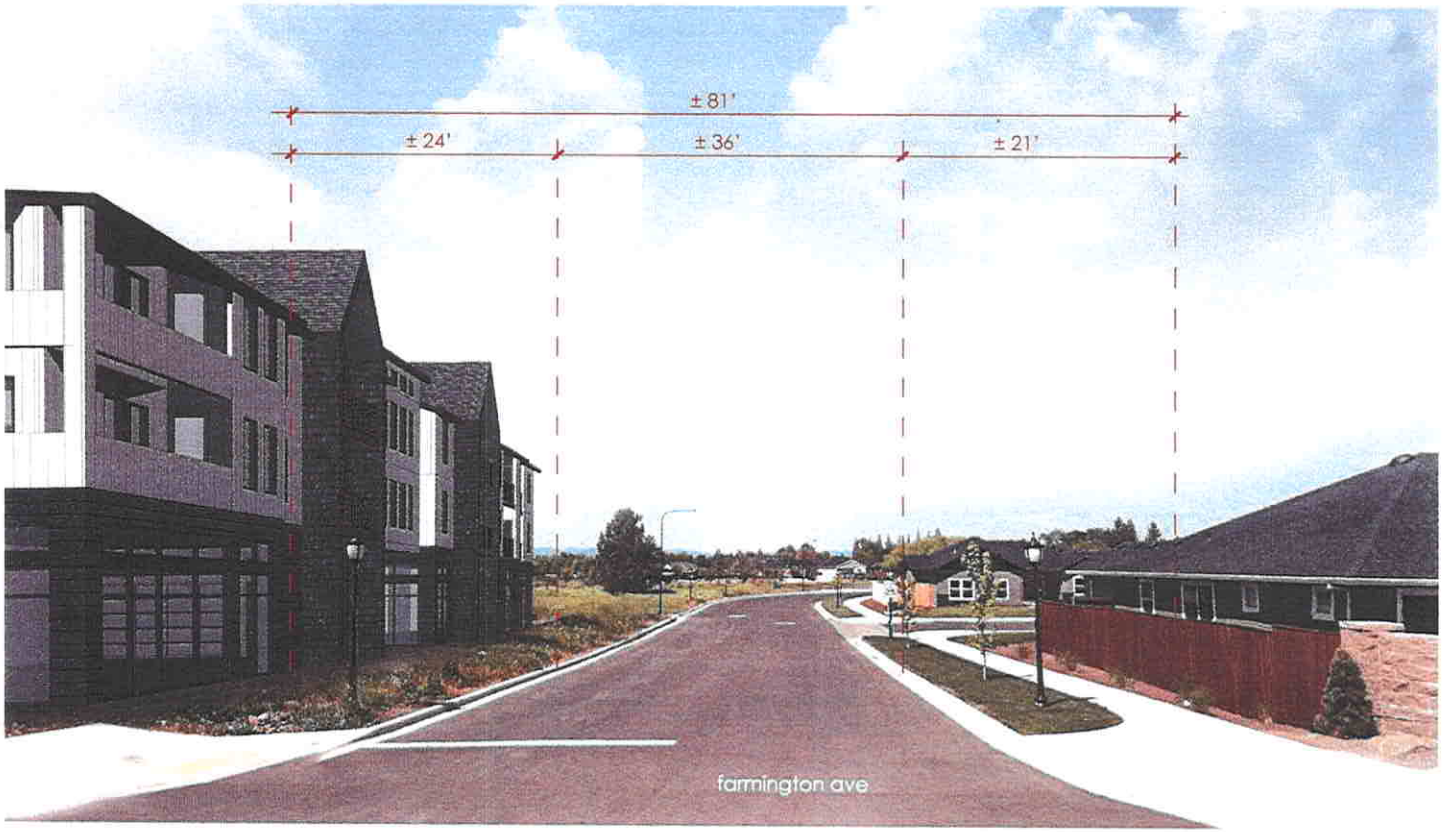
File # PUD-19-002



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SEPTEMBER 16, 2019

CEDAR LINK

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File # PUD19.002

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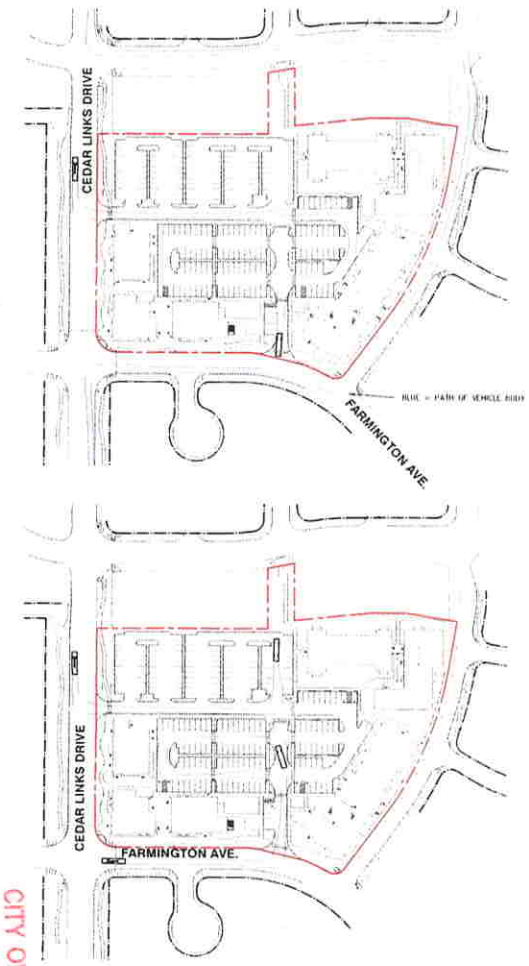
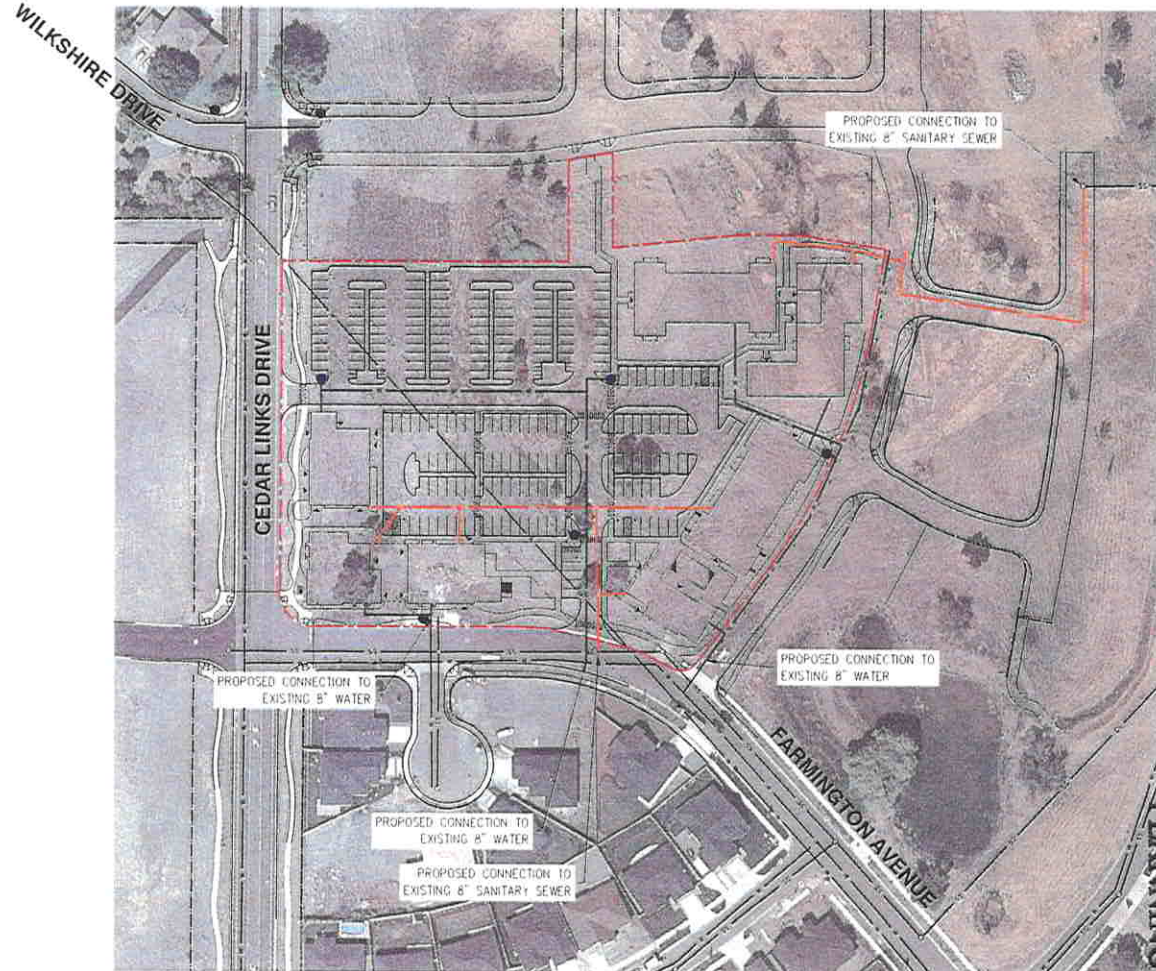


EMERGENCY VEHICLE ACCESS SIMULATIONS

LEGEND

- PROPOSED SANITARY SEWER PIPE
- EXISTING SANITARY SEWER PIPE
- PROPOSED WATER PIPE
- EXISTING WATER PIPE
- PROPOSED FIRE HYDRANT
- EXISTING FIRE HYDRANT



ROGUECIVIL LLC
Civil Engineering
Water Rights

REGISTERED PROFESSIONAL ENGINEER
OREGON
EVAN H. MALEPSY
RENEWAL DATE: 12/31/20

Dig Safely
1-800-332-2344
Oregon Utility Notification Center
Call Before You Dig

CEDAR LINKS

CONCEPTUAL UTILITY PLAN

REV	DESCRIPTION	BY
1	Inserted Modified Site Plan Revisions per Pre-App	EHM
2	Inserted Modified Site Plan	EHM
3	Inserted Modified Site Plan	EHM
4	Inserted Modified Site Plan	EHM
5	Inserted Modified Site Plan	EHM

Designed by: EHM | Drawn by: EHM | Submitted to Land Use Review

IF THIS SHEET IS NOT 1 AND 2 SCALE IS NOT AS SHOWN

DATE

Sheet No. 2 of 2

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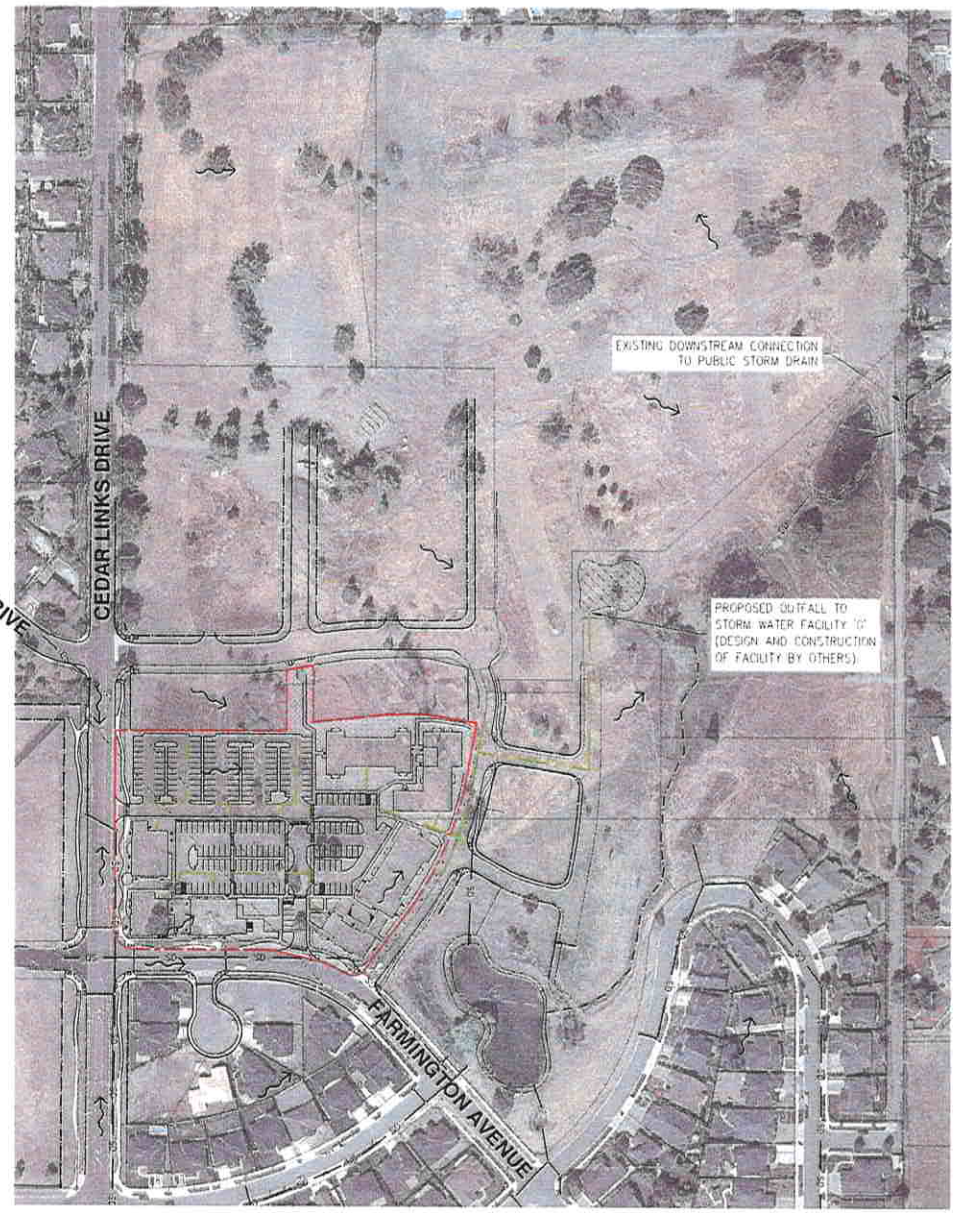
Aug 19, 2002

16 OF 26



LEGEND

- PROPOSED STORM DRAIN PIPE
- SD — EXISTING STORM DRAIN PIPE
- EXISTING GROUND DRAINAGE DIRECTION
- EXISTING OPEN CHANNEL
- EXISTING GROUND CONTOUR

NOTES

1. PROPOSED OUTFALL LOCATION BASED ON COORDINATION WITH DEVELOPMENT CONSULTANTS IN LOCAL AREA
2. STORM DRAIN DETENTION AND WATER QUALITY TO BE PROVIDED IN OFF-SITE STORM WATER FACILITY 'G'

ROGUECIVIL LLC
Civil Engineering
Water Rights

REGISTERED PROFESSIONAL ENGINEER
OREGON
EVAN H. MALEPSY
RENEWAL DATE: 12/31/20

Dig Safely
1-800-332-2344
Oregon Utility Notification Center
Call Before You Dig

CEDAR LINKS
CONCEPTUAL GRADING AND DRAINAGE PLAN

REV.	DATE	DESCRIPTION	BY
1	1.12.19	Incorporated Site Plan Revisions Per Ag	EHM
2	2.5.19	Incorporated Site Plan	EHM
3	3.18.19	Incorporated Site Plan	EHM
4	6.4.19	Incorporated Site Plan	EHM
5	9.12.19	Incorporated Site Plan	EHM
APPROVED BY			DATE

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CITY OF MEDFORD
EXHIBIT # B1
File # MP19.042

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PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CALIPER	VERY LOW	LOW	MEDIUM	HIGH
	CA	9	CARPINUS CAROLINIANA / AMERICAN HORNBEAM	24" BOX	2" MIN			X	
	CI	19	CUPRESSUS ARIZONICA 'BLUE ICE' / ARIZONA CYPRESS	10 GAL			X		
	PC	12	PISTACIA CHINENSIS / CHINESE PISTACHE	36" BOX	2" MIN		X		
	QS	15	QUERCUS FRAINETTO 'SCHMIDT' / FOREST GREEN OAK	24" BOX	2" MIN				
	QC	61	QUERCUS ROBUR 'CRIMSCHMIDT' TM / ENGLISH OAK	24" BOX	2" MIN			X	
	SP	2	STEWARTIA PSEUDOCAMELLIA / JAPANESE STEWARTIA	15GAL				X	

SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONT	COMMENTS	VERY LOW	LOW	MEDIUM	HIGH
	AR	50	ABELIA X GRANDIFLORA 'ROSE CREEK' / ROSE CREEK ABELIA	5GAL			X	X	
	AP	23	ACER CIRCINATUM 'PACIFIC FIRE' / VINE MAPLE	15GAL			X	X	
	AC	5	ARBUTUS UNEDO 'COMPACTA' / DWARF STRAWBERRY TREE	5GAL			X		
	AM	103	ARCTOSTAPHYLOS X 'PACIFIC MIST' / PACIFIC MIST MANZANITA	5GAL			X		
	AS	62	ARCTOSTAPHYLOS X 'SUNSET' / SUNSET MANZANITA	5GAL			X		
	CC	28	CISTUS CORBARIENSIS / WHITE ROCKROSE	5GAL			X		
	DW	16	DASYLIRION WHEELERI / GREY DESERT SPOON	5GAL			X		
	FP	6	FALLUGIA PARADOXA / APACHE PLUME	5GAL		X	X		
	LG	262	LAVANDULA X INTERMEDIA 'GROSSO' / GROSSO LAVENDIN	5GAL			X		
	LP	178	LONICERA PILEATA / PRIVET HONEYSUCKLE	5GAL		X	X	X	
	MC	44	MORELLA CALIFORNICA / CALIFORNIA WAX MYRTLE	7GAL				X	
	OD	22	OSMANTHUS DELAVAYI / DELAVAYI OSMANTHUS	5GAL		X	X	X	
	OH	194	OSMANTHUS HETEROPHYLLUS 'ROTUNDIFOLIUS' / ROUND HOLLY LEAF OSMANTHUS	5GAL			X	X	
	RE	3	RHAMNUS CALIFORNICA 'EVE CASE' / CALIFORNIA COFFEEBERRY	5GAL			X		
	RA	30	ROSMARINUS OFFICINALIS 'ARP' / ARP ROSEMARY	5GAL			X	X	
	SD	24	SALVIA DORRII / DESERT SAGE	1GAL		X			
	SH	107	SALVIA MICROPHYLLA 'HOT LIPS' / BABY SAGE	1GAL			X		
	SM	45	SCROPHULARIA MACRANTHA / RED BIRDS IN A TREE	1GAL					

GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME	CONT	COMMENTS	SPACING	VERY LOW	LOW	MEDIUM	HIGH
	AT	54	ACHILLEA X 'TERRA COTTA' / HYBRID YARROW	4IN		18" o.c.				
	BB	1,410	BOUTELOUA GRACILIS 'BLONDE AMBITION' / BLUE GRAMA	1GAL		30" o.c.		X		
	CG	12	CEANOTHUS GLORIOSUS / POINT REYES CREEPER	1GAL		42" o.c.		X		
	CD2	713	COTONEASTER DAMMERI / BEARBERRY COTONEASTER	1GAL		10" o.c.	X	X	X	
	DM	292	DISTYLIUM MYRICOIDES	1GAL		36" o.c.		X	X	
	FI	337	FESTUCA IDAHOENSIS / IDAHO FESCUE	1GAL		10" o.c.	X	X		
	FM	276	FESTUCA MAIREI / ATLAS FESCUE	1GAL		48" o.c.		X		
	HB	128	HESPERALOE PARVIFLORA 'BRAKELIGHTS' TM / BRAKELIGHTS RED YUCCA	1GAL		18" o.c.	X			
	MR	137	MAHONIA REPENS / CREEPING MAHONIA	1GAL		36" o.c.		X	X	
	PM	612	POLYSTICHUM MUNITUM / WESTERN SWORD FERN	1GAL		18" o.c.			X	
	RC	212	RUBUS CALYCINOIDES / GREEN CARPET RASPBERRY	4IN		24" o.c.		X	X	
	SS	191	SCHIZACHYRIUM SCOPARIUM 'THE BLUES' / THE BLUES LITTLE BLUESTEM	1GAL		30" o.c.		X		
	SL	14	STIPA GIGANTEA 'LITTLE GIANT' / LITTLE GIANT FEATHER GRASS	1GAL		48" o.c.		X		

SOIL VOLUME TABLE

Tree #	Species	Spread	Required Soil Volume (cu. ft.)	Open Soil Volume (cu. ft.)
1	*Carpinus caroliniana*	25'	982	1062
2	*Carpinus caroliniana*	25'	982	1062
3	*Carpinus caroliniana*	25'	982	1062
4	*Pistacia chinensis*	30'	1412	1566
5	*Pistacia chinensis*	30'	1412	1566
6	*Pistacia chinensis*	30'	1412	1566
7	*Quercus robur 'Crimschmidt'*	12'	452	469
8	*Quercus robur 'Crimschmidt'*	12'		
9	*Quercus robur 'Crimschmidt'*	12'	452	544
10	*Quercus robur 'Crimschmidt'*	12'		
11	*Quercus robur 'Crimschmidt'*	12'	226	348
12	*Quercus robur 'Crimschmidt'*	12'	226	522
13	*Quercus robur 'Crimschmidt'*	12'	226	336
14	*Quercus robur 'Crimschmidt'*	12'	452	663
15	*Quercus robur 'Crimschmidt'*	12'		
16	*Quercus robur 'Crimschmidt'*	12'	226	489
17	*Carpinus caroliniana*	25'	982	1299
18	*Carpinus caroliniana*	25'	982	1455
19	*Quercus robur 'Crimschmidt'*	12'	226	360
20	*Quercus robur 'Crimschmidt'*	12'	226	360
21	*Carpinus caroliniana*	25'	982	990
22	*Carpinus caroliniana*	25'	1964	2523
23	*Carpinus caroliniana*	25'		
24	*Carpinus caroliniana*	25'	982	1200
25	*Quercus robur 'Crimschmidt'*	12'	226	1269
26	*Quercus robur 'Crimschmidt'*	12'	226	330
27	*Quercus robur 'Crimschmidt'*	12'	226	531
28	*Quercus robur 'Crimschmidt'*	12'	226	546

PARKING LOT LANDSCAPING CALCULATIONS

Category	Code	Calculation	Qty Shown	Compliant
Trees	3 trees/24 stalls	*240 stalls = 30 trees*	32	Yes
Shrubs	6 shrubs/24 stalls	*240 stalls = 60 shrubs*	221	Yes
Planting Area	500 sq ft /24 stalls	*240 stalls = 5,000 sq ft*	9291 sq ft	Yes

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BASE LANDSCAPE ARCHITECTURE

PLANTING SCHEDULE

CEDAR LINKS

MEDFORD, OREGON

DD90%
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OREGON LICENSED LANDSCAPE ARCHITECT No. 191 Exp. 12/31/2020 STATE OF OREGON

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PLANNING SET

EXPIRES: 12/31/2020

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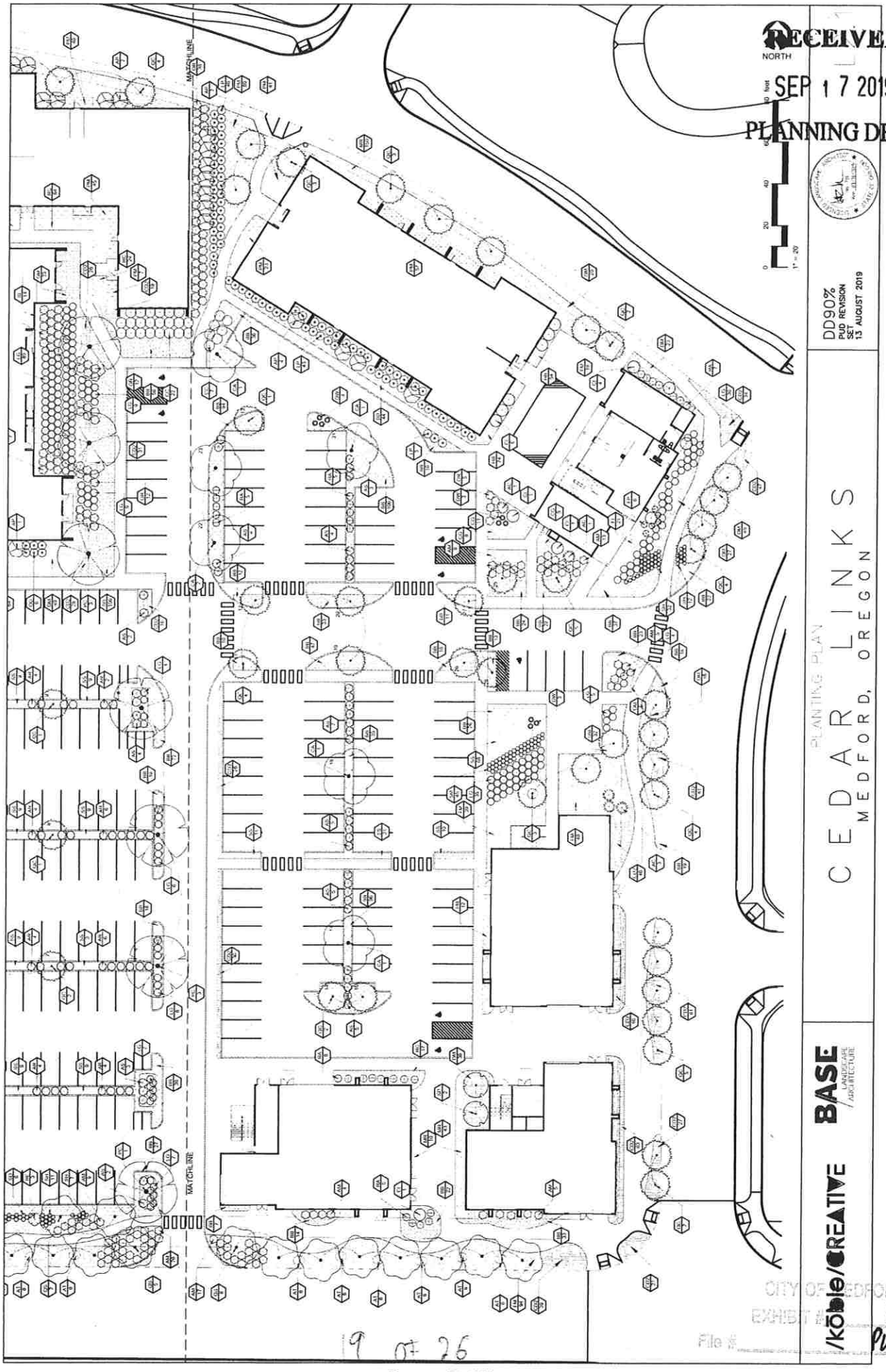

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PLANTING PLAN

CEDAR LINKS

MEDFORD, OREGON

BASE LANDSCAPE ARCHITECTURE

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CITY OF MEDFORD
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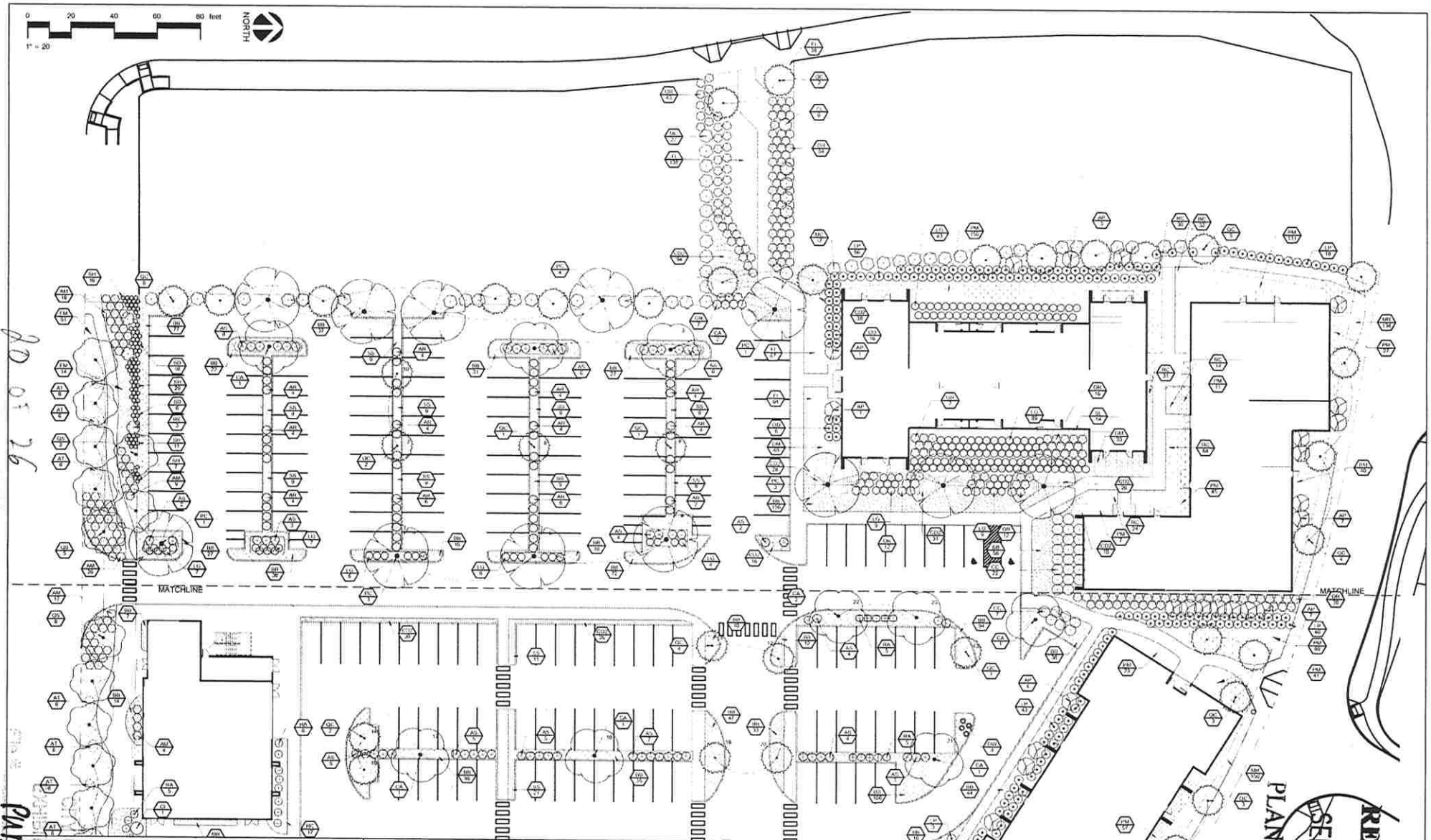

PLANTING PLAN

CEDAR LINKS

MEDFORD, OREGON

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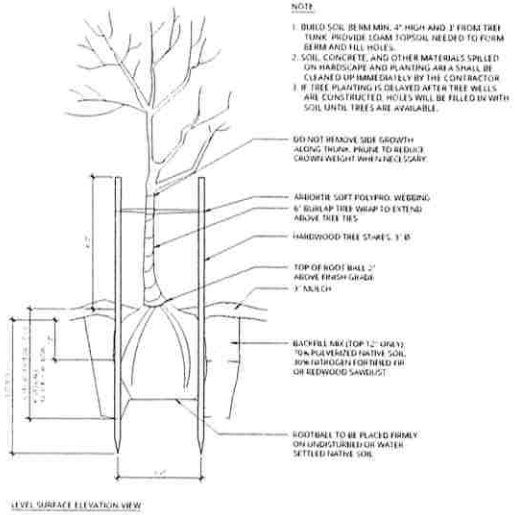
PLANTING NOTES

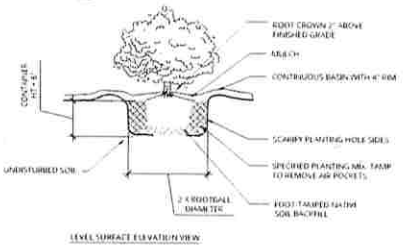
1. PLANT MATERIAL IS TO BE HEALTHY SPECIMENS FREE FROM DISEASE OR DAMAGE, AND IS TO BE MAINTAINED IN EXCELLENT CONDITION WHILE ON THE JOBSITE. LANDSCAPE ARCHITECT SHALL INSPECT PLANT MATERIAL UPON ARRIVAL TO JOBSITE AND WILL REJECT PLANT MATERIAL THAT DOES NOT MEET THE STANDARDS DESCRIBED WITHIN THE CONTRACT DOCUMENTS.
2. THE LANDSCAPE ARCHITECT WILL PERIODICALLY INSPECT PLANT MATERIAL STOCKPILED AND/OR PLANTED ON SITE DURING THE COURSE OF CONSTRUCTION. PLANT MATERIAL NOT MEETING THE STANDARDS CONTAINED WITHIN CONTRACT DOCUMENTS SHALL BE REPLACED AT NO COST TO THE OWNER.
3. PROVIDE MATCHING SIZES AND FORMS FOR EACH PLANT OF THE SAME SPECIES UNLESS OTHERWISE INDICATED.
4. CONTRACTOR IS TO VERIFY ALL QUANTITIES. IN CASE OF DISCREPANCIES, GRAPHICALLY SHOWN QUANTITIES SHALL TAKE PRECEDENCE.
5. ALL MATERIALS USED SHALL CONFORM TO THE GUIDELINES ESTABLISHED BY THE CURRENT AMERICAN STANDARDS FOR NURSERY STOCK, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
6. ALL PLANT MATERIAL SHALL BE INSTALLED PLUMB AND PER THE SPECIFICATIONS CONTAINED WITHIN THE CONTRACT DOCUMENTS. ANY NECESSARY STAKING AND/OR OTHER SUPPORTS MATERIALS/METHODS SHALL BE SUBMITTED TO THE LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
7. THE CONTRACTOR SHALL PRUNE EXISTING AND/OR NEW TREES ONLY PER LANDSCAPE ARCHITECT DIRECTION.
8. THE CONTRACTOR SHALL STAKE THE LOCATIONS OF ALL TREES AND B&B SHRUBS FOR LANDSCAPE ARCHITECT REVIEW AND APPROVAL PRIOR TO INSTALLATION.
9. ALL ROOT-WRAPPING MATERIALS THAT ARE NOT BIO-DEGRADABLE SHALL BE REMOVED FROM THE ROOT BALL. ROOT BALLS SHALL BE FREE OF WEEDS.
10. SPECIFIED PLANT MATERIAL SIZES SHALL BE CONSIDERED MINIMUM SIZES.
11. FINISH GRADE OF PLANTING BEDS SHALL BE ONE (1) INCH BELOW ADJACENT FLATWORK, UNLESS SPECIFIED OTHERWISE.
12. MULCH OR PLANTING BED DRESSING SHALL BE PLACED IN ALL PLANTING AREAS AS SPECIFIED. MULCH OR PLANTING BED DRESSING SHALL NOT BE PLACED WITHIN SIX (6) INCHES OF TREE TRUNKS. MULCHING SHOULD BE REPEATED ANNUALLY DURING THE AUTUMN TO A 3" DEPTH.
13. ALL PLANT MATERIAL SHOULD RECEIVE AN ORGANIC FERTILIZER IN LIMITED APPLICATION FOLLOWING INSTALLATION. TYPE AND APPLICATION RATE AND METHOD OF APPLICATION TO BE SPECIFIED BY THE CONTRACTOR & APPROVED BY THE LANDSCAPE ARCHITECT.
14. EXCESS FERTILIZER SHALL BE DISPOSED OF PROPERLY OFF-SITE. IT SHALL NOT BE DISPOSED OF IN STORM DRAINS AND/OR DRYWELLS.
15. STOCKPILED PLANT MATERIAL TO BE PLACED IN THE SHADE AND PROPERLY HAND WATERED UNTIL PLANTED.
16. MINI-NUGGET TYPE DECORATIVE BARK MULCH WILL BE USED TO RETURN NUTRIENTS TO THE SOIL, REDUCE MAINTENANCE AND MINIMIZE EVAPORATION FOR AREAS APPROXIMATE TO THE RESIDENCE. LARGER SHREDDED BARK MULCH WILL BE USED FOR STEEP AREAS SO SLOUGHING IS LESS LIKELY TO OCCUR.
17. PRESERVE & PROTECT ALL EXISTING VEGETATION INDICATED TO REMAIN AT ALL TIMES.
18. ALL VEGETATION PROPOSED FOR OUTSIDE THE BUILDING ENVELOPE TO BE NATIVE UNLESS OTHERWISE NOTED. PLANTING THAT OCCURS OUTSIDE THE BUILDING ENVELOPE IS FOR RESTORATION PURPOSES ONLY OR IS SPECIFIC TO UTILITIES RESTORATION.

SOIL PREPARATION NOTES

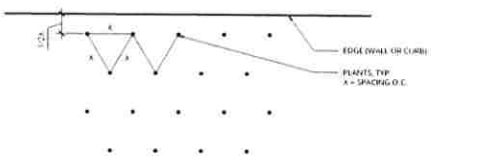
1. REMOVAL, STORING, AND AMENDING SOILS FOR PLANTER AREAS: CONTRACTOR SHALL REMOVE ALL DEBRIS FROM PLANTER AREAS AND EXCAVATE TO A DEPTH OF 36 INCHES. SLOPE SIDES OF EXCAVATIONS AT 1:1 SLOPE OR SHORE EDGES TO PREVENT UNDERMINING OF VEHICLE LOAD AREAS. PROVIDE A SLOPED PROFILE TRANSITION BETWEEN SOIL TYPES AND STRUCTURAL FILL. DISPOSE OF DEBRIS AND SURPLUS.
2. STOCKPILE EXCAVATED TOPSOIL IN AN APPROVED AREA.
3. EXISTING AND IMPORTED TOPSOIL AMENDMENTS SHALL BE APPROVED BY THE CITY ARBORIST.
4. SOIL MIXING SHALL BE DONE IN DESIGNATED AREAS OR IN THE SUPPLIER'S YARD. MIX AMENDMENTS WITH TOPSOIL WHEN SOIL IS IN A FRIABLE CONDITION ONLY (DAMP AND NOT MUDDY WITH ADEQUATE MOISTURE TO BREAK INTO CLODS WHEN TURNED AND NOT LEAVE A MUD STAIN ON THE HAND WHEN SQUEEZED).
5. CONTRACTOR TO PROVIDE CERTIFICATE OF CONTENT AND PERCENT OF SOIL MIXES WITH ALL AMENDED SOIL TO THE CITY PRIOR TO INSTALLATION.



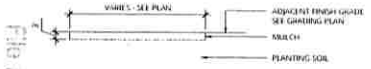
2 TREE IN PLANTING AREA
3/4" = 1'-0"



3 SHRUB
3/4" = 1'-0"



1 GROUNDCOVER
3/4" = 1'-0"



4 MULCH IN PLANTING AREA
3/4" = 1'-0"

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BASE LANDSCAPE ARCHITECTURE

PLANTING DETAILS

CEDAR LINKS

MEDFORD, OREGON

DD90%
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SET
13 AUGUST 2019

OREGON LANDSCAPE ARCHITECT BOARD — No. 791 — Renewal 12/31/2019 — STATE OF OREGON

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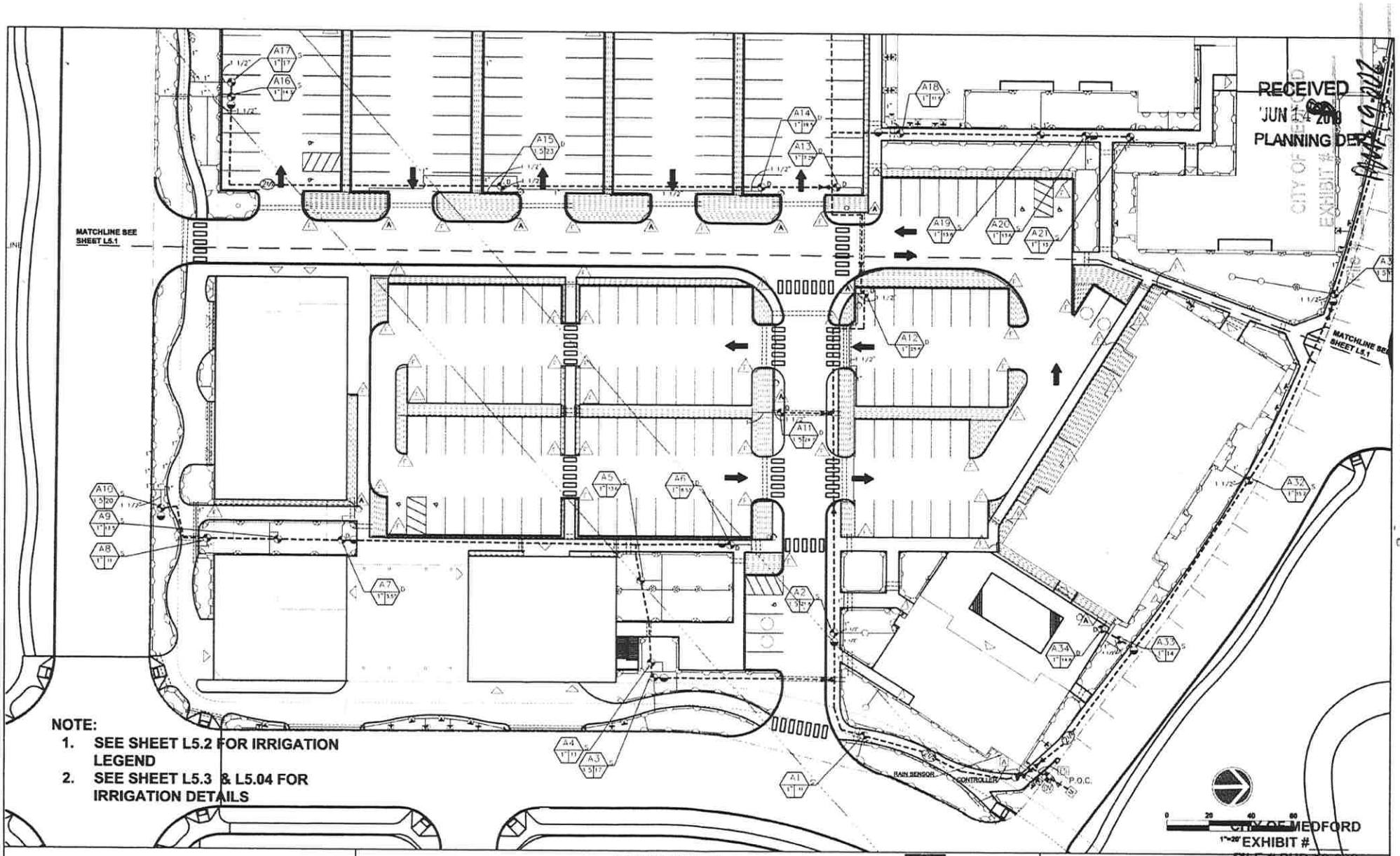

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NOTE:

1. SEE SHEET L5.2 FOR IRRIGATION LEGEND
2. SEE SHEET L5.3 & L5.04 FOR IRRIGATION DETAILS

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IRRIGATION PLAN

CEDAR LINKS

MEDFORD, OREGON

MainLine Design, Inc.

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PUD REVISION SET SUBMITTAL
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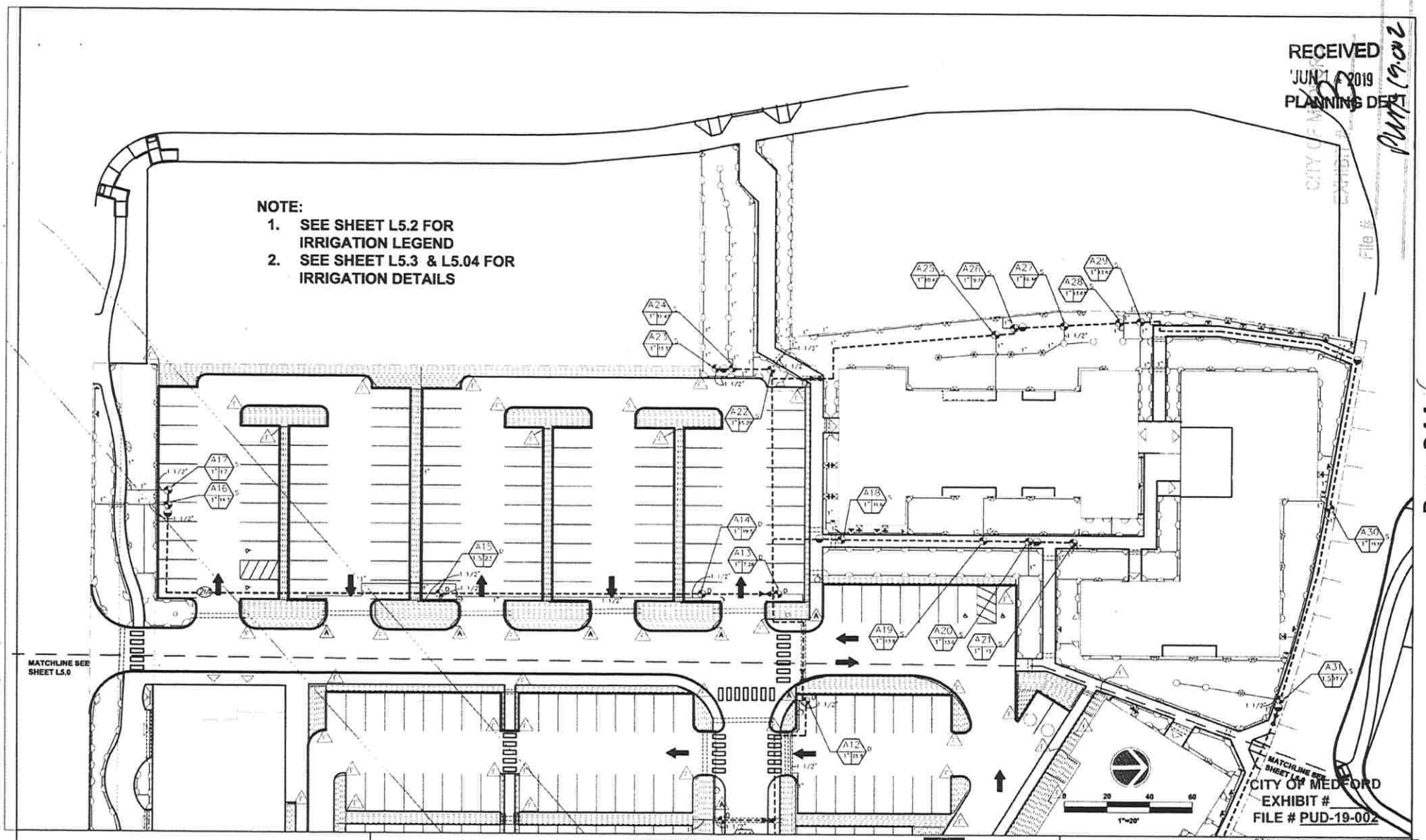
L5.0



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IRRIGATION PLAN
CEDAR LINKS
MEDFORD, OREGON

MainLine Design, Inc.

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17 MAY 2019

REGISTERED LANDSCAPE ARCHITECT
GLENDON E. SMITH
OREGON
05/11/09

L5.1

IRRIGATION EQUIPMENT SCHEDULE

SYMBOL	DESCRIPTION	MANUF	TYPE	DTL/SHEET
P.O.C.	POINT OF CONNECTION ELEV. 1442 PSI 61	–	–	1/L5.04
M	1" WATER METER	PER CITY	X" COMPOUND OR TURBINE	
	RESILIENT WEDGE GATE VALVE	LEEMCO	SELF-RESTRAINED	
	ISOLATION VALVE	APOLLO WATTS	70-140-10 (LINE SIZE) B6000-SS (LINE SIZE)	6/L5.04
Y	WYE STRAINER	FEBCO	758-A (X")	
	DOUBLE CHECK VALVE	–	FEBCO 1-1/4"	3/L5.04
P	PRESSURE REGULATING VALVE	WILKINS WATTS	SERIES 500 (X") N550	
DV	MANUAL DRAIN VALVE	BUCKNER	2200 SERIES BRONZE ANGLE VALVE OR APPROVED EQUAL	10/L5.04
	QUICK COUPLING VALVE	RAINBIRD HUNTER BUCKNER	44LRC (1") HQ-44-LRC-AW (1") Q844RC (1")	9/L5.04
	MASTER VALVE 2" (NORMALLY CLOSED)	RAINBIRD	EFB-CP 150	4/L5.04
FS	FLOW SENSOR	RAINBIRD	FS-150	5/L5.04
	REMOTE CONTROL VALVE	RAINBIRD	PEB (SIZE AS NOTED)	7/L5.04
A	IRRIGATION CONTROLLER	RAINBIRD	ESP-LXMEF - W/2-12STA &1-8STA MODULES TOTAL 40 STA INCLUDE A FLOW WATCH MODULE	2/L5.04
R	RAIN/FREEZE SHUT-OFF	RAINBIRD	WFRC WIRELESS RAIN/FREEZE-CLIK	12/L5.04
A1 / 1.555	STATION NUMBER AREA DESIGNATION- L- LAWN S- SHRUB D- DRIP FLOW IN GPM VALVE SIZE			
	MAINLINE SIZE PER PLAN	PW EAGLE CRESLINE	SCH 40 PVC SIZE 2-1/2"	
	LATERAL LINE, SIZE PER PLAN	PW EAGLE CRESLINE	CLASS 200 PVC 2" OTHERWISE SIZE PER PLAN	
	SLEEVE	PW EAGLE CRESLINE	CLASS 200 PVC SIZE 2-1/2 x PIPE DIA. 6" MIN.	8/L5.04

IRRIGATION MULTI-STREAM ROTARY HEAD SCHEDULE

SYMBOL	DESCRIPTION	GPM	PSI	RADIUS	DTL/SHEET
*NOTE: USE 6" POP-UP BODIES IN LAWN AREAS; AND 12" POP-UP BODIES IN PLANTING AREAS.					
	RAINBIRD 18XX*-P45-R-VAN8-Q	.37	45	8-14'	11/L5.04
	RAINBIRD 18XX*-P45-R-VAN8-T	.46	45	8-14'	
	RAINBIRD 18XX*-P45-R-VAN8-H	.63	45	8-14'	
	RAINBIRD 18XX*-P45-R-VAN8-TT	.94	45	8-14'	
	RAINBIRD 18XX*-P45-R-VAN8-TQ	.73	45	8-14'	
	RAINBIRD 18XX*-P45-R-VAN8-F	1.27	45	13-17'	
	RAINBIRD 18XX*-P45-R-VAN18-Q	.50	45	13-17'	11/L5.04
	RAINBIRD 18XX*-P45-R-VAN18-T	.76	45	13-17'	
	RAINBIRD 18XX*-P45-R-VAN18-H	1.01	45	13-17'	
	RAINBIRD 18XX*-P45-RVAN18-TT	1.17	45	13-17'	
	RAINBIRD 18XX*-P45-R-VAN18-TQ	1.51	45	13-17'	
	RAINBIRD 18XX*-P45-R-VAN18-F	1.85	45	13-17'	
	RAINBIRD 18XX*-P45-R-VAN24-Q	.84	45	17'-23'	11/L5.04
	RAINBIRD 18XX*-P45-R-VAN24-T	1.26	45	17'-23'	
	RAINBIRD 18XX*-P45-R-VAN-24H	1.68	45	17'-23'	
	RAINBIRD 18XX*-P45-R-VAN-24TT	1.96	45	17'-23'	
	RAINBIRD 18XX*-P45-R-VAN-24TQ	2.52	45	17'-23'	
	RAINBIRD 18XX*-P45-R-VAN-24F	3.48	45	17'-23'	
	RAINBIRD 18XX*-P45-R-VAN-LCS/RCS	.24	45	5X15'	11/L5.04
	RAINBIRD 18XX*-P45-R-VAN-SST	.48	45	5X30'	

SUB-SURFACE IRRIGATION EQUIPMENT SCHEDULE

SYMBOL	DESCRIPTION	MANUF.	TYPE	DTL/SHEET
D	DRIP IRRIGATION VALVE ASSEMBLY	RAINBIRD	1" XCZ-100-PRB-COM DRIP ZONE VALVE, FILTER, MED. FLOW REGULATOR 1-1/2" XCZ-150-PRB-COM	1/L5.05
A	AIR/VACUUM RELIEF VALVE	RAINBIRD	ARV050 - 1/2 IN.	4/L5.05 5/L5.05
	AUTOMATIC FLUSH	DIG	DIG AUTO FLUSH	6/L5.05
	XF SERIES DRIPLINE	RAINBIRD	XFS-06-12-500 12" SPACING 1.02 GPH PER 100FT	3/L5.05 8/L5.05
	XERI-POP MICRO-SPRAY	RAINBIRD	NOZ SQ-QTR PURPLE ADJUST TO SPRAY IN PLANTER	9/L5.05
	XF TREE RING DRIPLINE	RAINBIRD	1 PER TREE LOCATED IN DRIPLINE IRRIGATION AREA	2/L5.05 7/L5.05

IRRIGATION NOTES

1. THE CONTRACTOR SHALL INSPECT THE SITE AND VERIFY CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION. NOTIFY OWNER'S REPRESENTATIVE IMMEDIATELY OF ANY DISCREPANCIES AFFECTING SYSTEM PERFORMANCE PRIOR TO BEGINNING WORK.
2. INSTALL IRRIGATION SYSTEM IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES.
3. IRRIGATION LINES SHOWN WITHIN PAVED AREAS ARE FOR GRAPHIC CLARITY ONLY. IRRIGATION HEADS AND PIPES ARE TO BE PLACED WITHIN LANDSCAPED AREAS WITH THEIR LOCATIONS MODIFIED AS REQUIRED TO AVOID PLANT MATERIALS, UTILITIES AND OTHER OBSTRUCTIONS. PLACE LINES IN COMMON TRENCHES WHERE POSSIBLE.
4. COORDINATE ALL IRRIGATION WORK WITH OTHER TRADES INVOLVED. COORDINATE IRRIGATION P.O.C. AND LOCATION OF AUTOMATIC CONTROLLER.
5. ALL VALVE BOXES WILL BE PLACED IN A MANNER WHICH FACILITATES ACCESS FOR MAINTENANCE. LOCATE VALVE BOXES IN PLANTING AREAS WHEREVER POSSIBLE. SIZE BOXES TO ACCOMMODATE COMPLETE VALVE ASSEMBLY INCLUDING UNIONS.
6. ALL COMPONENTS OF IRRIGATION SYSTEM SHALL BE INSTALLED AND ADJUSTED TO PROVIDE ADEQUATE COVERAGE AND ELIMINATE OVERSPRAY ONTO BUILDINGS, ROADS AND WALKWAYS. CONTRACTOR IS RESPONSIBLE FOR PROVIDING A COMPLETE WORKING SYSTEM.
7. CONTRACTOR SHALL VERIFY STATIC PRESSURE AT APPROXIMATELY 61 P.S.I. AT THE P.O.C. PRIOR TO COMMENCING WORK. NOTIFY OWNER'S REPRESENTATIVE IMMEDIATELY IF ACTUAL FIELD DATA DIFFERS FROM THIS INFORMATION.
8. THIS SYSTEM REQUIRES A MINIMUM STATIC PRESSURE OF 61 P.S.I. AND A MAXIMUM FLOW OF 30 GPM AT POINT-OF-CONNECTION. HEAD LAYOUT AND ZONES ARE BASED ON THIS DATA AND DATA SHOWN IN IRRIGATION SCHEDULE. NOTIFY THE OWNERS REPRESENTATIVE PRIOR TO COMMENCING WORK IF ACTUAL FIELD DATA DIFFERS FROM THIS INFORMATION.
9. IRRIGATION LATERALS ARE SIZED AT VALVE AND CONTINUING IN DIRECTION OF FLOW. REDUCTIONS IN PIPE SIZE ARE LABELED BEGINNING DOWNSTREAM OF NEAREST FITTING. ALL LATERALS ARE MINIMUM 3/4" OR SAME SIZE AS NEAREST UPSTREAM PIPE.
10. INSTALL ALL IRRIGATION PIPES IN PVC SLEEVES BELOW ALL PAVED SURFACES. COORDINATE PLACEMENT OF SLEEVES WITH APPLICABLE TRADES.
11. GRADE MAIN AND LATERAL LINES TO DRAIN. PLACE MANUAL DRAINS AT LOW POINT IN MAINLINES. MINIMUM ONE PER VALVE.

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IRRIGATION PLAN
CEDAR LINKS
MEDFORD, OREGON

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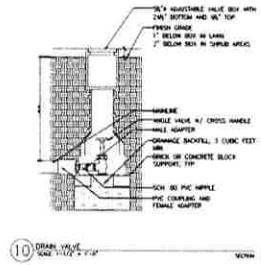
Landscape Architecture * Irrigation Design

DD90%
PUD REVISION SET SUBMITTAL
17 MAY 2019

REGISTERED LANDSCAPE ARCHITECT
459
GLENDON E. SMITH
OREGON
08/31/00

L5.2



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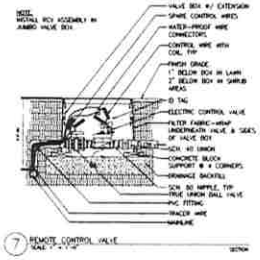
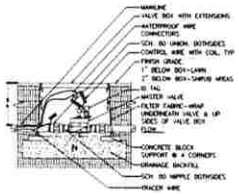
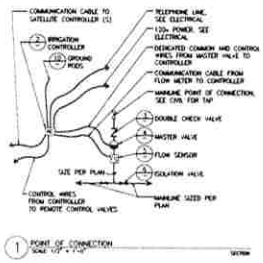


7 REMOTE CONTROL VALVE



4 MASTER VALVE



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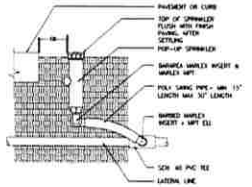
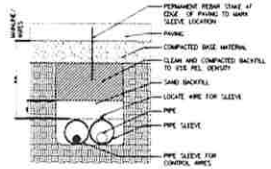
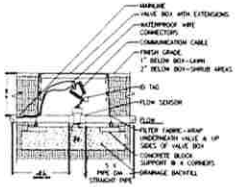


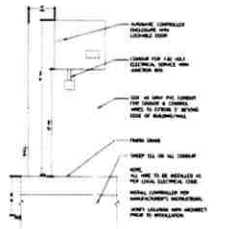
11 POP-UP SPRAY HEAD



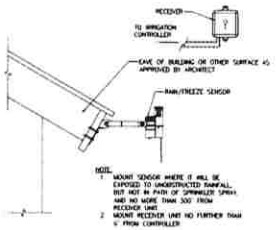
8 PIPE SLEEVE



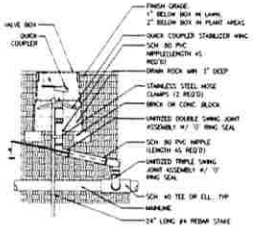
5 FLOW SENSOR



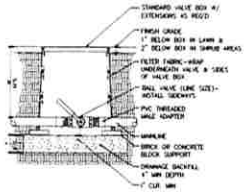
2 IRRIGATION CONTROLLER



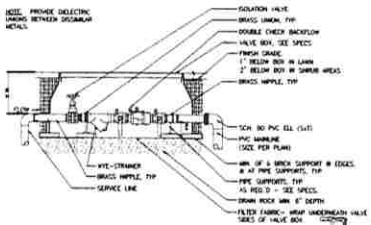
12 RAIN/FREEZE SHUT-OFF DEVICE



9 QUICK COUPLER VALVE



6 ISOLATION VALVE



3 DOUBLE CHECK BACKFLOW DEVICE

IRRIGATION PLAN

CEDAR LINKS

MEDFORD, OREGON

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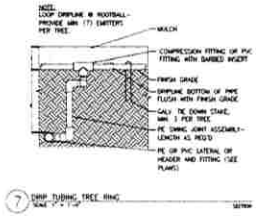
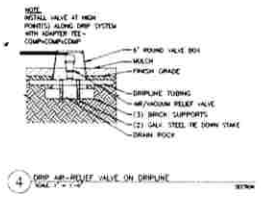
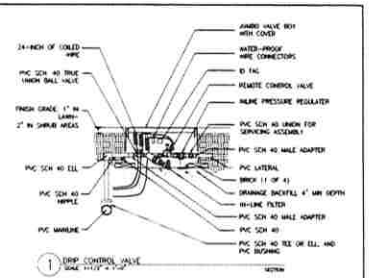


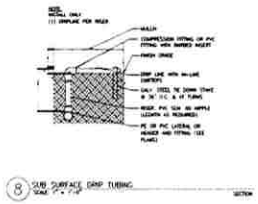
7 DRIP TUBING TREE RING



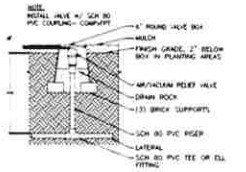
4 DRIP AIR-RELIEF VALVE ON DRIPLINE



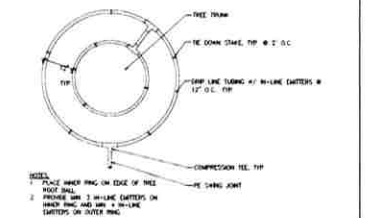
1 DRIP CONTROL VALVE



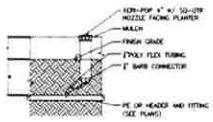
8 SUB SURFACE DRIP TUBING



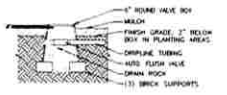
5 AIR RELIEF VALVE ON LATERAL



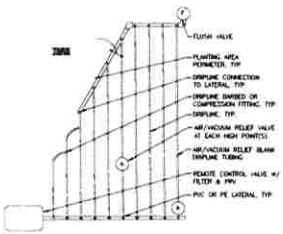
2 DRIP LINE @ TREES



9 XERI-POP ON POLY FLEX TUBING FOR OBSERVATION



6 DRIP AUTOMATIC FLUSH VALVE ON DRIPLINE



3 DRIPLINE LAYOUT TYP

IRRIGATION PLAN

CEDAR LINKS

MEDFORD, OREGON

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Phone: (503) 657-3374
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Landscape Architecture * Irrigation Design

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S.W.1/4 N.W.1/4 SEC.16 T.37S. R.1W. W.M.
JACKSON COUNTY
1" = 100'

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MEDFORD

371W16BC
MEDFORD

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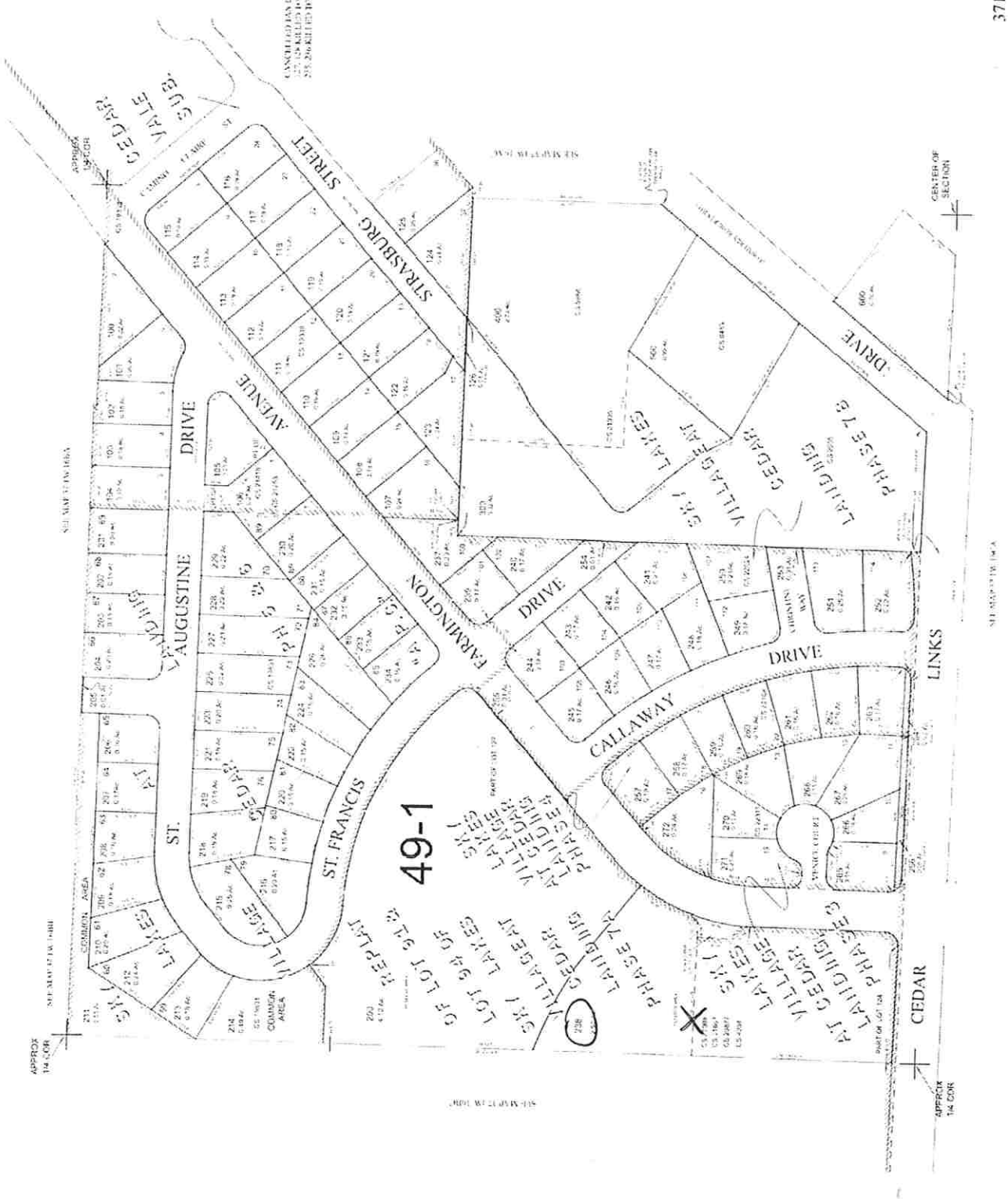
MEDFORD

S.E.1/4 N.W.1/4 SEC.16 T.37S. R.1W. W.M.
JACKSON COUNTY
1" = 100'



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koble creative, architecture llc

June 04, 2019

Cedar Links PUD Administrative Minor Development Review Narrative

PROJECT DESCRIPTION:

MIXED-USE: COMMERCIAL AND MULTI-FAMILY DEVELOPMENT AT CEDAR LANDING

INTRODUCTION:

The following narrative describes minor revisions made to the previously approved PUD. *The Village* subarea of the Cedar Landing PUD is a planned mixed-use community containing a balanced composition of rentable commercial spaces and multi-family residences. The commercial component of this development has the opportunity to provide value and service to the local community by providing approximately 17,000 square feet of rentable space for local businesses. The multi-family component will provide 120 rental apartments, consisting of a combination of both one and two-bedroom units. On-site parking is provided at the interior of the property.

DESIGN NARRATIVE SUMMARY

SITE: This Cedar Links PUD sits area encompasses a 4.85 acre site located in eastern Medford, Oregon on a portion of the now defunct Cedar Links Golf Course, within the overall Cedar Landing PUD. The basic massing of each building helps anchor the project to Cedar Links Drive, Farmington Ave and to the proposed private road along the site's northern property line. Landscaping with meandering pedestrian walk-ways create a natural buffer between the adjacent local roads and this proposed project. The site also provides several beautiful opportunities that serve the residents of the multi-family complex; including private plazas, a water feature, a swimming pool with patio, and community center. There are a total of four buildings on the site.

LANDSCAPING: The landscape design for the Cedar Landing development emphasizes a climate-adapted and largely drought-tolerant plant palette by featuring plants native to the Siskiyou Mountains and climatically analogous regions of the intermountain West and Mediterranean. The vast majority of plants have low or very low irrigation needs to reflect the climate of Medford and the Rogue Valley. The design team elected not to use lawn turf due to its high irrigation intensity and low ecological value.

With sensitivity to the different solar aspects and shade patterns created by the architecture of the development plan, the landscape features zones of lush shade/part shade plantings, which are clustered near the residential entrances. The plant palette also includes numerous species that provide food and shelter to beneficial pollinators.

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Commercial zones and parking areas are designed in such a way to maximize visibility for vehicular/pedestrian safety, and feature evergreen shrubs, ornamental grasses, and flowering perennials that provide four seasons of interest. Trees have been selected to provide unique identity to each of the street frontages. Street and boulevard trees are deciduous broadleaf species that are adapted to the Mediterranean climate of long, dry summers followed by cool, wet winters. The design provides a unique sense of place to the Cedar Landing development.

BUILDINGS: Building "A", the mixed-use component of the project, is a three-story structure that flanks the corner of Cedar Links Drive and Farmington Ave. The ground floor is the commercial component to the project, with the second and third floors housing one and two-bedroom apartment units. Ground-level passage ways create covered public plazas that break up the architectural mass and encourage pedestrian interaction. Generous storefront windows, coupled with these passage ways provide a sense of transparency and activity that welcomes visitors to the site.

Building "B", a smaller scale two-story building, is a free-standing amenity structure that contains a leasing office for apartment rentals, a fitness room, and two community lounge spaces that open up directly to the pool side patio.

Buildings "C" and "D" are three-story multi-family structures that are comprised of one and two-bedroom apartment homes, each with their own private balcony.

All buildings will carry similar architectural characteristics. A modern approach to the traditional farmhouse style will be applied to the exterior facades, allowing the project to compliment the architectural language of the adjacent neighborhoods. Typical design elements include open floor plans, a combination of intersecting high-pitched gable roofs and dormer roofs, and the use of vertical, horizontal and shingle siding. All units are designed to maximize healthy indoor air quality and provide spectacular views of surrounding hills. Many of the apartment homes can enjoy views of Roxy Ann Peak.

********** *** **********

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RE: Cedar Links PUD Administrative Minor Development Review Narrative (PUD 016-024)

Cedar Links proposed mixed-use development presents minimal changes to the Planned Unit Development (PUD). These proposed changes align with the overall design intent of the PUD, allowing submittal for a minor development revision and administrative minor development review process. The following items indicate what PUD items will be maintained and which items are changing to ensure clarity of revision intent.

The proposed design intent allows the overall massing of all buildings to fit within the proposed height criteria that allows for unique rooflines. The pedestrian and vehicular circulation is simplified, with the removal of three curb cut driveways to provide a safer environment. The overall commercial area is maintained and parking counts increased from previously proposed counts by providing parallel parking along the proposed private road along the north property line. In an effort to enhance the architectural fabric along the private road, the front yard setbacks are minimized.

01 maintain PUD density

Original Intent: Allow a 55% lot coverage maximum for single-family residential units under 25 feet; units more than 25 feet in height will remain subject to zoning provision maximum lot coverage of 40%.

The proposed Cedar Links development intends to maintain the PUD maximum density as indicated above. The proposed lot coverage density of 21 % is below the maximum allotment of 40% lot coverage.

02 maintain commercial, multi-family, and open space uses

Original Intent: Reconfiguration of the Multi-Family, Commercial, Congregate Care and Open Space land uses to a mixture of Single Family, Multi-family, Commercial and Open Space.

The proposed Cedar Links development intends to maintain the mix of commercial, multi-family residential, and open space uses as indicated above. The proposed development does not include single family or congregate care uses. This development will include Commercial space located on the first floor of Building 'A' along Cedar Links Drive. One smaller, two-story building (Building 'B') located on the northeast corner of the development, along Farmington Avenue, will include residential amenities. Buildings 'C' and 'D' include three-stories of multi-family dwellings.

03 counts and areas: residential unit increases, commercial area maintained, parking increases

Original Intent: Allow a minimum of 1.4 parking spaces for multi-family units rather than 1.5

Original Intent: Allow flexibility between multi-family unit counts and commercial square footages in a manner commensurate with the total parking provided on site.

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The proposed Cedar Links development intends to meet the minimum requirements for multi-family parking.

The multi-family parking ratio is equal to 1.4 parking spaces per unit. The commercial parking ratio for less than 25,000 sf of commercial space outside the central business district is 4.5 parking spaces per 1,000 sf.

Parking Requirements

Residential: 120 units x 1.4 =	**168 parking spaces**
Commercial: 13,214 sf x 4.5:1,000 sf =	**60 parking spaces**
Total parking required:	**228 parking spaces**
Total parking provided:	**227 parking spaces**

SUBSEQUENT

Parallel street parking along the new "Unnamed Residential Lane" would provide an additional 17 parking spaces. Providing this additional parking would require increasing the new private road width from previously proposed 24'-0" up to 28'-0". See civil drawing C2 for emergency vehicle access simulation diagrams.

Total parking provided which includes onsite and parallel parking spaces at the private road: 227 parking spaces

The proposed development is requesting a minor reduction in required commercial parking for this area.

04 standard parking stall sizes and parking lot aisle widths

Original Intent: Parking Space minimum dimension standards indicate a 90 degree parking angle requiring a space width of 9'-0", space length of 19'-0", one-way aisle width of 24'-0" and two-way aisle width of 24'-0".

The proposed Cedar Links development intends to maintain the required space width of 9'-0", while requesting a reduction for:

a) **space length from 19'-0" to 18'-0"**
b) **parking aisle width from 24'-0" to 20'-0"**
c) **radii increased to 28'-0" to maintain appropriate fire truck access. See sheet C2 for Emergency Vehicle Access Simulation Diagrams**
d) **increased one-way drive widths from 12'-0" to 14'-0".**

10.716A Multiple-Family Dwelling, Special Development Standards, Applicability

10.716A.A The requirements of Sections 10.717 through 10.719 shall apply to all multiple-family dwellings consisting of three or more attached dwelling units.

Understood. See requirements and their descriptions below.

10.716A.B Unless otherwise specified, any applicant that affirmatively elects to deviate from these requirements shall be subject to the subjective standards provided for in MLDC Section 10.719.

Understood. See requirements and their descriptions below.

[Added Sec. 4, Ord. No. 2018-100, Sept. 6, 2018.]

10.717 Multiple-Family Dwellings, Special Development Standards

10.717.A Building Orientation and Entrances.

(1) Buildings shall be oriented to public streets and public street intersections.

The proposed project orients the buildings along the public streets and public intersections.

(2) Buildings located at intersections shall incorporate a corner building entrance.

The proposed project includes building located at intersections that include a corner building entrance in each condition.

(3) For buildings located within 30 feet of a street, the main entrance(s) of ground floor units must face the street frontage. Main entrances may provide access to individual units, clusters of units, courtyard dwellings, or common lobbies. Deviations from this standard are allowed as follows:

The proposed project includes building entrances located within 30 feet of a street.

Buildings 'A'– the ground floor includes main entrances along the street frontages. Additional entrances are located along the interior street frontages.

Building 'B' – the primary entrances are located along the interior street frontages, along with an open community plaza space (exterior lobby) that can be accessed from either the public street or interior street frontages.

Building 'C' - the primary entrance for this multi-unit building is located along an open community plaza space (exterior lobby) that can be accessed from either the public street or interior street frontages.

Building 'D' - the primary entrance for this multi-unit building is located along an open community plaza space (exterior lobby) that can be accessed from either the public street or interior street frontages. The entries can be seen from the interior street frontages. Building 'D2' includes a secondary entrance is located along the interior street frontages.

(3.a) On corner lots the main building entrance(s) may face either of the streets or be oriented to the corner.

The proposed project meets this criterion. See Buildings 'A2' and Building 'B' description above. Entrances are located along street frontages.

(3.b) For buildings with more than one entrance serving multiple units, only one entrance must meet this standard.

The proposed project meets this criterion. See Buildings 'B', 'C', and 'D' for the primary entrances located along an open community plaza space (exterior lobby). Building 'D2' includes a secondary entrance is located along the interior street frontages.

(3.c) For buildings proposed to be perpendicular to public streets due to access requirements and/or dimensional constraints not created by the applicant, main entries may face up to 90 degrees away from the street provided both of the following apply:

Not applicable.

(3.c.i) They are visible from the street.

Not applicable.

(3.c.ii) The building side facing the street shall contain windows occupying a minimum of 15% of the overall facade length.

Not applicable.

10.717.B Building Mass and Facade.

(1) Outside of the Central Business Overlay District, residential buildings located within 30 feet of a street shall be limited in length to 150 feet, and any other residential buildings on the site shall be limited in length to 200 feet. There is no maximum building length within the Central Business Overlay District.

The proposed project meets this criterion. The proposed project intends to have all buildings less than 150 feet in length, excluding Building 'A' – whose length is approximately 190 feet and sits on the corner of Cedar Links Drive and Farmington Avenue. The total length of Building 'A' is significantly broken down by introducing pedestrian passageways that vary between 26 feet and 57 feet in width.

(2) On buildings greater than three stories in height, all facades shall be divided into three elements (base, middle, and top) and visibly articulated to define each element.

Not Applicable. The proposed project height does not exceed three floors.

(2.a) The building base consists of the lowermost floor or two floors. The building top consists of the uppermost floor or two floors. The building middle consists of the remainder of the facade between the base and the top.

Not Applicable. The proposed project height does not exceed three floors.

(2.b) The building base, middle, and top shall each be differentiated through horizontal articulation and/or a discernible change in materials.

Not Applicable. The proposed project height does not exceed three floors.

(3) Street-facing facades shall contain windows covering a minimum of 15% of the façade length on each floor level.

The proposed project meets this criterion. Each street facing façade exceeds the minimum of 15% for window covering per floor. Exterior elevations indicate window area per floor – see Sheet A5-0.

10.717.C Building Articulation

(1) In order to preclude long expanses of uninterrupted wall surfaces, exterior elevations of buildings shall incorporate design features such as off-sets, projections, balconies, bays, windows, entries, porches, porticos, or similar elements. Rear and/or side elevations that are only visible from the interior of the site are not subject to these articulation requirements.

The proposed project meets this criterion – See items (1.a) and (1.b).

(1.a) Horizontal surface: at least two of the design features outlined above shall be incorporated along the horizontal face of the building, to be repeated at intervals of no more than 40 feet.

The proposed project meets this criterion. The façade articulation integrates multiple strategies to ensure the horizontal face of the building is active and welcoming. A mix of windows, porches, balconies, and wall offsets provide a depth and richness to the façade.

(1.b) Vertical surface: at least two of the design features outlined above shall be incorporated along the vertical face of the building, to be repeated at intervals of no more than 30 feet.

The proposed project meets this criterion. The façade articulation integrates multiple strategies to ensure the vertical face of the building is active and welcoming. A mix of windows, porches, balconies, building openings, and wall offsets provide a depth and richness to the façade. The façade is broken up by a strong vertical element that highlights the architectural aesthetics for the "Modern Farmhouse".

(2) When off-sets and projections are used to fulfill articulation requirements, they shall vary from other wall surfaces by a minimum of 2 feet, and such changes in plane shall have a minimum width of 6 feet.

The proposed project meets this criterion. The façade articulation that utilizes the strategies of off-sets and projects meets the minimum offset of 2 feet with a change of plane minimum width of 6 feet.

(3) Individual and common entries shall be articulated by roofs, awnings, or porticos that are a minimum of 6 feet wide and 4 feet deep.

The proposed project meets this criterion. Entries include canopies that are at minimum 6 feet wide and 4 feet deep.

(4) Windows shall be inset a minimum of 3 inches from the adjacent wall plane, or fully surrounded by trim in order to create the necessary minimum inset depth of 3 inches.

The proposed project meets this criterion. The windows will be fully surrounded by trim that creates the minimum inset depth required of 3 inches.

10.717.D Building Materials

(1) The following primary building materials shall be utilized on a minimum of 65% of the street-facing facade:

The proposed project meets this criterion. 100% of all building material meet the "primary" building material palette selections indicated within sections (1.a) through (1.h).

(1.a) Brick;

Not applicable. Material is not used.

(1.b) Stone

Not applicable. Material is not used.

(1.c) Stucco;

(1.d) Flat metal composite panels;

Not applicable. Material is not used.

(1.e) Wood siding and wood simulation materials;

The proposed project meets this criterion. The primary building material, linear siding, will either be painted wood siding or painted wood simulation materials. The shingled material will either be painted wood siding or painted wood simulation materials.

(1.f) Fiber reinforced cement siding or panels;

Not applicable. Material is not used.

(1.g) Ceramic tile; and

Not applicable. Material is not used.

(1.h) Transparent glass.

The proposed project meets this criterion. All glass will be transparent glass.

(2) The following building materials shall not be allowed on more than 35% of each individual facade:

Not applicable. Only allowable "primary" building materials called out in Section 10.717.D.1

(2.a) Corrugated metal;

Not applicable. Material is not used.

(2.b) Plain or split-faced concrete block;

Not applicable. Material is not used.

(2.c) Plain concrete; and

Not applicable. Material is not used.

(2.d) Spandrel glass.

Not applicable. Material is not used.

(3) Vertical changes in wall cladding materials shall take place on inside corners. Horizontal changes in wall cladding materials shall take place at cornices, belt courses, and other such horizontal elements.

The proposed project meets this criterion. Vertical wall cladding material changes occur at inside corners or other vertical projections. Horizontal cladding material changes do not occur in this project.

(4) The following building materials are prohibited:

(4.a) Vinyl siding; and

Not applicable. Material is not used.

(4.b) Plywood siding (e.g. T1-11).

Not applicable. Material is not used.

(5) Fencing materials shall be durable, maintainable, and attractive. The following fencing materials are prohibited:

(5.a) Plastic or vinyl fencing; and

Not applicable. Material is not used.

(b) Chain link fencing.

Not applicable. Material is not used.

10.717.E Roof Forms

(1) All sloped roofs shall have a minimum 4:12 pitch.

The proposed project intends for all major roofs to maintain a minimum roof slope of 4:12, with the exception of dormers, whose slopes are 2:12. This lower slope allows for the architectural aesthetics of the "Modern Farmhouse".

(2) All sloped roofs shall have eaves projecting a minimum of 12 inches from the building wall.

The proposed project meets this criterion. All sloped roofs have eaves projecting a minimum of 12 inches from the building wall.

(3) All roofs with a slope of less than 4:12 pitch shall be articulated by a parapet wall projecting a minimum of 12 inches above the roof line, or be architecturally treated such as with a decorative cornice.

The proposed project intends for all major roofs to maintain a minimum roof slope of 4:12, with the exception of dormers, whose slopes are 2:12. This lower slope allows for the architectural aesthetics of the "Modern Farmhouse". The dormer will also be functional and introduce additional light into the interior of the building.

10.717.F Vehicle Circulation and Parking.

(1) In order to strengthen the presence of buildings on the street, no parking spaces shall be located within any required front yard area, and no automobile circulation or parking areas shall be located between buildings and the street. Any proposed deviation from this standard shall be subject to a request for an Exception as outlined in Section 10.186.

The proposed project meets this criterion. No parking spaces are located between the front yard area and the "public" street frontages of Cedar Links Drive, Farmington Avenue, and the Private Roadway.

[Added Sec. 5, Ord. No. 2018-100, Sept. 6. 2018.]

10.718 Optional Adjustment of Special Development Standards, Purpose

The purpose of this section is to create a mechanism for an applicant to seek approval of innovative and/or unconventional residential designs that may not precisely satisfy the clear and objective design standards set forth in Sections 10.715A through 10.717(E). This section is not meant to supersede the clear and objective standards set forth above unless an applicant affirmatively elects to request review under this section.

Understood.

[Added Sec. 6, Ord. No. 2018-100, Sept. 6, 2018.]

10.719 Optional Adjustment of Special Development Standards, Review Criteria

A. Notwithstanding Sections 10.715A through 10.717, if an applicant affirmatively elects to request review (in writing) under this section, the Site Plan and Architectural Commission may approve a site plan and architectural review application for a multiple-family dwelling development if it can find that the proposed development conforms, or can be made to conform through the imposition of conditions, with the following criteria:

(a) The requested adjustment will allow the project to achieve an equivalent or higher quality design than would otherwise result through strict adherence to the standards, through architectural massing, features or details to distinguish elements of the building; vibrant facades with visual detail; and enhanced public and private spaces that contribute positively to the site, streetscape, and adjoining properties; and

Understood.

(b) The requested adjustment will allow the project to achieve an equivalent or higher quality design than would otherwise result through strict adherence to the standards through an overall site design that promotes safety, security, and privacy, and reduces visual, noise, and lighting impacts of the development on adjacent properties.

Understood.

B. Denial of the application. If the Site Plan and Architectural Commission finds that an application for residential development reviewed under this section does not satisfy the conditions of 10.719A, the Site Plan and Architectural Commission shall also review the application as set forth in Sections 10.715A through 10.717. If the application does not satisfy the requirements of Sections 10.715A through 10.717 either, the Site Plan and Architectural Commission shall make such findings on the record.

Understood.

[Added Sec. 7, Ord. No. 2018-100, Sept. 6, 2018.]

10.198.A.1 Revision or Termination of a PUD - Applicant for Revision; Filing Materials; Procedures

Item #1 - An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department.
Criteria met – All information is provided on approved PUD Plan Forms provided by the Planning Department.

Item #2 - The application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.

Criteria met – project exceeds the required signatures of the owners who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owners of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion the PUD:

CODE LANGUAGE CLARIFICATION:
The code language referenced above clearly states that the signature requirement is for land owners who are BOTH majority land area AND majority land value owners of the vacant portion of the PUD. The utilization of the phrasing "...and who are also..." indicates that referenced owners are to meet the criteria of both land area and land value. As such, the submitted signature document exceeds the required 50% criteria for the owners of both vacant land area and vacant land value.

RESPONSE TO:

PLANNED UNIT DEVELOPMENT: PRELIMINARY PLAN TYPE III FORM; APPROVAL CRITERIA FOR PRELIMINARY PUD PLAN: SECTION 10.190(D)

(PAGES 7 AND 8 OF APPLICATION FORM)

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

(1) The proposed PUD:

(1.a) preserves an important natural feature of the land; or

(1.b) includes a mixture of residential and commercial land uses; or

(1.c) includes a mixture of housing types in residential areas; or

(1.d) includes open space, common areas, or other elements intended for common use or ownership; or

(1.e) is otherwise required by the Medford Land Development Code.

The proposed project meets these criteria. Please reference the attached Administrative Minor Development Review Narrative.

(2) The proposed PUD complies with the applicable requirements of this Code, or

(2.a) the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and

(2.b) the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and

(2.c) the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

The proposed project meets these criteria. Please reference the attached Administrative Minor Development Review Narrative.

(3) The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:

(3.a) Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.

(3.b) Public Facilities Strategy pursuant to ORS 197.768 as amended.

(3.c) Limited Service Area adopted as part of the Medford Comprehensive Plan.

This item is not applicable. The proposed project does not vary from the previously approved PUD submittal.

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

This item is not applicable. The proposed project does not vary from the previously approved PUD submittal.

(5) If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either:

(5.a) Demands for the Category "A" public facilities listed below are equivalent to or

less than for one or more permitted uses listed for the underlying zone, or

(5.b) By the time of development the property can be supplied with the following

Category "A" public facilities in sufficient condition and capacity to support

development of the proposed use:

(5.b.i) Public sanitary sewerage collection and treatment facilities.

(5.b.ii) Public domestic water distribution and treatment facilities.

(5.b.iii) Storm drainage facilities.

(5.b.iv) Public streets.

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

This item is not applicable. No special uses that vary from the previously approved PUD submittal.

(6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.

This item is not applicable. No special uses that vary from the previously approved PUD submittal.

(7) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.

This item is not applicable. No division of land proposed. Does not vary from previously approved PUD.

RECEIVED
AUG 13 2019
PLANNING DEPT.

TABLE OF CONTENTS

On June 12, 2019, Koble Creative submitted drawings for Cedar Links PUD to be reviewed as an Administrative Minor Development Review. In response to comments that were generated from The City of Medford, the following items were added/ revised to the previously submitted drawings.

- Increased vehicle parking stalls: See attached Parking Count Summary and Revised Site Plan Sheet A02.
- Clarify building height increase from code allowable: See attached Building Height Narrative.
- Clarify commercial square footage increase from original PUD approval: See attached Commercial Area Increase Narrative.
- Increased turning radii per Fire Marshall review comments: See dimensions on Sheet A02.
- Modify Building B, C and D building heights to clarify 30'-0" to top of roofing material: See dimensions on Sheet A5-0.
- Adjust Building A footprint to address Utility Easement: See Site Plan Sheet A02.
- Add required setback dimensions to Site Plan: See revised Site Plan Sheet A02.
- Clarify Lot Coverage: See Site Density Data on Sheet A02

CITY OF MEDFORD
EXHIBIT # F
File # PUD-19-002

Parking Count Summary

- Increased vehicle parking stalls as described below.

  The previous design dated May 06, 2019 had 227 parking stalls. The total required parking stalls for this project are **233** stalls (per Medford Municipal Code Section 10.743-1), based on the proposed unit count and total commercial area. The current design now provides **240** vehicle parking stalls, as shown on Site Plan Sheet A02.

  The multi-family requirements are 1.5/dwelling. 120 dwellings x 1.5 = **180**.

  The commercial component requirements are 4/1,000. 13,214/1000(4) = **53** stalls.

  Breakdown for the provided 240 parking stalls.

  7 ACCESSIBLE STALLS. (per Medford Municipal Code Section 10.746.8.a)

  157 STANDARD STALLS. (sized per Medford Municipal Code Section 10.746.16)

  47 COMPACT STALLS. 20% of total required stalls (sized per Medford Municipal Code Section 10.746.17)

  12 MOTORCYCLE STALLS. 5% of total required stalls (sized per Medford Municipal Code Section 10.743.5)

  17 PARALLEL STALLS located on Private Road

Building Height Narrative

Based upon initial discussions with City staff, and our review of the prior PUD approvals, building heights were shown to meet the prior approved height of 40' maximum. Below is a description of the building heights by use type, included in our proposal, along with a summary of the benefits for this design proposal and associated building heights.

Koble Creative modified the site plan layout from that which was previously approved, in order to provide a positive aesthetic by locating vehicle parking and circulation areas primarily behind the buildings within the central portion of the site, and to orient the buildings and primary public entrances along the adjacent street frontages. These overall building orientation decisions provide a

more active and safer pedestrian corridor along the site perimeter and adjacent streets, as well as increase commercial visibility and viability, helping to assure consistent and long-term commercial tenants serving the local community.

In addition to the key site improvements noted above, the commercial space was combined with a portion of the residential units to provide a mixed-use building at the primary intersection of Cedar Links Drive and Farmington Avenue. This mixed-use approach to co-locating the commercial space together with the residential units above has a number of key benefits to both the site and the local community.

1. The mixed-use approach allows for the commercial space to better blend and integrate architecturally with the surrounding residential development, both within the multi-family development and within the broader residential neighborhood. Locating the commercial space on the ground floor with residential units above allows for the building rooflines, dormers, and finish materials, to match those of the other residential-only structures creating a more coherent and consistent architecture throughout. The architectural style, materials, and blend with the existing surrounding neighborhood is further described within our original PUD Revision submittal materials.
2. Locating the commercial area below a portion of the residential units, allows for minimizing the building coverage as a whole on the site. This provides for a more efficient use of the site area allowing for meeting parking requirements, including extensive public pedestrian corridors along both Cedar Links and Farmington Avenue, and for including the large community room and pool onsite.

Building heights for the mixed-use and residential-only structures range from 36'-5" and 37'-8" for the residential-only buildings, to 40' for the mixed-use building located at the primary street intersection. The following decision factors were used in determining the heights, along with the noted key benefits to allowing the additional height beyond the base code.

- All structures were located to allow for the least direct impact to surrounding single family sites. The taller mixed-use building is located directly adjacent to the primary street intersection, where the largest Right of Way dimensions occur in each direction to create increased building separation and reduced impact to neighboring residential properties.

- The residential-only buildings located primarily along the unnamed private street vary only 1'-5" and 2'-8" from the code allowed height.
- The only directly adjacent properties to the site are to the west, and the building area along that frontage was specifically minimized, and an increased setback was provided to aid in reducing the impact to those adjacent properties. This increased setback of 17'-1" (58% increase over the minimum 12'-0" allowed), together with our proposed building height was reviewed and approved by that property owner, after meeting and discussing the proposed plan together with that owner.
- Allowing for this small increase in building height also allows for the following benefits to the project design, buildings, and amenities:
    - The increase in building height allows for steeper pitched roof forms to aid in blending with the surrounding single-family architectural designs.
    - The building height allows for greater flexibility in use of the commercial space, to allow for a multitude of commercial options including office, retail, restaurant, small grocery, coffee shop, etc.
    - The height allows for ample residential ceiling heights, at a minimum of 9'-0" to provide high quality units fitting of the neighborhood and readily leasable, along with the larger/taller window units as shown which aid in providing extensive natural light and an elevated marketability.
    - The building height to width proportionality is appropriate at the proposed heights and further aids in blending with the surrounding neighborhood designs and proportions.
    - The perceived heights of the buildings are further reduced through the use of extensive feature gables and shed dormers. These elements breakdown the rooflines to reduce the perceived mass of the overall buildings. Additional modulation of the primary building walls and exterior decks also assists in reducing the perceived building mass and height.

Commercial Area Increase Narrative

Based upon initial discussions with City staff, and our review of the prior PUD approvals, commercial lease space square footage was kept to within the prior approved area of 15,750SF maximum. Prior to that more recent PUD revision, the commercial area had originally been limited to 10,500SF max. We are requesting an increase to the original commercial area of 10,500SF, to allow for

up to 13,214SF of commercial lease space. This requested area has been demonstrated to meet the PUD traffic study parameters, as per traffic memorandum included in Revision Submitted materials submitted On June 12, 2019.

With the decrease in square footage from the prior PUD revision, along with the increase in parking counts to meet City of Medford minimum requirements, the proposed design improves upon both the traffic impacts and the parking counts, and greatly minimizes the associated impacts to the neighboring community.

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC
319 Eastwood Drive - Medford, Or. 97504 – Phone (541) 941-4148 – Email: Kim parducci@gmail.com

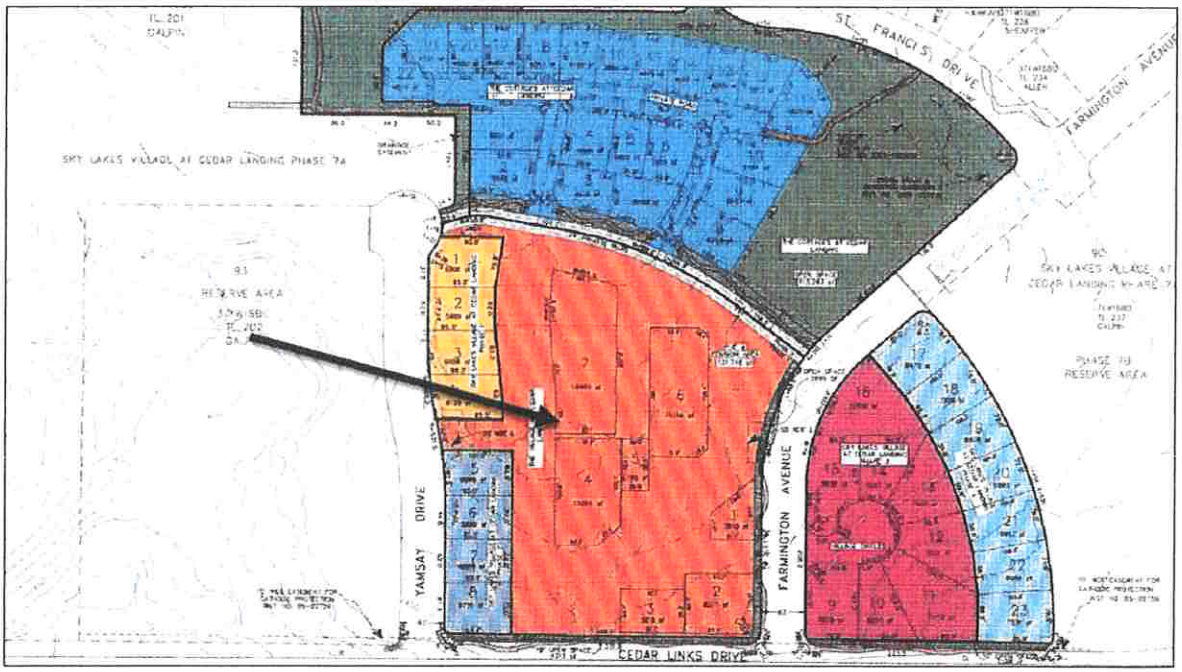
July 2, 2019

Karl MacNair, Transportation Manager
City of Medford
Public Works/Engineering Division
200 South Ivy Street, Lausmann Annex
Medford, Oregon 97501

RE: The Village Cedar Landing PUD Minor Revision Traffic Analysis

Dear Karl,

Southern Oregon Transportation Engineering, LLC was retained by Koble Creative Architecture to provide transportation findings for a proposed Planned Unit Development (PUD) Minor Revision on a portion of "The Village" area of Cedar Landing PUD. See orange area below.



A previous PUD revision (PUD-16-024) was approved in July of 2016 by the Planning Commission that modified the area under consideration and approved it for:

- 15,750 square feet (SF) of commercial, and
- 100 multi-family residential (MFR) units

The proposed PUD Minor Revision decreases the previous PUD square footage of commercial and increases the number of MFR dwellings. The result is:

- 13,214 square feet (SF) of commercial, and
- 120 multi-family residential (MFR) units

CITY OF MEDFORD
EXHIBIT # G
File # PUD-19-002

Trip generations for the previous PUD 16-024 and the proposed PUD Minor Revision were prepared utilizing the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition. Trips were generated using ITE land use 820 – Shopping Center for the commercial element and 221 – Multifamily (Mid-Rise) for the apartments. Land use 221 was used for the apartments because the proposed site includes three stories, which fall under the mid-rise category. A summary and comparison of both scenarios is provided in Table 1 for the p.m. peak hour. ITE graphs are provided in the attachments.

Table 1 – ITE Trip Generations

Land Use	Unit	Size	PM Rate	PM Peak Hour		
				Total	(In)	(Out)
Previous PUD-16-024						
820 – Shopping Center	1000 SF	15.750	Fitted Curve[1]	138	66	72
221 – Multifamily (Mid-Rise)	Dwelling Unit	100	0.44	44	27	17
Pass-by 25%[2]				-34	-17	-17
Primary Trips				**148**	**76**	**72**
Proposed PUD Minor Revision						
820 – Shopping Center	1000 SF	13.214	Fitted Curve[1]	122	59	63
221 – Multifamily (Mid-Rise)	Dwelling Unit	120	0.44	53	32	21
Pass-by 25%[2]				-30	-15	-15
Primary Trips				**145**	**76**	**69**
Net Reduction				**-3**	**(0)**	**(-3)**

Notes:

1. Fitted Curve Equation: Ln(T) = 0.74 Ln(x) + 2.89 for ITE Shopping Center Land Use
2. Pass-by based on City of Medford 25% limit

As shown in Table 1, the proposed PUD Minor Revision results in a net reduction of 3 p.m. peak hour trips to the transportation system. It is our conclusion that the proposed PUD Minor Revision can be approved based on these traffic findings. If you have any questions or concerns please feel free to contact me.

Sincerely,

Kimberly Parducci PE, PTOE
SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC

Attachments: ITE Plots, PUD maps

Cc: Client

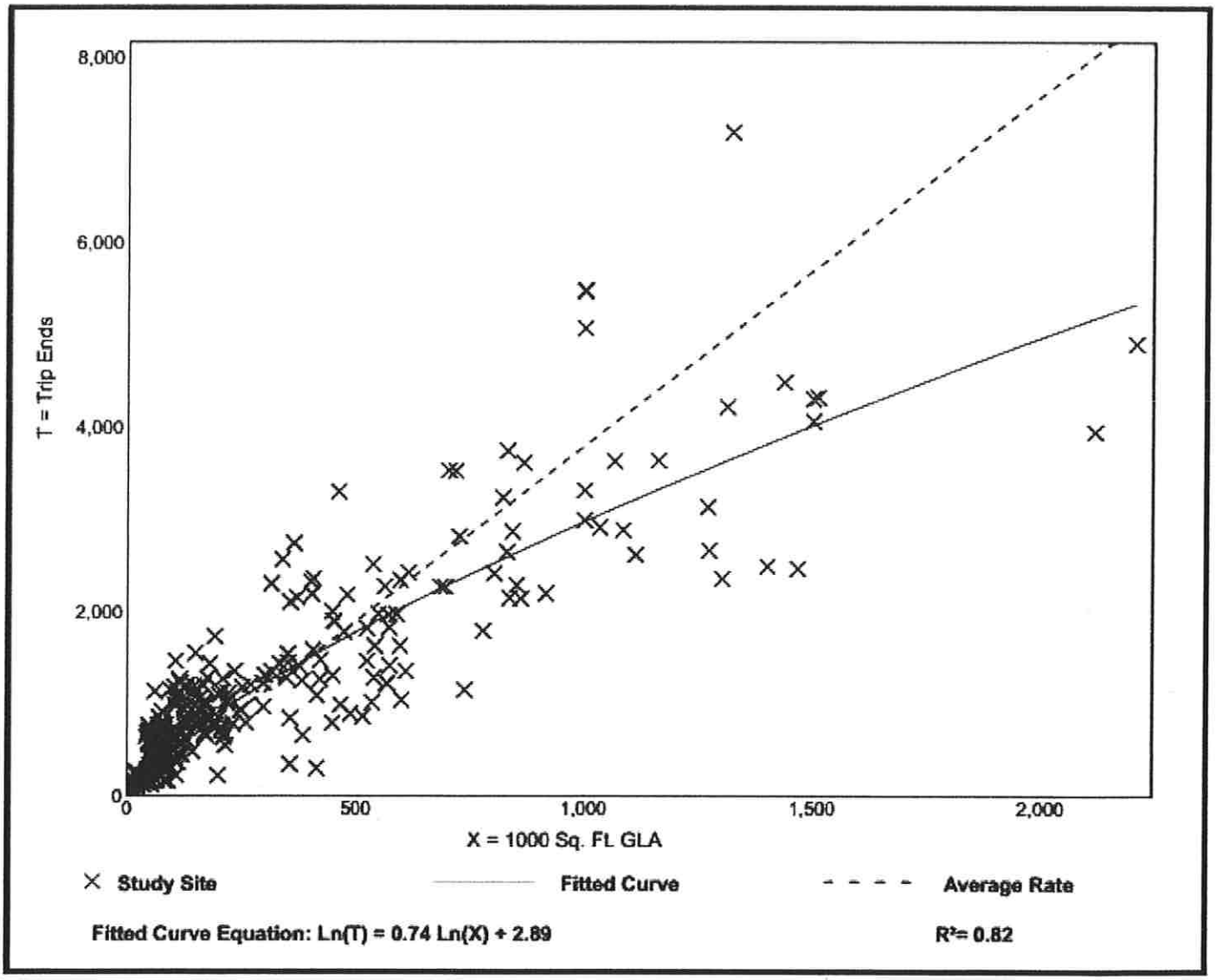
Shopping Center
(820)

Vehicle Trip Ends vs:	**1000 Sq. Ft. GLA**
On a:	**Weekday,**
	Peak Hour of Adjacent Street Traffic,
	One Hour Between 4 and 6 p.m.
Setting/Location:	**General Urban/Suburban**
Number of Studies:	261
1000 Sq. Ft. GLA:	327
Directional Distribution:	48% entering, 52% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
3.81	0.74 - 18.69	2.04

Data Plot and Equation



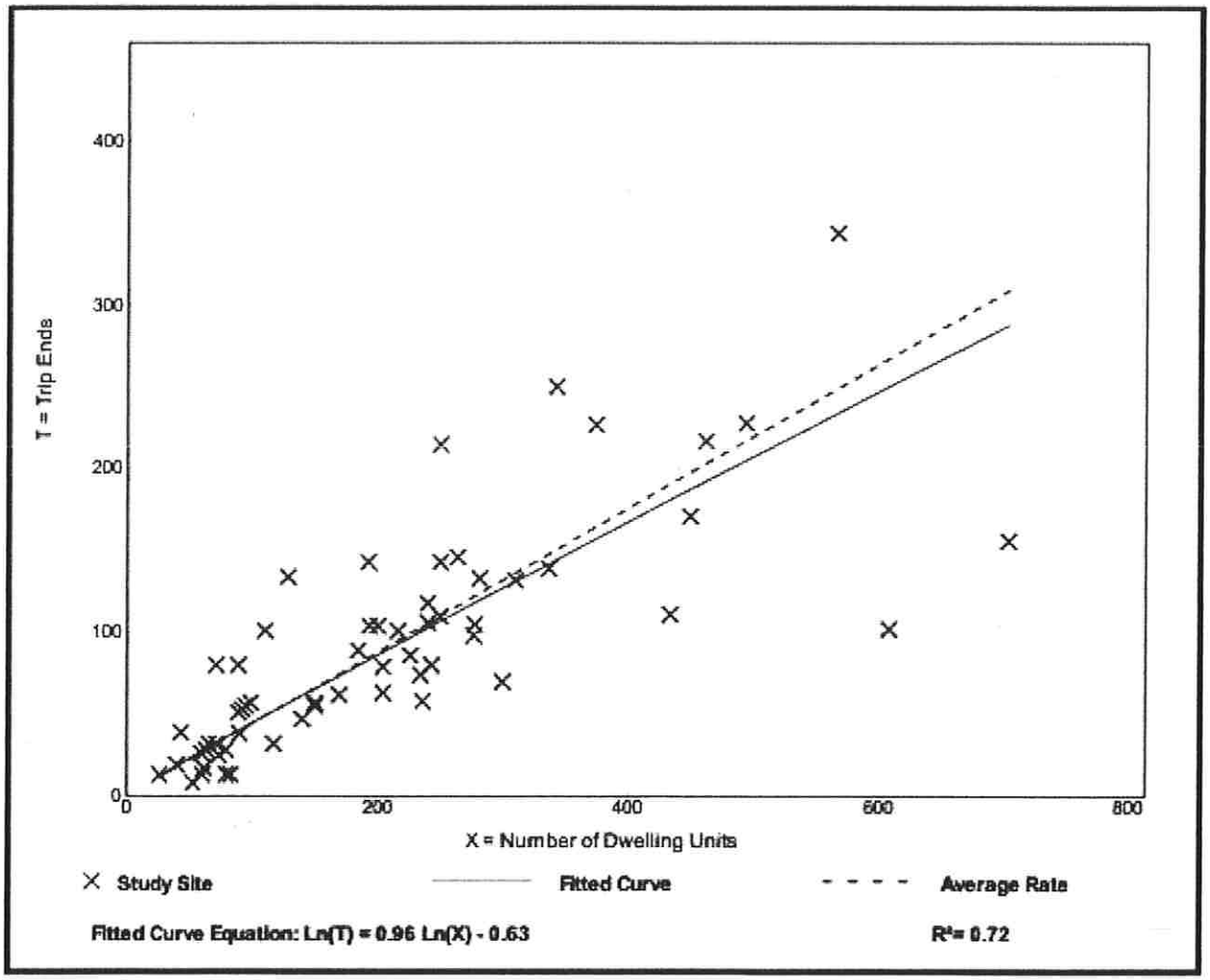
Multifamily Housing (Mid-Rise)
(221)

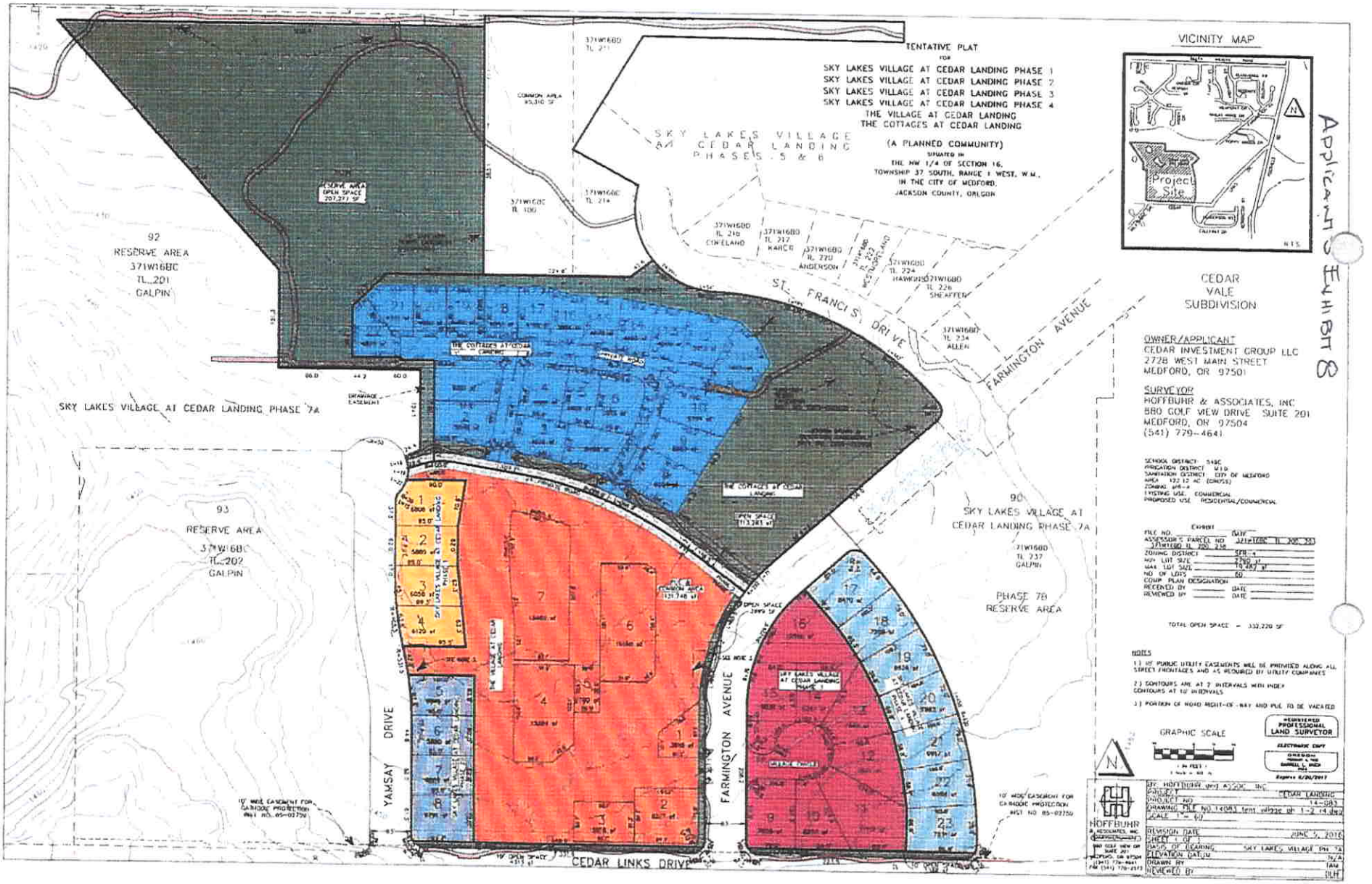
Vehicle Trip Ends vs: **Dwelling Units**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 60
Avg. Num. of Dwelling Units: 208
Directional Distribution: 61% entering, 39% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.44	0.15 - 1.11	0.19

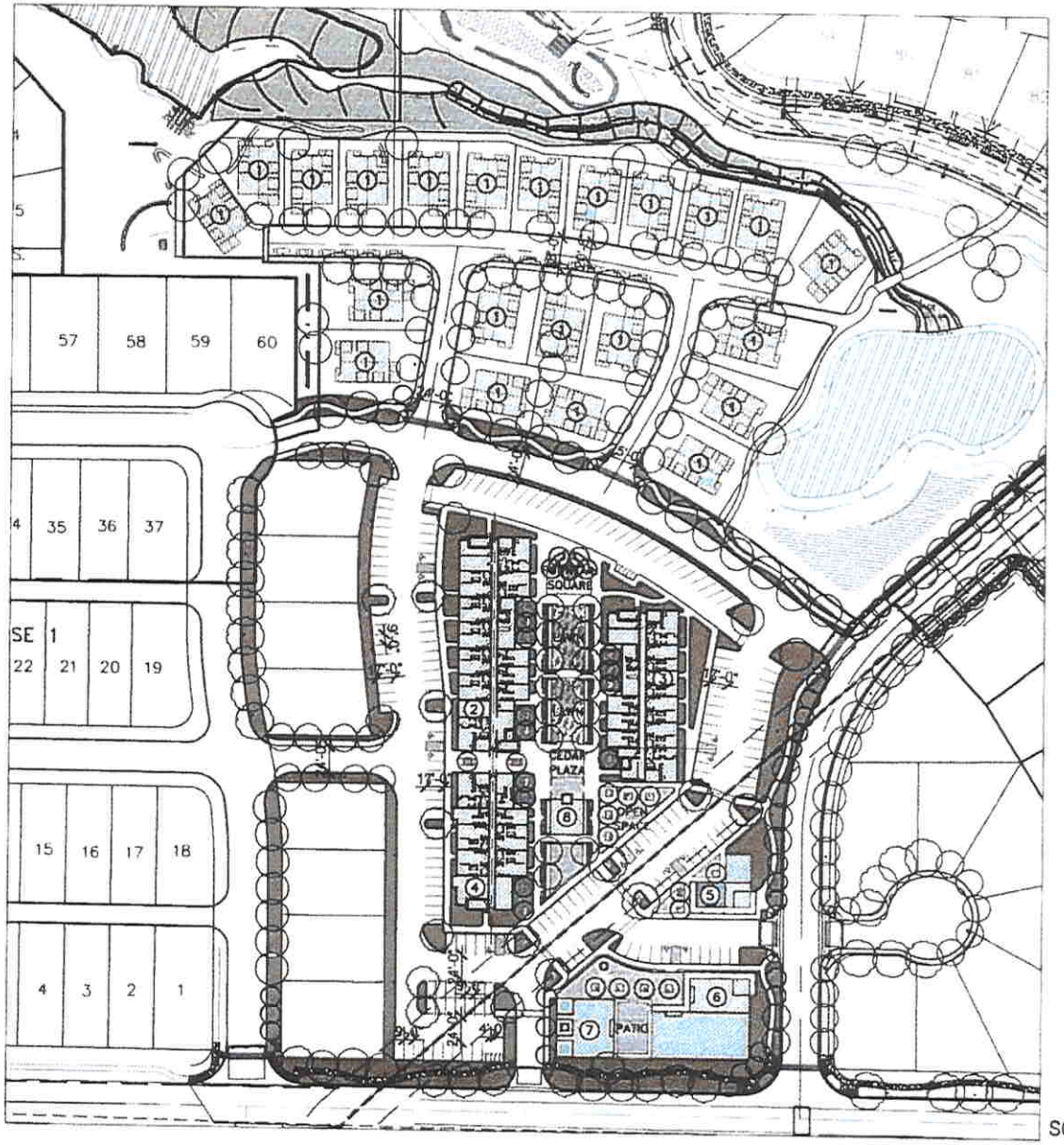
Data Plot and Equation





Applicant's Exhibit 8

Applicant's Exhibit 11



SCALE: 1" = 100'

DETAIL PLAN FOR *THE COTTAGES* AND *THE VILLAGE*

KEY NOTES:
1 SFD (22 UNITS TOTAL)
2 30 - 40 MFD/CONDOMINIUM UNITS - 35700 SF
3 24 - 32 MFD/CONDOMINIUM UNITS - 28200 SF
4 21 - 28 MFD/CONDOMINIUM UNITS - 22800 SF
5 1,700 SF NC/CSP
6 5,600 SF NC/CSP
7 2,900 SF NC/CSP
8 1,000 SF COMMUNITY BUILDING
9 300 SF STORAGE

PROGRAM SUMMARY
1 PROVIDED PARKING
199 SPACES

2 UNIT COUNT & SQUARE FOOTAGE STIPULATION
(COMBINATION OF UNITS AND COMMERCIAL NOT TO EXCEED DEMAND FOR 199 SPACES AT FOLLOWING RATES)
MULTI-FAMILY PARKING RATE: 1.4 SPACES PER UNIT
NC/CSP COMMERCIAL RATE: 4.5 SPACES PER 1,000 SF
NC/CSP COMMERCIAL FOR COFFEE SHOP, RESTAURANT OR BAKERY TYPE USE: 9 SPACES PER 1,000 SF

3 MFD/CONDOMINIIUM: MIN 75 - MAX 100 UNITS
MIN. PARKING SPACES AT 1.4 SPACE PER UNIT: 75 X 1.4 = 105 SPACES;
MIN. PARKING SPACES AT 1.4 SPACE PER UNIT: 100 X 1.4 = 140 SPACES

4 COMMERCIAL: MIN 8,000 - MAX 21,000
EXAMPLE MIX OF COMMERCIAL PARKING RATIOS
8,000 SF AT 4.5 PER 1K: (8 * 4.5 = 36;)
21,000 SF AT 4.5 PER 1K: (21 * 4.5 = 108)
8,800 SF AT 4.5 + 1,700 AT 9.0: (8.8 * 4.5) + (1.7 X 9.0)= 55

TOTAL UNITS
SFD: 22 UNITS
MFD: 75 - 100
TOTAL 97 - 122 UNITS

1 / SITE PLAN

SITE

SITE DENSITY 21% 40%

PARKING + AMENITIES

227 199

BUILDING

OVERALL BUILDING AREA

3,285 SF

13,214 SF 15,750 SF

122,328 SF

UNIT INFO 120 100

BLDG. HEIGHT MAX. 40' 40'

LEGEND

RESIDENTIAL

COMMERCIAL

/kōblə/CREATIVE

CEDAR LINKS

MEDFORD, OREGON

ARCHITECTURAL SITE PLAN

MINOR REVIEW SUBMITTAL

MAY 06, 2019

A02

MEDFORD
PUBLIC WORKS

LD DATE: 7/24/2019
Revised Date; 7/29/2019
File Number: PUD-19-002

PUBLIC WORKS DEPARTMENT STAFF REPORT

Cedar Landing PUD – Revision *(The Village)*

Project: Consideration of a request for a revision to "The Village" area of Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to 120, vehicular parking standards, and eliminating the previously approved single family & congregate care uses.

Location: Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 2.5 to 4 dwelling units per gross acre / Planned Development) zoning district.

Applicant: Applicant & Agent, Koble Creative Architecture; Planner, Steffen Roennfeldt.

Applicability: The Medford Public Works Department's conditions of Preliminary Plan Approval for Cedar Landing PUD were adopted by Order of the Medford Planning Commission on April 27, 2006 (PUD-05-035). The approval for Cedar Landing PUD received a minor amendment on July 14, 2008 through a De minimis revision by the Planning Director. A portion of the PUD was terminated by the Planning Commission on April 14, 2011. A revision to the PUD was approved on February 27, 2014 (PUD-13-119) and included name changes, phase re-numbering, and lot reconfiguration. Sky Lakes Village Subdivision Phases 7A and 7B were approved by the Planning Commission on February 27th, 2014 (LDS-13-121). An exception for reduced right-of-way along the northerly section of Cedar Links Drive was approved on February 12, 2015 (E-14-059). Cedar Landing PUD on the north side of Cedar Links Drive was amended and approved by the Planning Commission on April 23, 2015 (PUD-14-136, LDS-14-137, and LDS-14-138). Cedar Landing PUD on the south side of Cedar Links Drive was amended and approved by the Planning Commission on June 11th, 2015 (PUD 15-043 and LDS-15-044). Cedar Landing PUD on the north side of Cedar Links Drive was amended and approved by the Planning Commission on July 28th, 2016 (PUD-16-024, LDS-16-025, LDS-16-026 and LDS-16-027). The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.

NOTE: **The items listed here shall be completed and accepted prior to the respective issuances of permits and certificates:**

Prior to issue of the first building permit, the following items shall be completed and accepted:

- Submittal and approval of plans for site grading and drainage, and detention, if applicable.
- Completion of all public improvements, if required. The Applicant may provide security for 120% of the improvements prior to issuance of building permits. Construction plans for the improvements shall be approved by the Public Works Engineering Division prior to acceptance of security.
- Items A – D, unless noted otherwise.

Prior to issue of Certificate-of-Occupancy for completed structures, the following items shall be completed and accepted:

- Paving of all on-site parking and vehicle maneuvering areas
- Certification by the design Engineer that the stormwater quality and detention system was constructed per the approved plan, if applicable.
- Completion of all public improvements, if applicable.

A. STREETS

1. Dedications

Cedar Links Drive is an existing City street, which lies along the southerly boundary of this portion of Cedar Landing PUD, which is north of Cedar Links Drive. It is classified as a Major Collector street, which has a required total right-of-way width of 74 feet, or 37 feet on each side of the centerline along the frontage of the proposed Development. The necessary right-of-way was previously dedicated as part of the final plat for *"Sky Lakes Village at Cedar Landing, Phase 7A"*. **No other right-of-way is needed with this Development.**

Farmington Avenue is classified as Standard Residential Street with a right-of-way width of 63 feet in accordance with MLDC Section 10.430. The full width of right-of-way was previously dedicated as part of the final plat for *"Sky Lakes Village at Cedar Landing, Phase 7A and 7B"*. **No other right-of-way is needed with this Development.**

Yamsay Drive is proposed as a Standard Residential Street with a right-of-way width of 63 feet in accordance with MLDC Section 10.430. The full width of right-of-way

was previously dedicated as part of the final plat for *"Sky Lakes Village at Cedar Landing, Phase 7A"*. **No other right-of-way is needed with this Development.**

"Private Road" north of the proposed development, shall be private. A shared access easement will be required for public use of this road.

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

Streets, as shown on the Tentative Plat, in which any portion terminates to a boundary line of the Development shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee simple, as a non-access reserve strip to the City of Medford. Upon approved dedication of the extension of said streets, the one-foot reserve strip shall automatically be dedicated to the public use as part of said street without any further action by the City of Medford (MLDC 10.439).

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

Cedar Links Drive has been improved to full width Major Collector street standards in accordance with MLDC 10.428. **No additional improvements are required.**

Farmington Avenue has been improved to full width Standard Residential Street standards in accordance with MLDC 10.430. **No additional improvements are required, except for a 5-foot sidewalk with an 8-foot planter strip.**

Yamsay Drive shall be improved to Standard Residential Street standards in accordance with MLDC 10.430. The Developer shall improve the east half plus 12 feet west of the centerline, or to the far edge of the existing pavement, whichever is greater, along the frontage of this development.

"Private Road" north of the proposed development, shall be privately maintained and constructed in accordance with applicable Building and Medford Municipal Codes. Improvements shall be made along the frontage of this development.

b. Street Lights and Signing

The Developer shall provide and install in compliance with Section 10.495(B) of the Medford Municipal Code (MMC), Non-Standard and Private Street Lighting and Pedestrian Scale Street Lighting.

Cedar Links Drive and Farmington Avenue have existing street lighting that shall be maintained and protected. Pedestrian Light #6765 on the west side of Farmington Avenue appears to be in the way of the proposed driveway entrance into the development just south of the Private Road. The developer shall relocate this street light or move the driveway to avoid the conflict. If the street light is relocated then a public improvement plan shall be required.

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 in the public right-of-way. 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. **Any private streets shall have signs indicating they are private and all signs on private streets shall be installed and maintained by the development.**

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

c. Pavement Moratoriums

There is a pavement cutting moratorium currently in effect along this frontage to Cedar Links Drive, which is set to expire March 12th, 2022. There is no pavement cutting

moratorium in effect along Farmington Avenue.

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

d. Soils Report

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

e. Access and Circulation

A Transportation Impact Analysis (TIA) is not required. The applicant has submitted a letter dated July 2, 2019, titled *"The Village Cedar Landing PUD Minor Revision Traffic Analysis"* showing that the proposed changes result in a net reduction of 3 PM peak hour trips when compared to the previous approval.

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.

Cedar Links Drive, Farmington Avenue & Yamsay Drive:

Local street right-of-way and construction requirements identified by the Public Works Department and required by the City are the minimum required to protect the public interest and are necessary for additional or densification of development in the City without detracting from the common good enjoyed by existing properties. Developments are required to provide all internal local streets and half-street improvements to abutting streets, including associated right-of-way dedications, to ensure that new development and density intensification provides the current level of urban services and adequate street circulation is maintained.

Dedication of the Public Utility Easement (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

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

C. STORM DRAINAGE

1. Drainage Plan

A comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first building permit application for approval.

The Developer shall provide copies of either a Joint Use Maintenance Agreement or a private stormdrain easement for any stormwater draining onto or from adjacent private property.

A Site/Utility Plan shall be submitted with the building permit application to show the location of existing or proposed stormdrain lateral/s for the site.

All private storm drain lines shall be located outside of the public right-of-way and/or any public utility easements (PUE).

2. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed development will be submitted with the 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.

3. Detention and Water Quality

Stormwater quality and detention facilities shall be required in accordance with MLDC Section 10.481 and 10.729.

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

4. Verification

Upon completion of the project, and prior to certificate of occupancy of the building, the Developer's design Engineer shall verify that the construction of the stormwater quality and detention system was constructed per plan. Verification shall be in writing and submitted to the Engineering Division of Public Works. Reference Rogue Valley Stormwater Quality Design Manual, Appendix I, Technical Requirements.

5. Wetlands

The Developer shall contact the Division of State Lands for the approval or clearance of the subject property with regards to wetlands and/or waterways.

6. Erosion Prevention and Sediment Control

All development that disturbs 5,000 square feet or greater shall require an Erosion Prevention and Sediment Control Plan. Developments that disturb one acre and greater shall require a 1200C permit from the Department of Environmental Quality (DEQ). Erosion Prevention and Sediment Control Plans shall be submitted to the Building Department with the project plans for development. All disturbed areas shall be covered with vegetation or properly stabilized prior to certificate of occupancy.

D. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to approval of the final plat.

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

All public improvements shall be constructed in accordance with the "Engineering Design Standards for Public Improvements", adopted by the Medford City Council. Copies of this document are available in the Public Works Engineering office.

2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional Engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the governing Commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (http://www.ci.medford.or.us/Page.asp?NavID=3103). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

3. Construction and Inspection

The Developer or Developer's contractor shall obtain appropriate right-of-way permits from the Department of Public Works prior to commencing any work within the public right-of-way that is not included within the scope of work described within approved public improvement plans.

Contractors proposing to do work on public streets (including street lights), sewers, or storm drains shall 'prequalify' with the Engineering Division prior to starting work. Contractors shall work off a set of public improvement drawings that have been approved

by the City of Medford Engineering Division. Any work within the County right-of-way shall require a separately issued permit from the County.

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

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

4. Site Improvements

All on-site parking and vehicle maneuvering areas related to this development shall be paved in accordance with MLDC, Section 10.746, prior to issuance of certificate of occupancy for any structures on the site. Curbs shall be constructed around the perimeter of all parking and maneuvering areas that are adjacent to landscaping or unpaved areas related to this site. Curbs may be deleted or curb cuts provided wherever pavement drains to a water quality facility.

5. System Development Charges (SDC)

Buildings in this development are subject to system development charges (SDCs). All SDC fees shall be paid at the time individual building permits are issued.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs
Revised by: Jodi K Cope

SUMMARY CONDITIONS OF APPROVAL

Cedar Landing PUD – Revision *(The Village)* PUD-19-002

A. Streets

1. Street Dedications to the Public:
   - All previously approved conditions within PUD-16-024, LDS-16-025, LDS-16-026, and LDS-16-027 shall remain in full effect.
   - **Cedar Links Drive, Farmington Ave, Yamsay Drive** – No additional right-of-way dedication is required.
   - Dedicate Public Access Easement for **"Private Road"** to the north of the development, unless it is to become public.
   - Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- All previously approved conditions within PUD-16-024, LDS-16-025, LDS-16-026, and LDS-16-027 shall remain in full effect.
- **Cedar Links Drive** – No additional improvements are required.
- **Farmington Ave** – No additional improvements, aside from 5-foot sidewalk with 8-foot planter strip.
- Construct **Yamsay Drive** to Standard Residential street standards.
- Construct **"Private Road"** to Building and Medford Municipal Codes standards.

Lighting and Signing

- All previously approved conditions within PUD-16-024, LDS-16-025, LDS-16-026, and LDS-16-027 shall remain in full effect.
- The Developer shall provide and install in compliance with Section 10.495(B) of the MLDC. See all comments above.

Access and Circulation

- A Transportation Impact Analysis (TIA) is not required.

Other

- **There is a pavement moratorium currently in effect along this frontage to Cedar Links Drive, set to expire 3/12/22.**
- No pavement moratorium currently in effect along this frontage to Farmington Avenue or Yamsay Drive.
- Provide pavement moratorium letters.
- Provide soils report.

B. Sanitary Sewer:

- Ensure or construct separate individual sanitary sewer connection.
- Cap remaining unused laterals at the main.

C. Storm Drainage:

- Provide a comprehensive grading and drainage plan.
- Provide water quality and detention facilities, calculations and O&M Manual.
- Provide engineers verification of stormwater facility construction.
- Provide DSL signoff.
- Provide copy of an approved Erosion Control Permit (1200C) from DEQ for this project.

- = City Code Requirement
- = Discretionary recommendations/comments

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

MEDFORD WATER COMMISSION

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: PUD-19-002

PARCEL ID: 371W16BD TL 238 & 371W16BC TL 203

PROJECT: Consideration of a request for a revision to 'the Village' area of Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to 120, vehicular parking standards, and eliminating the previously approved single family & congregate care uses. Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 2.5 to 4 dwelling units per gross acre / Planned Development) zoning district. Applicant & Agent, Koble Creative Architecture; Planner, Steffen Roennfeldt.

DATE: July 24, 2019

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."

2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.

3. Installation of "on-site" 8-inch water lines will be required. Applicants Civil Engineer shall coordinate with MWC engineering staff for approved water facility layout. All water lines are required to be "looped" to eliminate "dead-end" water lines.

4. The installation of a Medford Water Commission required "Auto-Flusher" will be required to be installed at any "dead-end" water line.

5. Dedication of a 10-foot wide (minimum) "Access and Maintenance Easement" to MWC over all water facilities located outside of the public right-of-way is required. Easement shall be submitted to MWC for review and recordation prior to construction.

6. 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.

I
PUD-19-002

7. Proposed landscape trees located within the existing MWC 50-foot wide water transmission main easement are required to be ten feet (10-ft) from the outside of the existing 24-inch welded steel transmission to the fully mature tree "drip line".

8. Applicant shall coordinate with Medford Fire Department for proposed Fire Hydrant locations. Proposed fire hydrant locations shall also be approved my Medford Water Commission.

COMMENTS

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

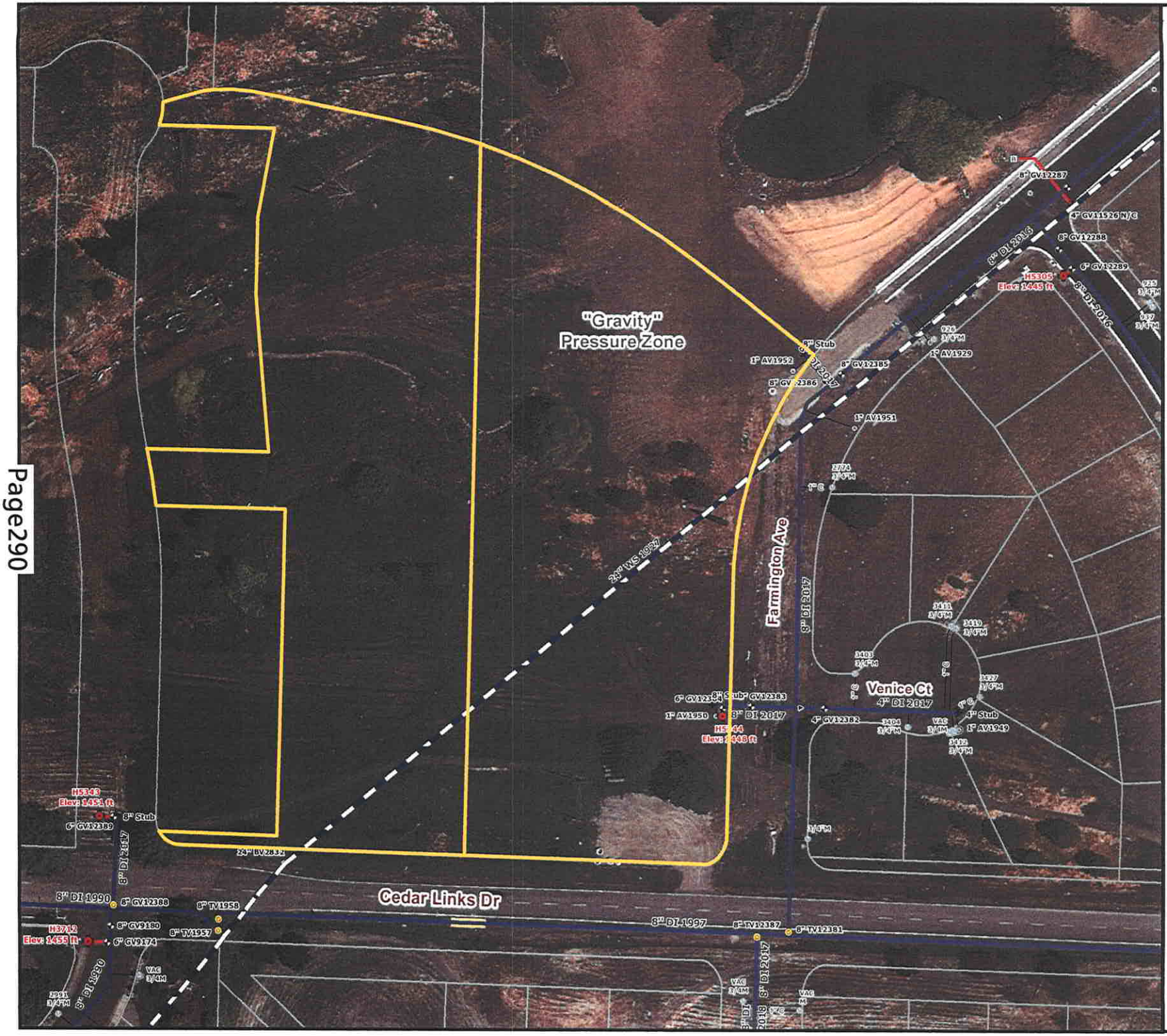
2. On-site water facility construction is required. (See Condition 3 and 4 above)

3. MWC-metered water service does not exist to this property.

4. Access to MWC water lines is available. There is an existing 8-inch water line on the east side of Farmington Avenue, and also on the south side of Cedar Links Drive. There is also an existing 8-inch water line in Wilkshire Drive that extends approximately 75-feet across Cedar Links Drive to the north (There is an existing Hydrant at the north end of this line). There is an existing 8-inch water main and "stub" in the Farmington Avenue right-of-way that extends to the west right-of-way line of Farmington Avenue (There is an existing Fire Hydrant at the end of this water line).

5. There is also the existing 24-inch welded steel BBS Transmission Line No. 1, which is located within an existing 50' wide easement. This 24-inch water line is required to be protected in place. Extreme care shall be taken when working around the 24-inch Big Butte Springs Line. There will be no connections allowed off the BBS #2 24-inch water transmission main.

6. Average static water pressure is expected to be 60 psi.



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0 25 50 100 Feet

Scale: 1"= 100'

Water Faciity Map
City of Medford
Planning Application:
PUD-19-002

July 24, 2019

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

MEDFORD WATER COMMISSION

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 7/15/2019
Meeting Date: 7/25/2019

LD File #: PUD19002

Planner: Steffen Roennfeldt

Applicant: Koble Creative Architecture

Project Location: North and south side of Cedar Links Drive, west of Foothill Road

ProjectDescription: Consideration of a request for a revision to 'the Village' area of Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to 120, vehicular parking standards, and eliminating the previously approved single family & congregate care uses. Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 2.5 to 4 dwelling units per gross acre / Planned Development) zoning district.

Specific Development Requirements for Access & Water Supply

Reference	Comments	Conditions Description
OFC 508.5	The fire hydrant locations are approved as submitted on the plans.	Fire hydrants with reflectors will be required for this project. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site. Plans and specifications for fire hydrant system shall be submitted to Medford Fire-Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).
OFC 903.3.7	Fire department connection (FDC) to fire hydrant proximity requirement.	Additional hydrants may be required to comply with the requirement of proximity to fire department connections (for fire sprinkler and standpipe systems, the fire department connection shall be located at an approved location away from the building and within 75' of a fire hydrant. The fire department connection shall be located on the same side as the fire department access route.).
OFC 503.2.1	Fire apparatus road design standards. Note: Our fire lane minimum turning radius requirements in the parking lot areas are not met. We require a minimum 25' inside turning radius and a minimum 35' outside turning radius with a consistent 20' lane width.	Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under section 503.2.1, shall be maintained at all times. The fire apparatus access road shall be constructed as asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 60,000 pounds. (See also OFC 503.4; D102.1) The turning radius on fire department access roads shall meet Medford Fire Department requirements (OFC 503.2.4).

EXHIBIT # 8
File # PUD-19-002

OFC D105	Currently, the plans do not meet aerial apparatus access requirements for Building C and may not meet requirements for Buildings D1 and D2. Any building where the lowest roof surface height at the eave is greater than 30' above the grade plane requires aerial apparatus access roads along one entire side of the building. The requirements must be designed into the project.	SECTION D105-AERIAL FIRE APPARATUS ACCESS ROADS D105.1 Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater. D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof. D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official. D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.
OFC 503.5	Parking shall be posted as prohibited in areas where the public road is used to meet aerial apparatus access requirements.	Where parking is prohibited on public roads for fire department vehicle access purposes, NO PARKING signs shall be spaced at minimum 50' intervals along the fire lane (minimum 75' intervals in 1 & 2 family residential areas) and at fire department designated turn-around areas. The signs shall have red letters on a white background stating "NO PARKING". Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12). Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1). This restriction shall be recorded on the property deed as a requirement for future construction. Contact Public Works Transportation Manager Karl MacNair 541-774-2115 for further information.

OFC 503.4	Parking shall be posted as prohibited along the fire lanes and the north side of the private road.	Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1). Where parking is prohibited for fire department vehicle access purposes, NO PARKING-FIRE LANE signs shall be spaced at minimum 50' intervals along the fire lane (minimum 75' intervals in 1 & 2 family residential areas) and at fire department designated turn-around's. The signs shall have red letters on a white background stating "NO PARKING-FIRE LANE" (See handout). For privately owned properties, posting/marking of fire lanes may be accomplished by any of the following alternatives to the above requirement (consult with the Fire Department for the best option): Alternative #1: Curbs shall be painted red along the entire distance of the fire department access. Minimum 4" white letters stating "NO PARKING-FIRE LANE" shall be stenciled on the curb at 25-foot intervals. Alternative #2: Asphalt shall be striped yellow or red along the entire distance of the fire department access. The stripes shall be at least 6" wide, be a minimum 24" apart, be placed at a minimum 30-60 degree angle to the perimeter stripes, and run parallel to each other. Letters stating "NO PARKING-FIRE LANE" shall be stenciled on the asphalt at 25-foot intervals. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12). This restriction shall be recorded on the property deed as a requirement for future construction. A brochure is available on our website at: http://www.ci.medford.or.us/Files/Fire%20Lane%20Brochure.pdf

Construction General Information/Requirements

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

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

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

Memo

To: Steffen Roennfeldt, Planner, Planning Department

From: Chad Wiltrout, Building Department (541) 774-2363

CC: Koble Creative Architecture, Applicant and Agent

Date: July 17, 2019

Re: July 24, 2019 LDC Meeting: PUD-19-002; Cedar Links-Commercial & Multi Family

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Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2014 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

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

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

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.

2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.

3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.

4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

Comments:

5. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code.

6. The building and building appurtenances shall be designed by an Oregon licensed design professional in accordance with 107.1 and 107.3.4 OSSC.

7. A code analysis providing occupant load, means of egress plan, type of construction, occupancy classification, occupant load, fire protection systems per chapter 9 OSSC, etc... will be required.

CITY OF MEDFORD
K
PUD-19-002

8. A geotechnical engineer shall provide a design for soils at building locations pursuant to 1803 of the Oregon Structural Specialty Code.

9. Special inspections may be required per chapter 17 of the 2014 Oregon Structural Specialty Code.
10. Com-check forms are required for lighting, mechanical equipment and exterior envelope to show energy efficiency compliance with the 2014 Oregon Energy Efficiency Specialty Code.
11. Fire Separation distance requirements per Tables 602 and 705.8 of the OSSC.
12. Provide Fire Protection Systems per Chapter 9 of the OSSC and the 2014 Oregon Fire Code.
13. Provide Accessible Route per Section 1104.4 Multilevel buildings and facilities.

JACKSON COUNTY
Roads

Roads
Engineering

Chuck DeJanvier
Construction Engineer

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

www.jacksoncounty.org

July 16, 2019

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

RE: Consideration for a minor revision to Cedar Landing PUD
off Cedar Links Drive– a city maintained road
and west of Foothill Road-a county maintained road
Planning File: PUD-19-002

Dear Steffen:

Thank you for the opportunity to comment on the consideration of a request for a revision to 'the village' area of the Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to 120, vehicular parking standards, and eliminating the previously approved single family & congregate care uses. Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within a Single-Family Residential, 2.5 to 4 dwelling units per gross acre / Planned Development (SFR-4/PD) zoning district. Jackson County Roads has the following comments:

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 this section of Foothill Road. Jackson County Roads recommends that the city request road jurisdiction.

2. We require that the applicant prepare a traffic study that addresses impacts at the intersection of Cedar Links Drive and Foothill Road. The study should recommend mitigation if necessary and be reviewed and approved by Jackson County Roads.

3. We would like to comment on any of future and new development proposals on Foothill Road.

4. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.

CITY OF MEDFORD
PUD-19-002

5. Future construction plans shall be submitted to Jackson County Roads, so we may determine if county permits will be required.

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

Sincerely,

Chuck DeJanvier, PE
Construction Engineer

Steffen K. Roennfeldt

From: Charles DeJanvier <DeJanvCA@jacksoncounty.org>
Sent: Monday, August 5, 2019 7:03 AM
To: 'Kim Parducci'
Cc: Karl H. MacNair; Steffen K. Roennfeldt
Subject: RE: Re: Cedar Links PUD

<EXTERNAL EMAIL>

Thanks Kim,

This condition has been met.

Chuck

From: Kim Parducci [mailto:kim.parducci@gmail.com]
Sent: Friday, August 2, 2019 3:34 PM
To: Charles DeJanvier <DeJanvCA@jacksoncounty.org>
Cc: Karl H. MacNair <Karl.MacNair@cityofmedford.org>; Steffen K. Roennfeldt <Steffen.Roennfeldt@cityofmedford.org>
Subject: EXT: Re: Cedar Links PUD

Hi Charles,

Our assessment showed an overall decrease in trips from the subject property so it would also mean a decrease in trips at the intersection you reference. We did not assume different trip distributions than the original TIA so based on that, fewer trips would be shown to/from the east. Hope this helps. Let me know if you have any further questions.

Thank you.

Kim
--

KIMBERLY PARDUCCI, PE PTOE

SOUTHERN OREGON TRANSPORTATION ENGINEERING

Medford, Oregon 97504 | (541) 941-4148 Cell

Kim.parducci@gmail.com | Oregon DBE/WBE/ESB Certified: No. 5726

On Fri, Aug 2, 2019 at 2:45 PM Charles DeJanvier <DeJanvCA@jacksoncounty.org> wrote:

Hi Karl/Kim,

CITY OF MEDFORD
EXHIBIT M
FILE # PUD-19-002

Based on what I have received, I would like a comment from Kim that the reduction is also at the intersection. I do not have the original study which shows trips East to Foothill vs trips west into town. Kim, just a reply from you will satisfy this condition.

Thanks

Chuck

From: Karl H. MacNair [mailto:Karl.MacNair@cityofmedford.org]
Sent: Thursday, August 1, 2019 2:27 PM
To: Charles DeJanvier <DeJanvCA@jacksoncounty.org>
Cc: Steffen K. Roennfeldt <Steffen.Roennfeldt@cityofmedford.org>
Subject: EXT: Cedar Links PUD

Hi Chuck,

Per my voicemail, attached is a letter showing that the current proposal will produce less trips than the previous approval. Considering this, we don't think asking for a TIA is appropriate. Please consider if the county still wants to request a TIA given this new information and let us know.

Thank you,

Karl H. MacNair, PE | *Transportation Manager*

City of Medford, Oregon | Public Works

Engineering & Development Division

200 S. Ivy St., Medford, OR 97501

Ph: 541-774-2115

Website | Facebook | Twitter

--

KIMBERLY PARDUCCI, PE PTOE

SOUTHERNOREGON TRANSPORTATION ENGINEERING

Medford, Oregon 97504 | (541) 941-4148 Cell

Kim.parducci@gmail.com | Oregon DBE/WBE/ESB Certified: No. 5726

Steffen K. Roennfeldt

From: Amber Judd <JuddAJ@jacksoncounty.org>
Sent: Wednesday, July 24, 2019 9:09 AM
To: Steffen K. Roennfeldt
Subject: File No. PUD-19-002 Project Name: Minor Revision to Cedar Landing PUD

<EXTERNAL EMAIL>

Steffen,

The Airport requests an Avigation, Noise and Hazard Easement be a requirement of this project. In addition, due to the proximity to the Airport, the applicant needs to contact the FAA regarding filing a 7460-1 Notice of Proposed Construction or Alteration. The FAA contact is: Paul Holmquist, phone (206) 231-2990.

I have inserted some information below from the FAA's website:

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference CFR Title 14 Part 77.9.

You must file with the FAA at least 45 days prior to construction if:

- Your structure will exceed 200 ft above ground level
- Your structure will be in proximity to an airport and will exceed the slope ratio
- Your structure involves construction of a traverseway (i.e. highway, railroad, waterway, etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- Your structure will emit frequencies, and does not meet the conditions of the FAA Co-location Policy
- Your structure will be in an instrument approach area and might exceed part 77 Subpart C
- Your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- Your structure will be on an airport or heliport
- Filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the Air Traffic Areas of Responsibility map for Off Airport construction, or contact the FAA Airport Region/District Office for On Airport construction.

Results

You exceed the following Notice Criteria:

Your proposed structure is in proximity to a navigation facility and may impact the assurance of navigation signal reception. The FAA, in accordance with 77.9, requests that you file.

77.9(b) by 53 ft. The nearest airport is MFR, and the nearest runway is 14LF/32RF.

The FAA requests that you file.

Thank you,

CITY OF MEDFORD
EXHIBIT # N
File # PUD-19-002

Amber Judd

Deputy Director-Administration
Rogue Valley International-Medford Airport (MFR)

JACKSON COUNTY

1000 Terminal Loop Parkway, Suite 201
Medford, Oregon 97504
541-776-7222

Steffen K. Roennfeldt

From: Laura E Street <Laura.E.Street@state.or.us>
Sent: Monday, July 22, 2019 11:15 AM
To: Steffen K. Roennfeldt
Subject: ODFW comments for Cedar Landing PUD

<EXTERNAL EMAIL>

File Number PUD-19-002
ODFW comments for Minor Revision to Cedar Landing

ODFW would like to remind the applicant of the Department of State Lands Fill and Removal Permit (57084) associated with draining the wetlands at this site. The applicant is to contact ODFW if any western pond turtles are discovered on this site during construction. Also, the applicant is required to construct a mitigation wetland of .96 palustrine forested wetland within the development site as part of their DSL permit.

Cheers

Laura Street
Assistant District Fisheries Biologist
Rogue Watershed District
1495 E Gregory Road
Central Point, OR 97502
541-826-8774 x 224

CITY OF MEDFORD
EXHIBIT # O
File # PUD-19-002

Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN# *

WN2019-0376

Responsible Jurisdiction

Staff Contact	Jurisdiction Type	Municipality
Steffen Roennfeldt	City	Medford

Local case file #	County
PUD-19-002	Jackson

Activity Location

Township	Range	Section	QQ section	Tax Lot(s)
37S	01W	16	BC	203

Street Address
0 Yamsay Dr
Address Line 2
City
Medford
State / Province / Region
OR
Postal / Zip Code
97504
Country
Jackson

Latitude	Longitude
42.353658	-122.83103

Township	Range	Section	QQ section	Tax Lot(s)
37S	01W	16	BD	238

Street Address
Address Line 2
City
State / Province / Region
Postal / Zip Code
Country

Latitude	Longitude
42.353658	-122.83103

Wetland/Waterway/Other Water Features

CITY OF MEDFORD
EXHIBIT # P
File # PUD. 19-002

☑ There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

☑ The National Wetlands Inventory shows wetland, waterway or other water features on the property

☑ Local Wetlands Inventory shows wetland, waterway or other water features on the property

☑ The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

Your Activity

☑ It appears that the proposed project **may** impact wetlands and **may** require a State permit.

Applicable Oregon Removal-Fill Permit Requirement(s)

☑ A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

Closing Information

Additional Comments

These 2 tax lots are within a wetland delineation (WD2014-0455) that is valid until April 20, 2020. The removal and fill was completed, and mitigation and monitoring are still pending as of July 2017. Therefore, a delineation is not required, but you should work with Lauren Brown, DSL Resource Coordinator, going forward to assure the terms of removal-fill authorization 57084 are carried through. Lauren can be reached at 503-986-5218.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf

Response Date

7/30/2019

Response by:

Lynne McAllister

Response Phone:

503-986-5300

RECEIVED
JUN 14 2019
PLANNING DEPT

TRAFFIC IMPACT ANALYSIS FORM

C. This section to be filled out by the applicant.

Map and Tax Lot(s): 0 YAMSAY DR / 371W16BC203 + 0 FARMINGTON AVE / 371W16BD238

Acreage: 4.8

Current Zoning District: CEDAR LINKS PUD - NO ZONE CHANGE 100 MFR / 15,750 SF OF COMMERCIAL

Proposed Zoning District: CEDAR LINKS PUD - NO ZONE CHANGE 120 MFR / 13,214 SF OF COMMERCIAL

D. This section shall be filled out and signed by a representative from the Public Works Department – Traffic Section **prior** to submittal of this **Zone Change** application.

Based upon the information above:

- ☒ A Traffic Impact Analysis is not required.
- ☐ A Traffic Impact Analysis is required.
- ☐ Insufficient information to determine if Traffic Impact Analysis is required.

Peter T Mackprang
Printed Name

Pat J Mackprang 7-3-2019
Signature

Assoc Traffic Engineer
Title

E. If Traffic Impact Analysis is required, two (2) copies shall be submitted to the Public Works Department – Traffic Section prior to or upon submittal of this **Zone Change** application, and this section shall be filled out and signed by a representative from the Traffic Section.

☐ A Traffic Impact Analysis is required and has been submitted to the Public Works – Traffic Section.

Printed Name

Signature

Title

CITY OF MEDFORD
EXHIBIT # Q
FILE # PUD-19-002

koble creative, architecture llc

February 19, 2019

Cedar Links PUD Administrative Minor Development Review
Neighborhood Notice

re: Neighborhood Meeting for Proposed Revisions to the Cedar Landing Planned Unit Development (PUD)

Dear Neighbor,

On behalf of Cedar Links Apartment LLC, a neighborhood meeting regarding proposed revisions to the Cedar Landing PUD is to be held at the **Rogue Valley Country Club, Ballroom, located at 2660 Hillcrest Rd, Medford, Or, 97504, on Wednesday, March 13th at 5:30pm.**

The proposed revisions to this 4.85 acres site seek to modify the area previously dedicated to Mixed-Use Commercial and Residential structures located within the previous Cedar Links Golf Course.

The proposed development includes a blend of Mixed-Use and Multi-family structures that is composed of four buildings on the site with surface parking. The basic massing of each building helps anchor the project to Cedar Links Drive, Farmington Ave and to the proposed residential lane along the site's northern property line. Landscaping with meandering pedestrian walk-ways create a natural buffer between the adjacent local roads and this proposed project. The site also provides several beautiful opportunities that serve the residents of the multi-family complex; including private plazas, a water feature, a swimming pool with patio, and an off-leash dog park.

Detailed plans of the proposal will be available for review at the Neighborhood meeting.

Regards,

Architect / Partner

koble creative

CITY OF MEDFORD
R
PUD-19-002

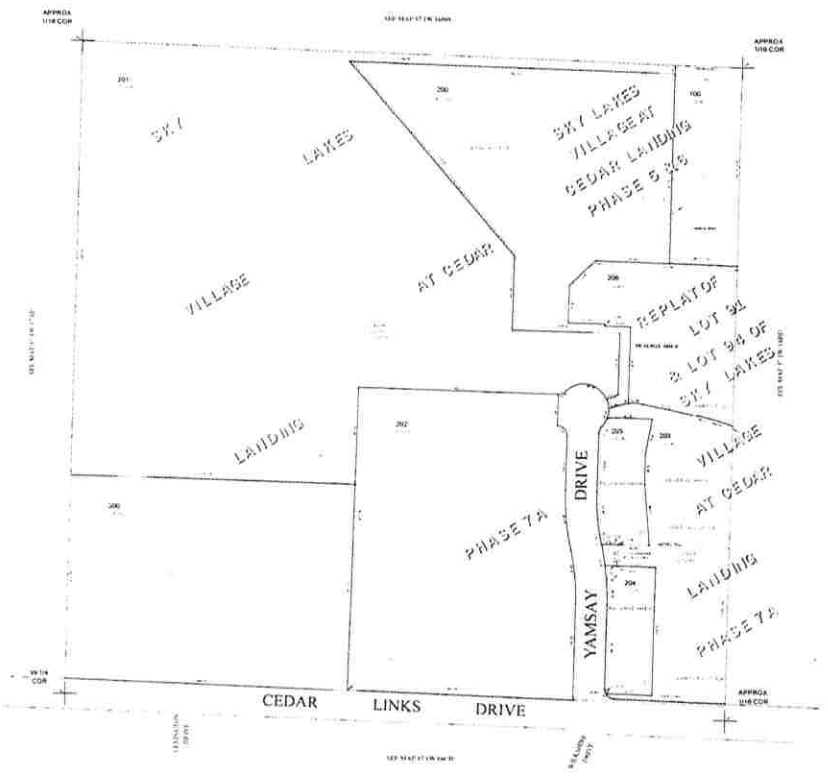
S.E.1/4 N.W.1/4 SEC.16 T.37S. R.1W. W.M.
JACKSON COUNTY

371W16BD
MEDFORD

371W16BD
MEDFORD

S.W.1/4 N.W.1/4 SEC.16 T.37S. R.1W. W.M.
JACKSON COUNTY

371W16BC
MEDFORD



371W16BC
MEDFORD

PLANNED UNIT DEVELOPMENT: PRELIMINARY PLAN – Type III

NEIGHBORHOOD MEETING CERTIFICATE OF MAILING FORM

TERRY AMUNDSON

I, Ashlee Turner, the property owner (or authorized agent) of Tax Lot(s) 37-1W-16BD-238 37-1W-16BC-205 of Jackson County Assessor Map _____, acknowledge that I have read Medford *Land Development Code* Section 10.194(C), which specifies the mailing requirements for PUD Neighborhood Meetings.

I further attest that on Feb. 20th, 2019, in accordance with Section 10.194(C), the required notifications to affected property owners were placed in the U.S. mail.

A copy of the mailing labels containing the names and addresses of affected property owners has been attached to this acknowledgement.

Signed: _____ _____

Print Name: Ashlee Turner TERRY AMUNDSON

I am the ☐ Property Owner ☒ Authorized Agent ☒ AUTHORIZED AGENT

Dated: 02.20.19

PostalAnnex+ #338
503 284 6092
503 284 6110 fax

Your neighborhood owned and operated
Copy/Print/Pack/Ship Center
FedEx & UPS

Metered Mail 81 @ 0.75	60.75
SUBTOTAL	60.75
TAX	0.00
TOTAL	60.75
TEND Visa	60.75

Total shipments: 0
Customer: None selected

02/20/2019
#732621 02:39 PM
Workstation: 0 Master Workstation
CCTran# 6de58c67 bf45 11f4 b616 689b0cc6a935

371W16CD4400
CARR DEBORAH L
3143 SYCAMORE WAY
MEDFORD, OR 97504

371W16CA1300
CASEBIER CAROL SYBIL TRUSTE
1051 CALLAWAY DR
MEDFORD, OR 97504

371W16BB8500
CASEBIER DANIEL G/KELLY L
2863 BANNER CT
MEDFORD, OR 97504

371W16CA2900
CASH EJ SR TRUSTEE ET AL
1060 CALLAWAY DR
MEDFORD, OR 97504

371W17AD11000
CASH JULIE
2965 ROSEWOOD ST
MEDFORD, OR 97504

371W16CB200
CASTRO LUIS A ET AL
3120 CEDAR LINKS DR
MEDFORD, OR 97504

371W16CA2700
CATE LYNDLE K/DEBRA A
1040 CALLAWAY DR
MEDFORD, OR 97504

371W16BD246
CATHCART CLAYTON C/MARIELLA
937 CALLAWAY DR
MEDFORD, OR 97504

371W16BB12800
CHADD MIHOKO J
2856 BAILEY AVE
MEDFORD, OR 97504

371W16CB13000
CHAMBERLAIN STEPHEN H
2798 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16CA1800
CHARLTON KURT L/CHRISTIE A
3315 HENDERSON WAY
MEDFORD, OR 97504

371W16BD243
CHAVEZ ANTONIO AND SARA CHA
959 ST FRANCIS DR
MEDFORD, OR 97504

371W16CA2800
CLAASSEN JEREMY D ET AL
1050 CALLAWAY DR
MEDFORD, OR 97504

371W16BD213
CLARIDGE REX C AND SUSAN Y
501 ST AUGUSTINE DR
MEDFORD, OR 97504

371W16CA2231
CLARK RANDALL
1595 LILLIAN ST
MEDFORD, OR 97501

371W16BD265
CONKLIN RICHARD A/MARIANNE
3404 VENICE CT
MEDFORD, OR 97504

371W16BB12900
COOK JACK L/JANET L
2848 BAILEY AVE
MEDFORD, OR 97504

371W17AD10500
COOK ROBERT H
2976 ROSEWOOD ST
MEDFORD, OR 97504

371W16BD216
COPELAND DEANNA TRUST ET AL
1070 ST FRANCIS DR
MEDFORD, OR 97504

371W16BB7000
COTE GLEN TRUSTEE ET AL
2851 CLAIRMONT CT
MEDFORD, OR 97504

371W16BB8700
COVIC BERNICE TRUSTEE ET AL
2856 BANNER CT
MEDFORD, OR 97504

371W17AD13400
CREWS DENIS F ET AL
2973 WAVERLY WAY
MEDFORD, OR 97504

371W17AA5600
DALTON MICHAEL M/KATHRYN A
2770 STONEBROOK DR
MEDFORD, OR 97504

371W16BD107
DANN VALERIE E TRUSTEE ET A
2828 FARMINGTON AVE
MEDFORD, OR 97504

371W16BB14600
DAVIS DAVID B/KATHRYN J
2850 JANTZER CT
MEDFORD, OR 97504

371W16CD800
DAVIS SCOTT A TRUSTEE ET AL
1881 INGLEWOOD DR
MEDFORD, OR 97504

371W17AD10700
DE CLOEDT JENNETTE L/DAVID
3003 CEDAR LINKS DR
MEDFORD, OR 97504

371W16CA2400
DENN TREVOR H/JENNIELLE S
1016 CALLAWAY DR
MEDFORD, OR 97504

371W16CD4100
DENT MEMORY A
3173 SYCAMORE WAY
MEDFORD, OR 97504

371W17AD13300
DESILVA JACQUELINE
2963 WAVERLY WAY
MEDFORD, OR 97504

371W16CB12700
ADDINGTON RONALD W
2768 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16BB12600
ANDERSON CHARLES H/REBECCA
2876 BAILEY AVE
MEDFORD, OR 97504

371W16BB13200
ANHORN MICHAEL J/BEVERLY J
2867 BAILEY AVE
MEDFORD, OR 97504

371W17AD11300
BAKER MICHAEL D
2941 ROSEWOOD ST
MEDFORD, OR 97504

371W16CD100
BARRUS TAMARA J
3227 SYCAMORE WAY
MEDFORD, OR 97504

371W16CA1100
BENADE STEPHANIE
1071 CALLAWAY DR
MEDFORD, OR 97504

371W16CD600
BERRY JOAN R TRUSTEE ET AL
3184 SYCAMORE WAY
MEDFORD, OR 97504

371W16D3300
BROCKAMP DARREL J/BOTEILHO
3134 NORMIL TER
MEDFORD, OR 97504

371W16CC145
BUCHANAN BRENT A/ERIN L
3102 SYCAMORE WAY
MEDFORD, OR 97504

371W16CB10300
CAIRD MICHAEL/SHARON LEE
2842 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16BB14700
ALFTINE CHRISTOPHER D/ANNE
2853 JANTZER CT
MEDFORD, OR 97504

371W16CB1000
ANDERSON KURT A/SAUNDRA N
3073 WESTMINSTER DR
MEDFORD, OR 97504

371W16D6300
ARTALE THOMAS J/CAROLINE
1090 CALLAWAY DR
MEDFORD, OR 97504

371W16CD4000
BAKKER ANTHONY W/SARA M
1894 ORANGEWOOD DR
MEDFORD, OR 97504

371W16BD209
BEATON TREESA L
519 ST AUGUSTINE DR
MEDFORD, OR 97504

371W16D4500
BERGER DIANE
3229 SYCAMORE WAY
MEDFORD, OR 97504

371W16CB500
BOLIN RYAN
2991 LEXINGTON DR
MEDFORD, OR 97504

371W16CB12900
BROPHY PATSY JO TRUSTEE
2788 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16CB9600
BUI THONG TIEN
2952 AMBLEGREEN DR
MEDFORD, OR 97504

371W16D4000
CANTWELL TERRY GENE ET AL
3335 SYCAMORE WAY
MEDFORD, OR 97504

371W16BD234
ALLEN FAMILY TRUST ET AL
2811 FARMINGTON AVE
MEDFORD, OR 97504

371W16BD220
ANDERSON VALERIE J
1050 ST FRANCIS DR
MEDFORD, OR 97504

371W16BD251
AUSTIN MAURICE L JR/KATHY L
985 CALLAWAY DR
MEDFORD, OR 97504

371W16BD247
BARNETT CHRISTIAN/JENNIFER
949 CALLAWAY DR
MEDFORD, OR 97504

371W16CB5500
BELL EDWARD THOMAS TRUSTEE
3101 WESTMINSTER DR
MEDFORD, OR 97504

371W17AD10400
BERNARD LARRY PAUL/SHERRY L
2968 ROSEWOOD ST
MEDFORD, OR 97504

371W16CB9800
BROBERG PAUL W ET AL
2849 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16BD226
BROWER SETH J/MELISSA M
1020 ST FRANCIS DR
MEDFORD, OR 97504

371W16CA2000
BYRD SCOTT P/STACY C
3339 HENDERSON WAY
MEDFORD, OR 97504

371W16CC214
CARNEY REBECCA ANNE
3059 SYCAMORE WAY
MEDFORD, OR 97504

(30)

371W16BD262
DHAKAL BINOD/SARASWOTI
984 CALLAWAY DR
MEDFORD, OR 97504

371W16BB12700
DONNELL ROBERT C/PATRICIA A
2868 BAILEY AVE
MEDFORD, OR 97504

371W16BA12600
DOUGLAS STEPHEN E/FRANCES L
2879 ARDEN CIR
MEDFORD, OR 97504

371W16CA1200
DRISKELL ROBERT L ET AL
1061 CALLAWAY DR
MEDFORD, OR 97504

371W17AD10100
DUMAS SCOTT D/CYNTHIA A
2944 ROSEWOOD ST
MEDFORD, OR 97504

371W17AD13700
DYE CHRIS V/KRISTI
2968 WAVERLY WAY
MEDFORD, OR 97504

371W16CB400
EBERT GEORGE G ET AL
2427 AMARYLLIS ST
MEDFORD, OR 97504

371W17AD10300
EELLS NICOLE E
2960 ROSEWOOD ST
MEDFORD, OR 97504

371W16D3900
EISENHAUER LANCE C/EISENHAU
3367 EUCALYPTUS DR
MEDFORD, OR 97504

371W17AD11400
EKSTRAND DARIN R/SHERRIE L
2933 ROSEWOOD ST
MEDFORD, OR 97504

371W16BB8800
ELLERMAN PEGI J TRUSTEE ET
2862 BANNER CT
MEDFORD, OR 97504

371W16BD208
ELLIOTT NICOLE
525 ST AUGUSTINE DR
MEDFORD, OR 97504

371W16BD267
EQUITY TRUST COMPANY CUSTOD
1 EQUITY WAY
WESTLAKE, OH 44145

371W16CD2200
ERB STEVEN R/ARLENE L
3224 SYCAMORE WAY
MEDFORD, OR 97504

371W16BD237
ERICKSON DAVID ERICK/LINDA
2822 FARMINGTON AVE
MEDFORD, OR 97504

371W16BD237
ERICKSON DAVID ERICK/LINDA
2822 FARMINGTON AVE
MEDFORD, OR 97504

371W16BD221
F B OWEN INC
3400 CRATER LAKE AVE
MEDFORD, OR 97504

371W17AD10000
FAGONE SAMUEL P SR/SHARON E
2936 ROSEWOOD ST
MEDFORD, OR 97504

371W16BA12100
FARMER DIANNA DESHEA
2884 ARDEN CIR
MEDFORD, OR 97504

371W16D3400
FICHTNER DEAN T TRUSTEE ET
3132 NORMIL TER
MEDFORD, OR 97504

371W16D3202
FICHTNER DEAN T TRUSTEE ET
3129 NORMIL TER
MEDFORD, OR 97504

371W17AD10200
FIGONE JAMES A TRUSTEE ET A
2952 ROSEWOOD ST
MEDFORD, OR 97504

371W16BB7300
FLESHMAN MARGARET
2870 CLAIRMONT CT
MEDFORD, OR 97504

371W16D6400
FRANCESCHINI SHELLE
1081 CALLAWAY DR
MEDFORD, OR 97504

371W16BB14800
FRANCIS KENT R/MARIE
2873 JANTZER CT
MEDFORD, OR 97504

371W16CD700
FREDERICK KRISTI ET AL
3196 SYCAMORE WAY
MEDFORD, OR 97504

371W16CB10600
FREEMAN ESTHER E
2870 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W17AD11100
FRIESEN LAURA
2957 ROSEWOOD ST
MEDFORD, OR 97504

371W16D3903
FRONEK BARRY/PAMELA
3401 EUCALYPTUS DR
MEDFORD, OR 97504

371W16CA2217
GALPIN HOMES LLC
744 CARDLEY AVE 100
MEDFORD, OR 97504

12

371W16CA2500
GARNER JAMES F/PATRICIA A
1020 CALLAWAY DR
MEDFORD, OR 97504

~~371W16BD261~~
GAUTAM KAMALA
974 CALLAWAY DR
MEDFORD, OR 97504

371W16CC138
GELLER KEVIN/BRINDA
3089 SYCAMORE WAY
MEDFORD, OR 97504

371W16BD259
GELLERT DIETER & ERIKA LIVI
950 CALLAWAY DR
MEDFORD, OR 97504

371W16CB900
GILDER EARL E/EDITH P
3093 WESTMINSTER DR
MEDFORD, OR 97504

371W16CB600
GLEDHILL FREDERICK TRUSTEE
3074 CEDAR LINKS DR
MEDFORD, OR 97504

371W16BA12200
GOLTZ DANIEL E TRUSTEE ET A
2874 ARDEN CIR
MEDFORD, OR 97504

371W16CA2600
GORDON KATHRYN M TRUSTEE ET
1030 CALLAWAY DR
MEDFORD, OR 97504

~~371W16BD225~~
GREGORY MICHAEL L
544 ST AUGUSTINE DR
MEDFORD, OR 97504

371W16BB14400
GRIFFITHS DEE A TRUSTEE ET
2864 JANTZER CT
MEDFORD, OR 97504

371W16BB13100
GRIMM MICHAEL V TRUST ET AL
2855 BAILEY AVE
MEDFORD, OR 97504

371W17AD13200
GROOM RYAN/LAURA
2953 WAVERLY WAY
MEDFORD, OR 97504

371W16CB10400
GROTH MARIAN J
2852 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16CA1700
GROVE BERNARD D/SANDRA L
3303 HENDERSON WAY
MEDFORD, OR 97504

371W16CB5400
GUSTAFSON MARK A/VALERIE L
3111 WESTMINSTER DR
MEDFORD, OR 97504

371W16CB9900
HALE BYRUM LYNN/KARYN JEAN
2839 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W17AD11500
HALVORSEN GEORGE R TRUSTEE
2925 ROSEWOOD ST
MEDFORD, OR 97504

371W16CB10000
HAMILTON GRETCHEN C
2829 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16CB11800
HANLEY STEVE ET AL
2775 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16D4300
HARDING BONNIE L/HARDING JO
3279 SYCAMORE WAY
MEDFORD, OR 97504

371W16CB8100
HARRIS DAVID E/TISHA R
2930 CANDLIS POINT CT
MEDFORD, OR 97504

371W16BD224
HAWKINS ELVIN/NANCY
1030 ST FRANCIS DR
MEDFORD, OR 97504

371W17AD11600
HAYES LEO E/BARBARA H
2917 ROSEWOOD ST
MEDFORD, OR 97504

371W16CD300
HELMAN MATTHEW/JESSICA
3211 SYCAMORE WAY
MEDFORD, OR 97504

371W16BB14300
HELMLING ALBERT E/THERESE E
2874 JANTZER CT
MEDFORD, OR 97504

(8)

Date – 7-6-2016

RECEIVED
JUL 07 2016
Planning Dept.

To - City of Medford Planning Department - Commission
Concerning P.U.D 16-024

From – Cedar Investment group LLC. (CIG) and Northeast Medford Neighborhood Coalition (NMNC)

After discussions and meeting with Jim Greathouse and Tommy Michaels representing the NMNC and Eric Artner representing CIG

The following has been agreed on between the above parties.

CIG will agree to allow the attached letter from Kistler,+ Small + White Architects letter dated 7-6-2016 to be entered into record as the design concept that will be followed.

NMNC will support the application including the request for the 40' building, 5% parking reduction and all other items mentioned in the application and the attached letter from Mike Savage with CSA Planning letter dated 6-23-2016

Jim Greathouse - NMNC Jim Greathouse Tommy Michaels

Eric Artner - CIG

CITY OF MEDFORD
EXHIBIT # S
File # PUD-16-002

CITY OF MEDFORD
EXHIBIT # K
File # PUD-16-024
1 of 7

65

kistler + small + white
architects

RECEIVED
JUL 07 2016
Planning Dept.

PROJECT DESCRIPTION
MULTI-FAMILY / CONDOMINIUM RESIDENCES AT CEDAR LANDING

INTRODUCTION

The multi-family/condominium program within *The Village* subarea of the Cedar Landing PUD plays an important architectural and social role. The intent for this component is to create high-quality, market-rate (mid-high end) rentals, or condominium units, to provide a social/commercial hub for the PUD and surrounding neighborhoods, and to add value to the project and its surroundings.

The primary design objectives which aim to add value to the project:

1. **Provide a shared public space/lawn to anchor the plan, and create a bridge from the residences to the North to the commercial programs off Cedar Links Drive to the South.** This space is an attractor to both future residents and for the surrounding neighborhood. It is a public place to gather, lounge, and play.

2. **Provide and high-quality architectural product.** The architecture of the project is composed of a contemporary pacific north west language which speaks to the vernacular of residential forms of the surrounding neighborhoods, yet brings a creative freshness to this vocabulary. A consistency of textures from the commercial portion, through the multi-family/condo buildings, to through to the northern cottage community will be achieved through the combination of woods, glass, concrete, and landscaping.

3. **Provide amenities for the residence and neighborhood that will provide an elevated living experience.** The multi-family/condominium program will provide new real estate space for the users with high quality materials and public space. It will also provide indoor bicycle storage, available storage units, dedicated lobbies, and gathering spaces. Most units will have a deck, or balcony to enjoy the outdoors and view to the mountains or public lawn. An event pavilion located to the south end of the large public lawn, will be available for the residents use. The pavilion will offer a kitchen space for event storage and prep, while barbeque grills will be provided for residential use on the lawn facing side of the event pavilion with a shaded trellis.

"K"
2 of 7

kistler + small + white

A. Design Narrative -Summary

The basic massing of the buildings is composed of two parallel North-South oriented buildings that frame a central space. The buildings define and support this large outdoor room which connects the site from North to South.

The building to the West is divided into two separate buildings to modulate the building's length and to permit passage from the West parking area into center space. The East building is shortened to accommodate a public space and easement to the South. Each building is further modulated by pulling back the lawn facing facades in an alternating rhythm. This move provides units with better balconies, larger windows, and multi-directional views. It also reduces the mass into legible unit sizes that characterize a residential scale.

The ground floor - the level that most relates to the public realm - is articulated in a different material and creates a base for the three-story buildings. This material will be durable and will have a public presence. The upper two stories will demonstrate a residential scale with a monolithic neutral material accented by large horizontal windows, balconies, decks and warm colored railing and trim. The roof echoes the alternating building mass and emphasizes the individual character of a series of smaller residential buildings.

B. Building Orientation

1. **Connecting through massing:** The massing of the buildings is composed of two parallel North-South oriented buildings that frame a central court/yard. The buildings define an outdoor room and create public promenade connecting the site from North to South. Sidewalks connect to the public paths, greenspace and ponds to the North. Pedestrian crosswalks and landscaped walks will bring neighbors into the public lawn space and down to the commercial amenities off Cedar Links Drive.

2. **East -West Shading:** Orienting the buildings North-South offers various degrees of shading throughout the day. The public lawn will be shaded in the morning hours by the east building and in late afternoon hours by the west building. This offers continuous use of the landscaped lawn and pedestrian paths throughout the day.

11"x17"
3 of 7

kistler+ small +white

C. Scale and Proportion

1. **Creating a Public Room:** The primary gesture of the multi-family/condominium portion is to create a great public room at the center of the project. The definition of this space needs to be clear, and its success relies on the surrounding building articulation and landscaping. The width-to-height ratio is important for a sense of enclosure and place. This ratio guided the shaping of the public space and building facades facing the space as its defining enclosure. The facades step in and out to modulate massing and to provide a 1:2 to 1:3 width-to-height ratio within the public room. These ratios been identified as a good range for enclosure at the scale of this public space. The designed height of the buildings is important to maintain this ratio, and the current height is scaled to achieve the sense of enclosure of a city square and a publically recognizable space for gathering and socializing.

2. **Floor-to-floor and ceiling heights:** The marketability of the project set the desired floor-to-floor heights for the residential buildings at 12'-0" for the ground floor and 10'-0" for the upper two floors. The ground floor requires a taller height to accommodate mechanical, storage, and maintenance uses on ground floor. The upper two levels aim to achieve a 9'-0" ceiling height for the units. A 9'-0" ceiling height will elevate the market for the units as well as allow for larger windows, door heights, and natural light. (In today's market, the standard 8'-0" ceiling is used in budget projects and low-income developments.)

3. **Base- middle-top:** A layering of the buildings architectural elements will visually emphasize a horizontal as opposed to a vertical reading. Horizontally connected windows, railings, and trim aim to reduce the perceived height of the buildings and anchor them into the site.

   The buildings are proportioned vertically into three parts:

   a. The first floor, or base, will be articulated with a different material (TBD) that defines the public interface of the building, integrating the building bases with the site and landscape work.

   b. The upper two floors, the middle, will be of a neutral material that is articulated monolithically and accented by warm colored trim. Horizontal windows, trim, and railings will modulate this section.

   c. The roof, the top, will have an articulated large overhang, potentially expressing the roof rafters, and an undulating rhythm that echoes the massing below.

"K"
4 of 7

kistler + small + white

4. Roof Design and Functions

a. **Modulating the massing:** Staggered roof forms modulate the massing of each building. Reading as several smaller buildings instead of one larger building, the roof forms define an appropriate residential scale.

b. **Integrating roof-top mechanical units:** The gable roof will provide a space for internalizing the HVAC (building heating and cooling units) system. The units will either sit within this attic space or will be mechanically screened from views. Typically, the units sit on the roof and are unsightly, however concealing or screening the units will complement the surrounding residential areas by having clean roof lines and less visual noise.

c. **Substantial overhangs** of the roof provide shading and detail. The roof reflects the timber construction of the pacific north west, where roofs have large eave overhangs to protect the building from the weather and express the buildings structure with an exposed rafter aesthetic. Shade from the overhangs provide shading for the units below, reduce heat gain, and cover decks for longer year-long use.

d. **Roof Pitch:** The main roof pitches are designed to serve several key functions. First, the roof pitch was designed to provide enough attic volume for internalizing or screening the HVAC units. Second, the roof design, as part of the building massing, had to be seen from the ground. Seen from the ground, the roofs step back with the building face and alternate between a 3:12 pitch and 6:12 pitch. This legible roof articulation works to modulate building massing to read as several domestic scaled buildings. A flatter slope, would not as effectively modulate the massing of the building and would not provide adequate attic space to integrate the HVAC system. Some roof areas may be flat as necessary.

5. Landscaping

a. **Plantings scaled to spaces:** Landscaping will play an integral role in developing the exterior spaces of the project. Large canopied shade trees will line the public lawn. As they mature they will grow to complement the architecture and provide a canopy to the lawn and its walking paths. Accent trees and streetscape plantings will integrate the parking areas with public circulation and the larger exterior spaces of the project.

"K"
5 of 7

RECEIVED
JUL 07 2016
Planning Dept.

CSA Planning, Ltd
4497 Brownridge, Suite 101
Medford, OR 97504
Telephone 541 779.0569
Fax 541 779.0114
Mike@CSAplanning.net

Memorandum

To: Desmond McGeough, City of Medford Planner

Date: June 23, 2016

Subject: Cedar Landing PUD / File PUD-16-024

Dear Mr. McGeough,

Please find the following information with regard to the above application, on behalf of the Applicant Cedar Investment Group, LLC.

Based on consideration of the staff' concerns raised in the staff report and our additional review of the proposed PUD design elements, we respectfully request the following changes and agree to stipulate to the following as conditions of approval:

1. **Second Story Limitation on Use:** We respectfully request the Planning Commission allow the flexibility to allow up to 21,000 square feet of total Commercial Space, as provided in the Application.

   Whether the buildings result in single story structures, totaling 10,500 square feet as shown on the plans, or result in two-story structures totaling 21,000 square feet, their building footprint will remain the same.

   In order to address potential concerns with parking related to the potential maximum commercial space, **we herewith agree to stipulate as a condition of approval to restrict any finished second story within any of the Commercial buildings to Office or Storage uses.**

   Consistent with the parking discussion under 2 herein below, we believe this will eliminate any concerns for the project being under-parked with respect to Commercial square footage flexibility.

   As a side bar, the actual likelihood of any commercial building within the PUD providing finished 2-story place is minimal, however we would appreciate the flexibility to accommodate a finished second story should an actual market demand for the same materialize.

   As a point of clarification, it is prudent to mention that all multi-family and commercial uses are subject to final plan review and SPAC approval, therefore the City and surrounding neighbors can be assured that designs will ultimately be appropriate for the area.

   In the alternative, should the Planning Commission wish to limit the total amount of Commercial Square Footage to 15,750 (a variation of 50%), our client would not object.

2. **Parking:** If the total combination of Commercial and Residential demand for parking exceeds the provided 199 parking spaces, we respectfully request the following:

   A. Preferred alternative: Instead of the request to reduce residential parking from 1.5 to 1.4 spaces, **we request an overall net reduction or allowance of 5%**, equating to 10 spaces.

      - A significant portion of the commercial space is likely to be office space and the peak demand for office space parking does not overlap in time with the peak demand for residential parking, therefore approximately 10 spaces situated between the commercial area and

"K"
6 of 7

the residential area would qualify as **shared parking** under MLDC 10.744.

- The proposed commercial is intended to provide for the needs of residents situated within close proximity. With the extensive trail network and ties through the project and to the surrounding neighborhood, we feel that many of the customers are very **likely to walk or ride their bicycles** to the commercial areas.

- While it is possible to expand parking into open space and common areas, we feel that said reduction would detract from the overall theme, character and benefits of the project as a whole.

B. Alternative to the 5% parking reduction request: Should the Planning Commission elect to require the PUD meet the full parking standard, then we herewith agree to modify the Final PUD Plan to reduce the voluntary 10-foot vegetative buffer along the west side of The Village parking area (east of Sky Lakes Village Phase 2) and **convert that vegetative buffer to 10 parallel parking spaces with a screening fence** between the parking spaces and the residential lots to the west.

In response to the questions raised regarding the architectural benefits of a steeper pitched roofline as the basis for the request to increase the multi-family building height from 35 to 40 feet, we offer the attached letter from Applicant's architects at Kistler, Small and White. The following summarize the reasons for the increased roof-heights as explained in the attached letter:

- Ability to Conceal / Hide HVAC
- Ability to provide smaller footprints thereby allowing common area features such as courtyard and plaza
- Ability to provide steeper-pitched roof
- Ability to provide larger over-hangs creating shade and pleasing appearance
- Ability to accommodate internal elements and amenities that will hopefully increase or compliment demand for a higher end facility such as:
  - 9-foot ceilings;
  - Internal common area;
  - Internal bicycle parking

As a matter of housekeeping, I noticed that the Exhibit 18 Narrative refers to Replat of the Sky Lakes Village "7B", that reference should be to "7A". I apologize for this typographical error.

Thank you for your consideration, we would greatly appreciate you placing this memorandum and attached letter into the City's record.

CSA Planning, Ltd.

Michael Savage
Associate

cc. File; Cedar Investment Group, LLC

"K"
7 of 7

RECEIVED
JUN 23 2016
Planning Dept.

Memorandum

CSA Planning, Ltd
4497 Brownridge, Suite 101
Medford, OR 97504
Telephone 541.779.0569
Fax 541.779.0114
Mike@CSAplanning.net

To: Desmond McGeough, City of Medford Planner

Date: June 23, 2016

Subject: Cedar Landing PUD / File PUD-16-024

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CITY OF MEDFORD,
EXHIBIT # I
File # PUD-16-024
1 of 6

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CSA Planning, Ltd.

Michael Savage
Associate

cc. File; Cedar Investment Group, LLC

kistler + small + white
architects

RECEIVED
JUN 23 2016
PLANNING DEPT.

PROJECT DESCRIPTION

MULTI-FAMILY / CONDOMINIUM RESIDENCES AT CEDAR LANDING

INTRODUCTION

The multi-family/condominium program within *The Village* subarea of the Cedar Landing PUD plays an important architectural and social role. The intent for this component is to create high-quality, market-rate (mid-high end) rentals, or condominium units, to provide a social/commercial hub for the PUD and surrounding neighborhoods, and to add value to the project and its surroundings.

The primary design objectives which aim to add value to the project:

1. **Provide a shared public space/lawn to anchor the plan, and create a bridge from the residences to the North to the commercial programs off Cedar Links Drive to the South.** This space is an attractor to both future residents and for the surrounding neighborhood. It is a public place to gather, lounge, and play.

2. **Provide and high-quality architectural product.** The architecture of the entire project is composed of a contemporary pacific north west language which speaks to the vernacular of residential forms of the surrounding neighborhoods, yet brings a creative freshness to this vocabulary. A consistency of textures from the commercial portion, through the multi-family/condo buildings, to through to the northern cottage community will be achieved through the combination of woods, glass, concrete, and landscaping.

3. **Provide amenities for the residence and neighborhood that will provide an elevated living experience.** The multi-family/condominium program will provide new real estate space for the users with high quality materials and public space. It will also provide indoor bicycle storage, available storage units, dedicated lobbies, and gathering spaces. Each unit will have a deck, or balcony to enjoy the outdoors and view to the mountains or public lawn. An event pavilion located to the south end of the large public lawn, will be available for the residents use. The pavilion will offer a kitchen space for event storage and prep, while barbeque grills will be provided for residential use on the lawn facing side of the event pavilion with a shaded trellis.

"I"
3 of 6

A. Design Narrative -Summary

The basic massing of the buildings is composed of two parallel North-South oriented buildings that frame a central space. The buildings frame the internal lawn space and bracket a large public room. This linear outdoor room connects the site from North to South.

The building to the West is divided into two separate buildings to modulate the building's length and to permit passage from the West parking area into center space. The East building is shortened to accommodate a public space and easement to the South. Each building is further modulated by pulling back the lawn facing facades in an alternating rhythm. This move provides units with better balconies, larger windows, and multi-directional views. It also reduces the mass into legible unit sizes that characterize a residential scale.

The ground floor - the level that most relates to the public realm - is articulated in a different material and creates a base for the three-story buildings. This material will be durable and will have a public presence. The upper two stories will demonstrate a residential scale with a monolithic neutral (wood) material accented by large horizontal windows, balconies, decks and warm colored wood railing and trim. The roof echoes to the alternating building mass and emphasizes the individual character of a series of smaller residential buildings.

B. Building Orientation

1. **Connecting through massing:** The massing of the buildings is composed of two parallel North-South oriented buildings that frame a central court/yard. The buildings define an outdoor room and create public promenade connecting the site from North to South. Sidewalks connect to the existing public paths, greenspace and ponds to the North. Pedestrian crosswalks and landscaped walks will bring neighbors into the public lawn space and down to the commercial amenities off Cedar Links Drive.

2. **East -West Shading:** Orienting the buildings North-South offers various degrees of shading throughout the day. The public lawn will be shaded in the morning hours by the east building and in late afternoon hours by the west building. This offers continuous use of the landscaped lawn and pedestrian paths throughout the day.

4. **Roof Design and Functions**

a. **Modulating the massing:** Staggered roof forms modulate the massing of each building. Reading as several smaller buildings instead of one larger building, the roof forms define an appropriate residential scale.

b. **Integrating roof-top mechanical units:** The gable roof will provide a space for internalizing the HVAC (building heating and cooling units) system. The units will sit within the attic space and will be screened from views. Typically, the units sit on the roof and are unsightly, however concealing the units complements the surrounding residential areas by having clean roof lines and less visual noise.

c. **Substantial overhangs** of the roof provide shading and detail. The roof reflects the timber construction of the pacific north west, where roofs have large eave overhangs to protect the building from the weather and express the buildings structure with an exposed rafter aesthetic. Shade from the overhangs provide shading for the units below, reduce heat gain, and cover decks for longer year-long use.

d. **Roof Pitch:** The roof pitches are designed to serve several key functions. First, the roof pitch was designed to provide enough attic volume for internalizing the HVAC units. Second, the roof design, as part of the building massing, had to be seen from the ground. Seen from the ground, the roofs step back with the building face and alternate between a 3:12 pitch and 6:12 pitch. This legible roof articulation works to modulate building massing to read as several domestic scaled buildings. A flatter slope, would not as effectively modulate the massing of the building and would not provide adequate attic space to integrate the HVAC system.

5. **Landscaping**

a. **Plantings scaled to spaces:** Landscaping will play an integral role in developing the exterior spaces of the project. Large canopied shade trees will line the public lawn. As they mature they will grow to complement the architecture and provide a canopy to the lawn and its walking paths. Accent trees and streetscape plantings will integrate the parking areas with public circulation and the larger exterior spaces of the project.

"I"
5 of 6

C. Scale and Proportion

1. **Creating a Public Room:** The primary gesture of the multi-family/condominium portion is to create a great public room at the center of the project. The definition of this space needs to be clear, and its success relies on the surrounding building articulation and landscaping. The width-to-height ratio is important for a sense of enclosure and place. This ratio guided the shaping of the public space and building facades facing the space as its defining enclosure. The facades step in and out to modulate massing and to provide a 1:2 to 1:3 width-to-height ratio within the public room. These ratios been identified as a good range for enclosure at the scale of this public space. The designed height of the buildings is important to maintain this ratio, and the current height is scaled to achieve the sense of enclosure of a city square and a publically recognizable space for gathering and socializing.

2. **Floor-to-floor and ceiling heights:** The marketability of the project set the desired floor-to-floor heights for the residential buildings at 12'-0" for the ground floor and 10'-0" for the upper two floors. The ground floor requires a taller height to accommodate mechanical, storage, and maintenance uses on ground floor. The upper two levels aim to achieve a 9'-0" ceiling height for the units. A 9'-0" ceiling height will elevate the market for the units as well as allow for larger windows, door heights, and natural light. (In today's market, the standard 8'-0" ceiling is used in budget projects and low-income developments.)

3. **Base- middle-top:** A layering of the buildings architectural elements will visually emphasize a horizontal as opposed to a vertical reading. Horizontally connected windows, railings, and trim aim to reduce the perceived height of the buildings and anchor them into the site.

   The buildings are proportioned vertically into three parts.:

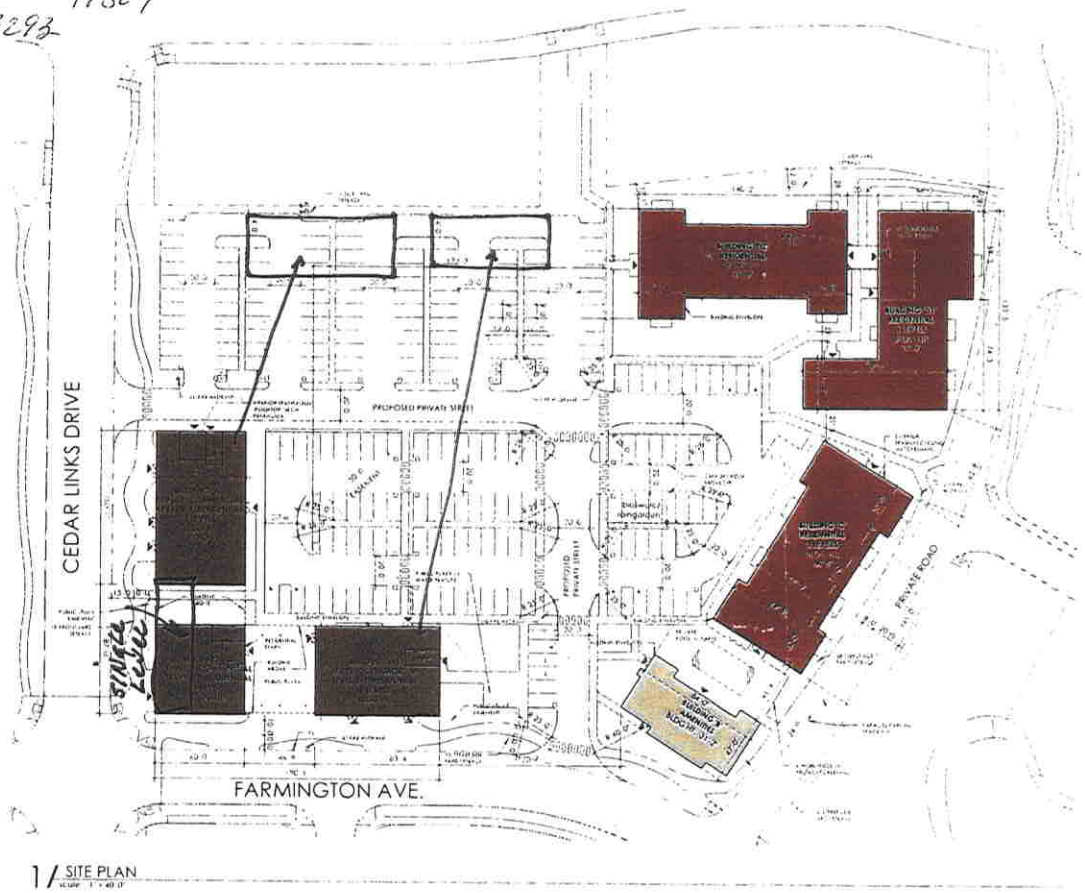
   a. The first floor, or base, will be articulated with a different material (TBD) that defines the public interface of the building, integrating the building bases with the site and landscape work.

   b. The upper two floors, the middle, will be of a neutral wood material that is articulated monolithically and accented by warm wood trim. Horizontal windows, trim, and railings will modulate this section.

   c. The roof, the top, will have an articulated large overhang, potentially expressing the roof rafters, and an undulating rhythm that echoes the massing below.

"I"
60+4

Rick Conklin
3404 Venice Ct
Medford, Oregon
97504
(541) 840-3293



1 / SITE PLAN

SITE

SITE DENSITY — 21% (building coverage) — 40% (previous PUD)

PARKING + AMENITIES

STANDARD	163
PARALLEL	17
COMPACT	48 (20%)
MOTORCYCLE	12 (5%)
	240 parking stalls — 199 previous PUD

BUILDING

OVERALL BUILDING AREA

6,298 SF amenity

13,214 SF commercial — 15,750 SF previous PUD

118,366 SF residential

UNIT INFO — 120 total dwelling units — 100 previous PUD

BLDG. HEIGHT MAX. — 40' Building A — 40' previous PUD

ALL OTHER BUILDINGS ARE LESS THAN 35' IN HEIGHT

LEGEND

AMENITIES
RESIDENTIAL
COMMERCIAL

RECEIVED
AUG 15 2019
PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # 7
FILE # PUP-19-002

/kōblə/CREATIVE

CEDAR LINKS
MEDFORD, OREGON

ARCHITECTURAL SITE PLAN
MINOR REVIEW SUBMITTAL
REV. AUGUST 12, 2019

A02

City of Medford
Planning Department
Planning Commission
City Hall Annex
401 W. 8th Street

RECEIVED
SEP 03 2019
PLANNING DEPT

Reference: P.U.D. 16-024

Gentlemen,

I would like to comment on the proposed private road in the design of the P.U.D. 16-024. I understand the private road must be built to Medford's design for city streets using their standards. My question is in regards as to who becomes responsible to continue to maintain the private road, and how are the funds secured for this purpose?

It cannot be assumed that Jackson County Roads will maintain the private road as ORS 368.016 section1 states: "County Roads" means a public road under the jurisdiction of a county that has been designed as a county road. Also, the Oregon Constitution Limit of Fuel Tax Allocation, Article IX section 3a states: use of revenue from taxes on motor vehicle use and fuel shall be used exclusively for the construction, reconstruction, improvement, repair, maintenance, operation and use of public highways, roads, streets, and road side rest areas in the state. As some of these funds are also shared with some cities and counties, it must be noted that those shared funds also help fund law enforcement patrols of the aforementioned highways, roads, and streets and cannot be used to any purpose for a private road. The obvious question becomes who, or what law enforcement agency or company patrols the private road? The concerns of the surrounding neighborhood is if the private road is not patrolled by any sort of agency in a timely fashion will lead to an increase in criminal activity and incidents, a sentiment of fact shared by Oregon State Police, Jackson County Sheriff, and Medford Police Department.

I believe gentlemen, to ignore these questions that should be addressed of the developers the P.U.D. 16-024 will lead to a private road in poor repair, one plagued in criminal activity and trespass and ultimately become extremely costly to repair for some residents. If the Medford Planning Commission addresses these concerns project developer and the surrounding neighbors, then the commissioners will in my humble opinion, have met with their mission statement "working with community to shape a vibrant and exceptional city.

Respectfully Yours,

Richard A. Conklin

Richard A. Conklin
3404 Venice Court
Medford, Oregon 97504
Ph. 541-840-3293

CITY OF MEDFORD
EXHIBIT # U
File # PUD. 19-002

RECEIVED
SEP 03 2019
PLANNING DEPT.

To: City of Medford Planning Commission

RE: P.U.D. 16-24

August 30, 2019

Gentlemen,

My concern has to do with the location of my newly purchased home at 3403 Venice Ct., Medford, OR 97504. I purchased this home while living in the Seattle area, through online real estate sites. In the information/advertising of this home, I noted the apparent amenities associated with the neighborhood and the proposed development of the land area across Farmington Ave, just 87 feet from my new home, (as proposed in the PUD from 2016 which you Gentlemen evidently previously approved).

I paid a premium for this property, the LAST of my real estate purchases in my remaining lifetime. $428,000.00.

The proposal **P.U.D. 16-024** to erect 120, 48 foot in height, **Monolith APARTMENTS**, with property lines 87 feet away at that height will place my whole property inside a "Sun Shadow" that will forever cause Sunset to fall approximately 2 hours (or more) **EARLIER** on my yard and home. In addition, I lose my personal privacy in my bathroom, my master bedroom, and outside patio, along with the loss of privacy to my entire back yard. The 2016 approved proposal did not make me feel threatened as does the current proposal under discussion.

I would like to add that the proposed construction **P.U.D. 16-24,** does NOT reflect the advertising handed me when I purchased my home. I feel victimized in a "bait and switch" scenario, and had I known this was about to happen, I NEVER would have bought here.

Thank you for your considerations,

Gary Olson

3403 Venice Ct.

Medford, OR 97504

CITY OF MEDFORD
EXHIBIT B
File # PUD-19-002

RECEIVED
SEP 10 2019
PLANNING DEPT

MEDFORD CITY COUNCIL-PLANNING COMMISION

September 4, 2019

File No. PUD-19-002

City of Medford Council and Planning Commission Members,

Hello, my name is Anna-Maria Sardo and I live at 3427 Venice Ct. in the Cedar Links Community.
I bought my house here and moved from California in May of 2019.
I moved to Oregon because it's such a beautiful state and my sister has lived here in Talent for over 10 years.
I had visited her quite often, knowing when I retire would move here away from the hustle and bustle.
I bought my house brand new in hopes that this would be my last house, I am 67 years old.

My house is in the center of the court overlooking the beautiful mountains, lots of windows, beautiful views.
I would love to keep that view. Knowing that Luxury Apartments would be going up I still bought my house.
I do believe in progress and the developing of that land. Had no idea that it would be a 3 story building.
What a bummer and disappointing future for our community.
Our home values would be going down which is a shame since our neighborhood is so attractive right now.

I am very worried about all the traffic that we will be getting by building these 3 stories.
Lots of cars will be traveling in and out of from the complex and Farmington Ave will become a busy thorough way from Cedar Links Ave to Delta Waters.
Knowing from experience most apartment buildings never have enough parking spaces, visitors for the complex will be parking on our streets.
We have lots of kids living and playing in these neighborhoods, I just don't believe that this would be a safe environment for them as well.

Please terminate the request to increase this high density and number of apartments.
Let us build a community using single family homes, a beautiful park, bike/ walkways.
A multi-use community center.

Thank you,

Anna-Maria Sardo
3427 Venice Ct.
Medford, Or. 97504
Cell/Text 408-802-9386
pelsmap@hotmail.com

CITY OF MEDFORD
EXHIBIT W
File # PUD-19-002

RECEIVED

SEP 16 2019

Dear planning commissioners,

We are not in favor of the current request to change the already approved P.U.D from 2016.

We live on the corner of Farmington and Calloway — across from the pond.

Please consider

1. overcrowding of schools - grandchild at Lincoln is in a class of 30 children
2. Insufficient parking - my husband has a 21 foot truck (shortbed) that would not fit in a 19 foot parking space — (long bed) trucks are around 23 feet long.
3. Private road - police cannot patrol. Fire trucks and ambulances could be blocked by various obstacles on road.
4. Traffic study - Foothills is very narrow and more traffic would increase accidents.
5. Air conditioning units - Are they going to be located on top of apartments — thus adding another 4 feet to 3 story buildings?
6. Townhouses - in 2018 when we bought our home the builder told us the land would be privately owned condos. — not apartments!
7. Charming neighborhood with expensive homes and people that

CITY OF MEDFORD
EXHIBIT # X
File # PUD-19-002

have saved all their lives to have a lovely home.

8. Currently there is no public transportation.

Basically - this is big business versus people that love and care about Medford and their neighborhoods.

Do you think that if a homeowner decided to sell their home across from these apartments they would be able to get the same price as the same home located a few blocks away?

Put yourselves in our shoes. Consider the residents of Medford not the planners from Portland

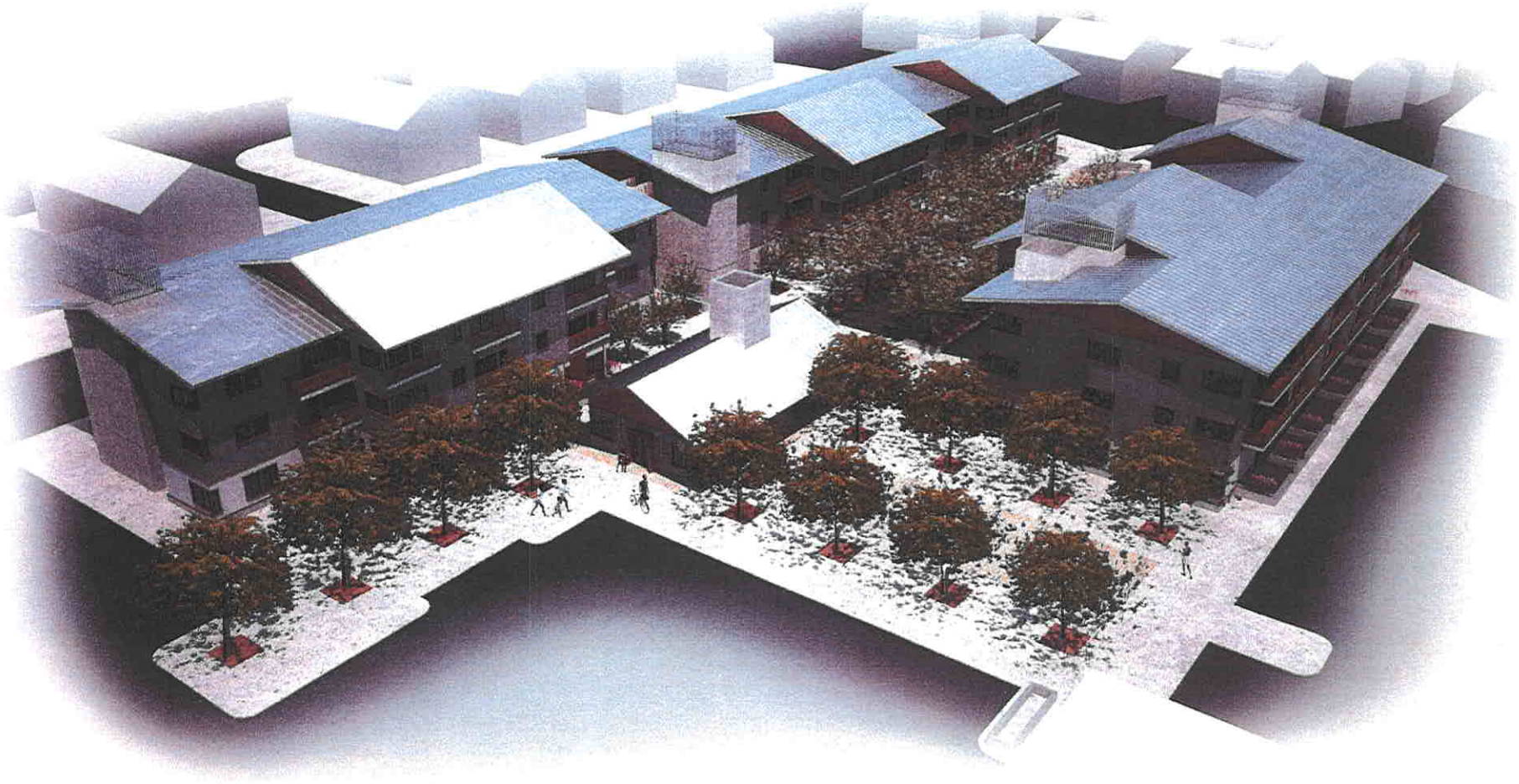
Thank You

Ron & Pam Leedhess
926 Calloway
Medford OR
97504

CITY OF MEDFORD
EXHIBIT #
File #

CEDAR LANDING

VIEW OF COURTYARD



CEDAR LANDING

AERIAL VIEW

CEDAR LANDING

VIEW ALONG PATH

CEDAR LANDING

SITE PLAN

1 PRES - LEVEL 1
1/16" = 1'-0"

CEDAR LANDING

FLOOR PLAN - LEVEL 1

1 PRES - LEVEL 2 - 3
1/16" = 1'-0"

kistler+ small +white

CEDAR LANDING

FLOOR PLAN - LEVEL 2-3

Jackson County Official Records 2007-53982
R-DR 11/30/2007 2:38 PM
Cnt=1 Stn=3 MORGANS
$160.00 $5.00 $5.00 $11.00 Total:$181.00

01298090200700539820320326

I, Kathleen S. Beckett, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Kathleen S. Beckett - County Clerk

After recording, return to:

Cedar Landing, LLC
c/o Timothy Brophy
Brophy, Mills, Schmor, Gerking,
Brophy & Paradis, LLP
201 W. Main Street, Ste 5
Medford, OR 97501

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CEDAR LANDING RESIDENTIAL, A PLANNED COMMUNITY

THIS DECLARATION is made this 29th day of November, 2007, by CEDAR LANDING, LLC, an Oregon limited liability corporation and Monty R. Jantzer and Theresa L. Jantzer, (hereinafter collectively "Declarant") as the owners in fee simple of that real property located in the City of Medford, County of Jackson, State of Oregon, described on Exhibit "A", attached hereto and incorporated herein by this reference ("Cedar Landing").

RECITALS, INTENT AND PURPOSE

A. Declarant owns and controls approximately 122.12 acres within the City of Medford, Jackson County, Oregon. Declarant proposes to develop portions of this property as a planned development to be known as Cedar Landing.

B. Declarant hopes to create in Cedar Landing a carefully planned community which will provide an attractive place to live that consists of both residential and commercial development. The planned community will include a combination of single family homes, residential multi-plex, condominiums, townhomes, zero lot line homes, residential retirement housing and commercial development.

C. By this Declaration of Covenants, Conditions Restrictions and Easements for Cedar Landing, all Lots within the approved Cedar Landing PUD Plan (PUD 05-035) on file with the City of Medford, Jackson County, Oregon under the date of April 27, 2006, are subject to the covenants, conditions restrictions and easements of this declaration (hereinafter "this Declaration or "Master Declaration"), except that the Lots and open space designated as the Village at Cedar Landing on the PUD Plan will be governed by one or more separate sets of covenants, conditions and restrictions. However, all pedestrian and bicycle pathways within the Village at Cedar Landing as described on the PUD Plan shall be governed by this Master Declaration.

CITY OF MEDFORD
EXHIBIT # 2
File # PUD-19-002

D. The purpose of this Declaration is to provide for a cohesive neighborhood and to provide for the ownership, maintenance and use of the Lots and Common Area within Cedar Landing which will be owned and operated by an owner's association for the benefit of all Owners of Lots within Cedar Landing and all properties now or later made subject to this Declaration. In addition, property made subject to this Declaration may be subject to an Individual Development Declaration which may impose additional restrictions on the architectural and use standards of the Lots and Common Area in Cedar Landing and in each Individual Development.

E. Funds for the maintenance and operation of the Common Areas generally will be provided through assessments against those who purchase Lots within Cedar Landing, including any Lot within an Individual Development. For the protection of all Owners of property in Cedar Landing, there will be a system designed to establish that each person who purchased property in Cedar Landing will pay an equitable share of the sum necessary for the maintenance and development of the Common Areas that are open for all Owners' use and enjoyment.

DECLARATION

NOW, THEREFORE, Declarant hereby declares that all property in Cedar Landing shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved, subject to the following covenants, conditions and restrictions, all of which are in furtherance of a plan for the development, improvement and sale of Cedar Landing and of enhancing and perfecting the value, desirability and attractiveness of Cedar Landing. All of the covenants, conditions and restrictions herein set forth shall run with the Lots and property in Cedar Landing and shall be binding on all parties having or acquiring any right, title or interest in said properties in Cedar Landing or any part thereof and shall be for the benefit of each Owner of any portion of Cedar Landing, or any interest therein, and shall inure to the benefit of and be binding upon each successor in interest of such owners.

ARTICLE I
Definitions

In addition to the terms defined in ORS, Chapter 94, and elsewhere defined herein, the following terms shall have the following meanings whenever used in this Declaration:

1.1 **Additional Property**. Any land, whether or not owned by Declarant, which is made subject to this Declaration as provided in Article XIII below.

1.2 **Cedar Landing.** That certain real property herein described and located in the City of Medford, Jackson County, Oregon at 371W16, Tax Lot 800; 371W16BD, Tax Lots, 200, 300 & 400 and 371W16CA Tax Lots 1400 & 2200 and as described in the approved Cedar Landing PUD Plan (PUD 05-035) on file with the City of Medford, Jackson County, Oregon under the date of April 27, 2007. The Lots and open space designated as the Village at Cedar Landing in the PUD Plan (05-035) shall be governed by one or more separate sets of covenants, conditions and restrictions. As provided in Section 1.11 below, the pedestrian and bicycle pathways in the Village at Cedar Landing as described on the PUD Plan shall be subject to and governed by this Master Declaration.

1.3 **Declarant.** CEDAR LANDING, LLC, an Oregon Limited Liability Company, Monty R. Jantzer and Theresa L. Jantzer and their heirs, personal representatives, successors and assigns. All rights and obligations of the Declarant shall be binding upon and shall inure to the benefit of the respective heirs, personal representatives, successors and assigns of Declarant.

1.4 **Improvement.** Every structure or improvement of any kind, including but not limited to a fence, wall, driveway, pedestrian and bicycle pathways, bench, landscaping or other product of construction efforts on or in respect to Cedar Landing.

1.5 **Individual Development.** There will be four (4) separate individual developments within Cedar Landing consisting of the following uses: (a) condominiums; (b) residential single-family houses; (c) residential multi-plex, townhomes and/or zero lot line houses; (d) residential retirement housing; and/or (e) commercial development, including without limitation, offices, retail, restaurants, lounges and/or recreational uses. The four individual developments shall consist of and be known as the following:

(1) **High Cedars at Cedar Landing,** which may consist of approximately 34 Lots designated as single family residences for 55 & older individuals, 65 Lots designated as single-family residential lots, and 60 Lots designed as padlots, duplexes and/or townhomes;

(2) **Sky Lakes Village at Cedar Landing,** which may consist of approximately 124 single-family residential lots;

(3) **The Village at Cedar Landing,** which may consist of a luxury retirement community, commercial lots and approximately 39 condominium units. This development including all lots and open space in this development will be governed by one or more separate sets of covenants, conditions and restrictions. However, all pedestrian and bicycle pathways within this development as described on the PUD Plan shall be governed by this Master Declaration.

(4) **Cascade Terrace at Cedar Landing,** which may consist of approximately 71 single family residential lots.

Each Individual Development described above may be referred to both individually by name and collectively in this Declaration as an Individual Development.

1.6 **Individual Development Declaration.** A declaration of covenants, conditions, restrictions and easements establishing a cohesive neighborhood with architectural and use standards for the benefit of all Owners of Lots within the Individual Development and Cedar Landing. Said Individual Development Declaration shall have been executed by or bear the written approval of Declarant.

1.7 **Lot.** Any separately and numerically designated platted or partitioned plot of land, tract or condominium unit within Cedar Landing and as designated on the Individual Development plat as described in the Cedar Landing PUD Plat (05-035). A Lot does not include any of the Common Areas or any tracts or plots of land designated as common or open space in

the Cedar Landing PUD Plan, this Declaration, any Individual Development Declaration, or any declaration annexing such property to Cedar Landing.

1.8 **Articles & Bylaws.** The Articles of Incorporation and Bylaws of the Cedar Landing Residential Association recorded in the Official Records of Jackson County, Oregon.

1.9 **Assessments.** All assessments and other charges, fines and fees imposed by the Association on an Owner in accordance with this Declaration, including, without limitation, annual assessments, special assessments, emergency assessments and any other assessment described in Articles V and VI.

1.10 **Association.** CEDAR LANDING RESIDENTIAL ASSOCIATION, a Non-profit corporation organized under the laws of the State of Oregon, and its successors and assigns.

1.11 **Common Area.** All that open space, pedestrian and bicycle pathways and/or other common area property designated as such on that approved Cedar Landing PUD Plan (PUD 05-035) on file with the City of Medford, Jackson County, Oregon under the date of April 27, 2006 as described in this Declaration, any Individual Development Declaration, or any declaration annexing Additional Property to Cedar Landing and such additions thereto as may hereinafter be brought within the jurisdiction of the Association. See Exhibit "B" attached hereto and incorporated herein by this reference. Common Area shall also include any easement areas and any Lots converted to Common Area as provided in Article VIII. Common Area shall not include the open space included in the Village at Cedar Landing as designated on the Cedar Landing PUD Plan 05-035. However, all pedestrian and bicycle pathways in the Village at Cedar Landing as described on the PUD Plan shall be common area subject to this Declaration.

1.12 **Owner.** The person or persons, including Declarant, owning any Lot in Cedar Landing and/or any Individual Development, but does not include a tenant or holder of a leasehold interest or a person holding only a security interest in a Lot. The rights, obligations and other status of being an Owner commences upon acquisition of the ownership of a Lot and terminates upon disposition of such ownership, but termination of ownership shall not discharge an Owner from obligations incurred prior to termination.

1.13 **This Declaration.** All of the covenants, conditions, restrictions and easements set forth in this instrument, together with any rules or regulations promulgated hereunder, as the same may be amended or supplemented from time to time in accordance with the provisions hereof. including the provisions of any supplemental declaration annexing property to Cedar Landing.

1.14 **Architectural Control Committee.** The committee appointed pursuant to Article VII of this Declaration.

1.15 **Cedar Landing PUD Plan.** The Approved Cedar Landing PUD Plan (PUD 05-035) on file with the City of Medford, Jackson County, Oregon under the date of April 27, 2006. See also Exhibit "B" attached hereto.

ARTICLE II
Planned Community

2.1 **Name.** The name of the planned community shall be CEDAR LANDING.

2.2 **Classification.** The said property shall be a Class I planned community as defined under ORS 94.550(4). Cedar Landing shall contain 354 Lots consisting of residential and shall have annual assessments that exceed $10,000 for all Lots in Cedar Landing.

2.3 **Compliance with Oregon Planned Community Act.** Notwithstanding any provision of this Declaration that might be construed to the contrary, all activity with relationship to CEDAR LANDING and CEDAR LANDING RESIDENTIAL ASSOCIATION, including but not limited to the management and operation of Cedar Landing and the Association, shall be conducted in accordance and subject to the Oregon Planned Community Development Act, and those rules set forth in ORS 94.550 to 94.783.

2.4 **Bylaws.** Pursuant to ORS 94.580, the Bylaws of CEDAR LANDING RESIDENTIAL ASSOCIATION shall be recorded with the County Clerk of Jackson County.

ARTICLE III
Association and Membership

3.1 **Organization**. The name of the homeowners association shall be CEDAR LANDING RESIDENTIAL ASSOCIATION (hereinafter "Association"). The Association is a non-profit Oregon corporation charged with the duties and invested with the powers prescribed by law and set forth in the Articles, the Bylaws, and this Declaration. Neither the Articles nor Bylaws shall, for any reason, be amended or otherwise changed or interpreted so as to be inconsistent with this Declaration. In the event of any such inconsistency, the provisions of this Declaration shall prevail. The Board of Directors of the Association, and such officers as the Board may elect or appoint, shall conduct the affairs of the Association in accordance with the Articles, Bylaws, and this Declaration as from time to time amended.

3.2 **Membership.** Every person or entity who is a record owner of a fee or undivided fee interest in any Lot in Cedar Landing which is subject under the covenants of record to assessment by the Association, including contract sellers, shall be a member of the Association (hereinafter "Association Membership" or "Member"). Each member shall have the rights, duties and obligations set forth in this Declaration, any Individual Development Declaration, the Articles, and the Bylaws, as the same may from time to time be amended.

The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association and shall not be assigned, transferred, pledged, conveyed or alienated in any way except upon the transfer of title to such Lot, and then only to the transferee of title thereto. Ownership of such Lot shall be the sole qualification for membership and shall automatically commence upon a person becoming such owner and shall automatically terminate when such ownership shall terminate or be transferred.

3.3 **Voting Rights.** All Membership and voting procedures are governed by the Articles, Bylaws and this Declaration. Any action by the Association which must have the approval of the Association Membership before being undertaken shall expressly require the vote or written assent of a prescribed percentage of the total voting power of the Association Membership, as more particularly stated within this Declaration. The Association shall have two classes of voting membership, known as Class A membership and Class B membership.

(a) *Class A Members.* Class A members shall be all those owners as defined in Section 3.2. Class A members shall be entitled to one (1) vote for each Lot in which they hold the interest required for membership by Section 3.2. When more than one person holds such interest in any Lot, all such persons shall be members. However, the vote for each Lot must be cast as a unit, and fractional votes shall not be allowed. In the event joint Owners are unable to agree among themselves as to how their vote or votes shall be cast, they shall lose their right to vote on the matter in question. If an Owner (or Owners) casts a vote representing a certain Lot, it will thereafter be conclusively presumed for all purposes that such Owner was acting with the authority and consent of any other Owners of said Lot. The right to vote may not be severed or separated from the Lot ownership to which it is appurtenant, and any sale, transfer or conveyance of such Lot to a new Owner or Owners shall operate to transfer the appurtenant vote without the requirement of any express reference thereto.

(b) *Class B Members.* The Class B Members shall be the Declarant as defined in Section 1.3. The Class B Members shall be entitled to five (5) votes for each Lot in which they hold the interest required for membership as provided in Section 3.2 above. Class B membership shall be converted to Class A membership and shall forever cease to exist when Declarant has sold all the Lots owned by it in Cedar Landing.

(c) *Voting Procedures.* Any vote may be cast in person or by proxy. All proxies shall be in writing, dated, signed by the Owner giving the proxy and filed with the Secretary before the commencement of any meeting. A proxy shall terminate eleven (11) months after its date unless the proxy specifies a shorter term. Every proxy shall automatically cease upon the sale of the Lot by the Owner and upon the death or incapacity of the Member who executed the proxy.

(d) *Declarant's Right To Vote.* Notwithstanding any other provision of this Declaration, and, except as provided in Section 9.3, hereof, any regulation herein requiring the approval of a prescribed percentage of the voting power of members of the Association other than the Declarant, for an action to be taken by the Association shall also require the vote or written assent of a bare majority of the total voting power of the Association as well as the vote or written assent of the prescribed percentage of the total voting power of members other than the Declarant.

(e) *Suspension of Voting Rights.* The voting rights of an Owner shall be suspended during such period as any assessment due under this Declaration from such Owner remains unpaid; provided, however, that the Board shall give any such Owner at least fifteen (15) days notice prior to such suspension, and such Owner shall be entitled to a hearing before the Board in accord with Section 3.4 of the Bylaws.

3.4 **Initial Association Board of Directors.** The initial Board shall be appointed by Declarant. Pursuant to ORS 94.600 Declarant reserves the right to control the Association until all Lots within Cedar Landing have been sold and all landscaping and improvements in the Common Area pursuant to the Cedar Landing PUD Plan have been completed. Thereafter, the Board shall be elected as provided in the Bylaws for the Association (herein referred to as "Board").

3.5 **Duties of the Association.** The Association shall have the obligations and duties, subject to and in accordance with this Declaration and the Bylaws, to do and perform the following acts for the benefit of its Members and for the maintenance and improvement of the Common Areas and Cedar Landing.

(a) *Common Area Construction, Maintenance and Operation.* The general maintenance and management of the Common Area shall be performed by the Association pursuant to this Declaration, including the maintenance and management of all landscaping in the Common Areas in Cedar Landing, including all pedestrian and bicycle pathways in Cedar Landing, and all retention ponds in Cedar Landing. Except as provided in this Declaration, the Association shall construct, maintain and manage the Common Area, all improvements located thereon, all easements for operation and maintenance purposes over the Common Area and all easements for the benefit of Members of the Association within Cedar Landing. Each Owner hereby grants to the Association a nonexclusive easement of ingress and egress to that portion of his/her Lot as may be reasonably required by the Association to exercise or otherwise perform its rights under this Section 3.5 and this Declaration.

(b) *Utilities*. To acquire, provide and/or pay for water, sewer, garbage, disposal, refuse pickup, electrical, and other necessary utility services for the Common Areas and to install and pay for the construction of said utilities from the Common Area to each individual residence and/or Common Areas. In addition, the Association is responsible for the construction and payment for all landscaping within the Common Areas.

(c) *Sidewalks Mailboxes. Etc.* The Association shall initially construct and pay for, as well as maintain, repair, replace, reconstruct and relocate sidewalks, lighting, path lighting, street signs, any mail and post boxes, and the landscaping located within the Common Area, as initially designated on the Cedar Landing PUD plan on file with the City of Medford, Oregon.

(d) *Storm Drains.* The Association shall be responsible to maintain all private storm drainage systems in Cedar Landing.

(e) *Insurance of Common Areas and Alley ways.* To insure all Common Areas and private Alley ways, if any. It is the intent of this Declaration that Owners will be responsible for insuring and maintaining their own Lots and dwelling buildings, including but not limited to all glass, and all utility services extending to and from the Common Areas.

(f) *Alley ways.* All alleyways described in the Cedar Landing PUD Plan shall be private alleyways and designed pursuant to City of Medford road standards and owned and maintained by the Association.

(g) *Other.* To perform such other acts, whether or not expressly authorized by this Declaration, as may be reasonably necessary to enforce any of the provisions of this Declaration, the Bylaws and any Individual Development Declaration.

3.6 **Power and Authority of the Association.** The Association shall have all of the powers of a nonprofit corporation organized under the Non-Profit Corporation Law of the State of Oregon, subject only to such limitations upon the exercise of such powers as are expressly set forth in the Articles, the Bylaws, and/or this Declaration. The Association shall have the power to do any and all lawful things which may be authorized, required or permitted to be done by the Association under this Declaration, the Articles, and/or the Bylaws, and to do and perform any and all acts which may be necessary or proper for or incidental to the exercise of any of the express powers of the Association, including without limitation:

(a) *Assessments.* To levy any assessments on the Owners and to enforce payment of such assessments, all in accordance with the provisions of Articles V and VI of this Declaration.

(b) *Right of Entry and Enforcement.* To enter upon any Lot or the Common Area for the purpose of performing the duties of the Association set forth in Section 3.5 of this Article, enforcing by peaceful means any of the provisions of this Declaration, any Individual Development Declaration or maintaining or repairing any area, including the landscaping on each Lot in a neat and attractive manner, required to be maintained by an Owner if for any reason such Owner fails to maintain or repair such area. Such entrance upon a Lot shall be after seventy-two (72) hours prior written notice to the Owner; provided, however, that such entrance shall be permitted upon consent of at least one (1) Board member without any prior notice in the event of an emergency. An emergency shall be deemed to exist when there is a condition causing peril or threat to persons or property. The Association shall also have the power and authority from time to time in its own name, on its own behalf or on behalf of any Owner or Owners who consent thereto, to commence and maintain actions and suits to restrain and enjoin any breach or threatened breach of this Declaration or any Individual Development Declaration and to enforce, by mandatory injunction or otherwise, all of the provisions hereof. These rights shall be exercised in such a manner as reasonable to minimize any adverse impact upon the Owner's right to enjoyment of his/her Lot.

(c) *Easements and Rights-of-Way.* To grant and convey to any third party easements and rights-of-way in, on, over and under the Common Areas for the purpose of constructing, erecting, operating or maintaining thereon, therein or thereunder overhead or underground lines, cables, wires, conduits, or other devices for the transmission of electricity for lighting, heating, power, telephone and other purposes, public sewers, storm water drains and pipes, water systems, sprinkling systems, water and gas lines or pipes cable TV lines, security system lines and any similar public or quasi-public improvements or facilities. However, neither the Association, nor any Lot Owner, shall have an easement over or across any of such Lots for any other purpose.

(d) *Employment of Manager.* To employ the services of a person or firm to manage the Common Areas and the affairs of the Association ("the Manager") to the extent deemed advisable by the Board, as well as such other personnel as the Board shall determine to

be necessary or proper for the operation of the Common Areas, whether such personnel are employed directly by the Association or are furnished by the Manager.

(e) *Services.* To contract for materials and/or services for the Common Area or the Association. Any such service contract or management contract, including but not limited to a contract pursuant to Section 3.6(d) of this Article, shall be subject to termination by either party without cause upon thirty (30) days notice in writing to the other party.

(f) *Rules.* By a majority vote of the Board, and from time to time, to adopt, amend, enforce and repeal such rules and regulations as the Board shall determine to be necessary or proper for the operation of the Association and Cedar Landing. The Association Rules shall govern the use of the Common Areas by any Owner, by the family of such Owner, or by any invitee, permitee, licensee or tenant of such Owner; provided, however, that the Association Rules may not discriminate among Owners and shall not be inconsistent with this Declaration, the Articles, and/or the Bylaws. A copy of the Association Rules as they may from time to time be adopted, amended or repealed, shall be mailed or otherwise delivered to each Owner. Upon such mailing or delivery, the Association Rules shall have the same force and effect as if set forth in and a part of this Declaration. The Association Rules shall not materially change the rights or privileges of any person, or the restrictions on any Lot, as herein set forth.

ARTICLE IV
Common Area Use Restrictions

The use of the Common Area shall be restricted in accordance with the following provisions in addition to all other covenants, conditions and restrictions herein contained.

4.1 **Recreational Use.** The Common Area shall be used for recreational purposes only and shall not be used for any commercial use, including any business, trade, occupation, craft fair, farmer's market or any other type of business for profit, except with the express written permission of the Board.

4.2 **Structures.** No permanent or temporary structures of any kind shall be erected, placed, altered or permitted to remain on any of the Common Area, including any tents, trailers, shack, tables, play ground sets, benches, and stands except upon written approval from the Association.

4.3 **Animals.** No dog shall be allowed in the Common Area unless said dog is under the control of a responsible person by means of a leash. The Owner of any pet shall be responsible for cleaning up after said pet on any property within, or any common area of, Cedar Landing, including all pedestrian and bicycle pathways.

4.4 **Sports Apparatuses.** No basketball standards or fixed sports apparatus of any nature, including but not limited to any volleyball nets, baseball mounds and bases, soccer goal nets and posts, and any other sports equipment, shall be erected, attached to or remain on the Common Areas for more than a 24 hour period without the express written permission of the Association.

4.5 **Nuisance.** No noxious or offensive trade or activity shall be carried on or upon any of the Common Area, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

ARTICLE V
Funds and Assessments

5.1 **Operating Fund.** The Association shall establish and maintain an operating fund into which shall be deposited monies paid to the Association by the Owners of Lots in Cedar Landing, any special and emergency Assessments collected by the Association, and any reimbursement or miscellaneous fees collected by the Association, from which funds the Association shall make disbursements in the performance of its rights and duties as provided for in this Declaration and/or any Individual Development Declaration.

5.2 **Reserve Fund.** The Association shall also establish and maintain a reserve fund for replacement of all items of Common Area property which will normally require replacement, in whole or in part, in more than three (3) and less than thirty (30) years for exterior painting, if the common property includes exterior painted surfaces, and for such other items as may be required by this Declaration, the Bylaws and/or any Individual Development Declaration. Declarant may defer payment of accrued reserve assessments for a Lot until the Lot is conveyed. The books and records of the Association shall reflect the amount owing from Declarant for all reserve assessments. The Board annually shall conduct a reserve study, or review and update an existing study of the Common Area components to determine the reserve account requirements, as provided in ORS 94.595(4) as it may be amended from time to time. The operating fund and the reserve fund shall be kept in separate accounts.

5.3 **Regular Assessments.** Regular Assessments shall be collected by the Association pursuant to this Declaration. Within forty-five (45) days prior to the beginning of each fiscal year, the Association shall estimate the costs and expenses to be incurred by the Association for the maintenance of the Common Area in Cedar Landing as well as the estimated costs and expenses incurred by the Association in performing its duties under this Declaration and/or any Individual Development Declaration. The regular assessment shall consist of the following: (a) the Association's costs and expenses for the maintenance of the Common Area and all other open space/common areas within Cedar Landing pursuant to the this Declaration and any Individual Development Declaration; and (b) the Association's estimated costs and expenses incurred in performing its rights and duties under this Declaration and/or any Individual Development Declaration. The estimated amount of the regular assessment shall be assessed equally to all the Owners of all residential Lots within Cedar Landing. The amount per Lot so assessed to each owner is called "the Regular Assessment."

5.4 **Special or Emergency Master Assessments.** In addition to the Regular Assessment, the Association and/or the Board may levy during any fiscal year a special or emergency assessment applicable to that year only, for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction (including reconstruction costs in excess of insurance proceeds), repair or maintenance necessitated by the failure of the Owner or tenant to maintain his/her dwelling or Lot, repair of any common watered areas or utilities, unexpected

repair or replacement of a capital improvement upon the Common Area, and/or any other open space/common area within Cedar Landing, including the necessary fixtures and personal property related thereto, or any extraordinary expense not contemplated by this Declaration, or any Individual Development Declaration of whatsoever nature. Provided that, in any fiscal year, the Board may not, without the vote or written assent of a majority of the voting power of the Association residing in members other than the Declarant, levy special or emergency assessments to defray the costs of any action or undertaking on behalf of the Association which in the aggregate exceed five percent (5%) of the budgeted gross expenses of the Association for that fiscal year. Except as otherwise provided herein, special and emergency assessments shall be assessed to the Owners of Lots within Cedar Landing equally and shall be paid as the Association or/and Board shall determine. The provisions herein with respect to special and emergency assessments do not apply in the case where the Special Assessment against a member is a remedy utilized by the Board to reimburse the Association for costs incurred in bringing the member and his/her Lot into compliance with the provisions of the this Declaration and/or any Individual Development Declaration.

5.5 **Non-waiver of Assessments**. If, before the expiration of any fiscal year, the Association fails to determine the amount of any or all assessments set forth in this Declaration for the next fiscal year, the amount of the Regular Assessment established for the preceding year shall remain in effect until the Association determines a new amount for any or all assessments.

5.6 **Payment of Assessments.** Each Owner shall be obligated to pay the Regular Assessments made pursuant to this Article V and/or pursuant to this Declaration to the Association in equal monthly installments on or before the first day (1st) of each month in advance, or in such other manner as the Association and/or Board shall designate. Each Owner shall be obligated to pay special or emergency assessments made pursuant to this Article V in such manner as the Association and/or the Board shall provide. The Association shall provide each owner with a statement of the Regular Assessments within ten (10) days prior to the beginning of each fiscal year, but shall not be obligated to provide monthly statements to any Owner thereafter.

5.7 **Commencement of Assessments.** The Regular Assessments shall commence as to each Lot in Cedar Landing upon the close of the sale of the first Lot in Cedar Landing to someone other than Declarant. The first Regular Assessment shall be adjusted according to the number of months remaining in the fiscal year and the initial payment due with respect to a partial month from an Owner, other than Declarant, shall be prorated as of the close of escrow for the purchase of such Owner's Lot. The Association shall, within ten (10) days after demand and upon payment of a reasonable fee as determined by Resolution of the Board, furnish to an Owner a certificate signed by an officer of the Association stating whether assessments on his/her Lot have been paid.

5.8 **Reimbursement Fee.** The Association and/or the Board shall levy an assessment against any Owner who has failed to comply with, or has breached this Declaration, any Individual Development Declaration, the Association Rules and/or Bylaws, for whom monies or expenses were expended or incurred by the Association from the operating fund in performing its functions or enforcing the provisions of this Declaration, any Individual Development Declaration, the Association Rules and/or the Bylaws. Such assessment shall be for the purpose

of reimbursing the Association and shall be limited to the amount so expended or incurred and shall be due and payable to the Association when levied.

5.9 **User Fees.** The Board may set user fees for Owners and guests as it deems necessary for the use of the Common Area to help defray the cost of maintenance thereof.

5.10 **Funds Held in Trust.** The assessments collected by the Association pursuant to the provisions of this Declaration shall be held by the Association for and on behalf of each Owner and shall be used solely for the operation, care, and maintenance of the Common Area, and all other open space/common area in Cedar Landing as provided in this Declaration and any Individual Development Declaration, Bylaws, and/or the Association Rules, if any. Upon the sale or transfer of any Lot, the Owner's interest in the funds shall be deemed automatically transferred to the successor in interest of such Owner.

5.11 **Offsets.** No offset against any assessment shall be permitted for any reason, including, without limitation, an offset based on any claim that the Association is not properly discharging its duties.

5.12 **Profits.** In the event that the assessments levied in a fiscal year exceed expenses of the Association for that year, the Owners shall not be entitled to recover such profits from the Association. Rather, the Board shall take said profits into account when budgeting for the upcoming fiscal year as provided in Section 5.3 of this Declaration.

ARTICLE VI
Enforcement of Assessments

6.1 **Covenant to Pay Assessments.** Declarant covenants for each Lot owned and each Owner, other than Declarant, by acceptance of a deed to a Lot, each Owner shall be deemed to covenant to pay to the Association any assessments levied pursuant to this Declaration, including any Regular Assessments, special and emergency assessments, and/or Reimbursement Fees levied in accordance with Article V of this Declaration.

6.2 **Enforcement.** Each assessment levied hereunder shall be a separate, distinct and personal debt and obligation of the person who was the Owner of such Lot at the time such assessment became due and payable. In the event of a default in payment of any such assessment, the Association may enforce each such obligation by any and all remedies provided by law. The Association at their discretion may retain the services of an attorney or employ a collection agency to collect all assessments which are past due. Collection expenses, including reasonable attorney fees and costs shall be assessed to the Owner and any collection costs that remain unpaid more than thirty (30) days after assessment shall bear interest at the rate of 12% per annum. In the event the Association brings an action to enforce each such assessment obligation, any judgment rendered in any such action shall include a sum for reasonable attorneys' fees in such amount as the Court may adjudge against the defaulting Owner, including reasonable attorneys' fees on appeal.

At any time when an assessment of any type provided for by this Declaration or an installment thereof is delinquent, the Association, may file a notice of lien in the deed records of

Jackson County, Oregon, against the Owner and Lot to which the assessment pertains as provided by ORS 94.709.

6.3 **Interest; Fines: Late Fees; Penalties.** The delinquent assessment bears interest at the rate of 12% per annum or the maximum rate approved by law, whichever is less. The Association, in its reasonable discretion, may from time to time adopt resolutions to modify the rate of interest and impose late fees, fines, and/or penalties on delinquent assessments or for violations of provisions of this Declaration and/or any Individual Development Declaration, the Bylaws, and/or Association Rules. All Owners shall receive written notice from the Board of such adoption of a resolution or rule establishing late fees, fines, and/or penalties not less than thirty (30) days before the effective date of such resolution or rule. The payment of late fees, fines, and penalties are enforceable in the same manner of other assessments as set forth in this Article VI.

ARTICLE VII
Architectural Control Committee

7.1 **Architectural Control Committee.** There shall be an Architectural Control Committee comprised of no less than three (3) or more than seven (7) members. The Declarant shall appoint all of the original members of the Architectural Control Committee and all replacements, until one hundred percent (100%) of all Lots in Cedar Landing have been sold and built upon and all the Common Areas have been constructed and landscaped pursuant to the Cedar Landing PUD. Thereafter, the Board shall have the power to appoint all of the members of the Architectural Control Committee. Members appointed to the Architectural Control Committee by the Declarant need not be members of the Association. The Architectural Control Committee, with the approval of the Board, shall have the right to hire a licensed architect, a landscape architect, an engineer or such other professionals as may be required to advise the Architectural Control Committee in carrying out its duties pursuant to this Article VII. The Architectural Control Committee may establish and maintain a list of approved licensed general contractors who are allowed to work within Cedar Landing.

7.2 **Architectural Review.** No Improvement (including landscaping) shall be commenced, erected, placed or altered on any Lot within any Individual Development and/or Cedar Landing until the construction plans and specifications have been submitted to and approved in writing by the Architectural Control Committee. It is the intent and purpose of this Declaration to assure quality of workmanship and materials and to assure harmony of external design with the existing Improvements and as to location with respect to topography and finished grade elevations. The Architectural Control Committee is not responsible for determining compliance with building codes, solar ordinances, zoning codes or any other governmental regulations, all of which are the responsibility of the applicant. The procedure and specific requirements for review and approval of construction may be set forth in Architectural Rules as provided below and as adopted from time to time by the Architectural Control Committee. The Architectural Control Committee may charge a reasonable fee to cover the costs of processing the application. In all cases in which the Architectural Control Committee consent is required by this Declaration, the provisions of this Article shall apply.

7.3 **Duties of Architectural Control Committee.** Subject to the minimum criteria set forth in any Individual Development Declaration and this Declaration, it shall be the duty of the Architectural Control Committee to consider and act upon any and all proposals or plans submitted to it pursuant to the terms hereof, to insure that overall building designs, roof pitch and materials, any painting or exterior coverings, window placements and sizes or improvements constructed, which shall also include landscaping and plantings, on any Individual Development by anyone other than the Declarant, conform to plans approved by the Architectural Control Committee. No person shall make any alterations to the exterior of a dwelling, including changes in color, until the complete plans and specifications, showing the location, nature, shape, height, form of change (including, without limitation, any other information specified by the Architectural Control Committee) shall have been submitted to and approved in writing as to overall appearance, and harmony of design, color and location in relation to surrounding structures and topography, by the Architectural Control Committee. The Architectural Control Committee may withhold consent to any proposed work if the committee finds the proposed work would be inappropriate for the particular Lot or incompatible with the design standards that the committee intends for Cedar Landing and/or any Individual Development therein.

7.4 **Architectural Rules.** Upon the expiration of Declarant control under Section 7.1, the Board may, from time to time, and in its sole and absolute discretion, adopt, amend and repeal rules and regulations, to be known as "Architectural Rules." Said Architectural Rules shall interpret and implement this Declaration by setting forth the standards and procedures for any Architectural Control Committee review and the design guidelines for architecture design, placement of buildings, landscaping, color schemes, exterior finishes and materials and similar features which are recommended for use within any Individual Development and Cedar Landing.

7.5 **Application for Approval of Improvements.** Any Owner, except the Declarant and their designated agents, proposing to perform any work of any kind which requires the prior approval of the Architectural Control Committee pursuant to any provisions in this Declaration and/or any Individual Development Declaration, shall apply to such Architectural Control Committee for approval by notifying the Architectural Control Committee of the nature of the proposed work in writing and furnishing such information as the Architectural Control Committee may require.

7.6 **Approval/Disapproval.** A majority of the members of the Architectural Control Committee shall have the power to act on behalf of the committee. All approvals given under this Article VII shall be in writing. If a request for approval has not been granted within forty-five (45) days from the date of submission of all information requested by the Architectural Control Committee, the proposal shall be deemed approved. After Declarant no longer appoints the Architectural Control Committee, as provided in Section 7.1, if the Architectural Control Committee disapproves the proposal, the applicant shall have the right to appeal such decision to the Board by giving written notice thereof to the President or Secretary of the Board within ten (10) days after written notice of disapproval is given to the applicant by the Architectural Control Committee. Any such appeal shall be conducted pursuant to the rules and regulations established by the Board. The Board's decision shall be final.

7.7 **Completion of Work.** The Owner shall complete the construction, reconstruction, refinishing or alteration of any such improvement within fifteen (15) months after

commencing construction thereof, except and for so long as such completion is rendered impossible or would result in great hardship to the Owner due to strikes, fires, national emergencies, natural calamities or other supervening forces beyond the control of the Owner or his agents. Landscaping on each Lot shall be completed within six (6) months after completion of the dwelling on such Lot. If the Owner fails to comply with this Section7.7, the Architectural Control Committee shall notify the Board of such failure, and the Board shall proceed in accordance with the provisions of Section 7.8 as though the failure to complete the improvement was a noncompliance with the approved plans.

7.8 **Inspection of Work.** Inspection of work and correction of defects therein shall proceed as follows:

(a) Upon the completion of any construction or reconstruction or the alteration or refinishing of the exterior of any improvements, or upon the completion of any other work for which approved plans are required under this Article VII, the Owner shall give written notice thereof to the Architectural Control Committee. Irrespective of any inspection and/or approval by the Association or its Architectural Control Committee, the City of Medford shall retain the inherent power to remedy any non-compliance with any requirements of the City of Medford.

(b) Within forty-five (45) days thereafter the Architectural Control Committee, or its duly authorized representatives, may inspect such improvement to determine whether it was constructed, reconstructed, altered or refinished to substantial compliance with the approved plans and shall report its findings and recommendation to the Board. If the Board finds that such construction, reconstruction, alteration or refinishing was not done in substantial compliance with the approved plans, it shall notify the Owner in writing of such noncompliance, specifying particulars of noncompliance, and shall require the owner to remedy such noncompliance.

(c) If upon the expiration of thirty (30) days from the date of such notification, the Owner shall have failed to remedy such noncompliance the Board shall set a date on which a hearing before the Board shall be held regarding the alleged noncompliance. The hearing date shall be not more than thirty (30) days nor less than fifteen (15) days in advance of notice thereof by the Board to the Owner, the Architectural Control Committee and, in the discretion of the Board, to any other interested party. The hearing procedures shall conform to those adopted by the Board pursuant to the Bylaws.

(d) At the hearing, the Owner, the Architectural Control Committee and, in the Board's discretion, any other interested person may present information relevant to the question of the alleged noncompliance. After considering all such information, the Board shall determine whether there is a noncompliance and, if so, the nature thereof and the estimated cost of correcting or removing the same. If a noncompliance exists the Board shall require the Owner to remedy or remove the same within a period of not more than forty-five (45) days from the date of the Board ruling. If the Owner does not comply with the Board ruling within such period or within any extension of such period as the Board in its discretion, may grant, the Board, at its option, may either remove the non-complying improvement or remedy the noncompliance, and the Owner shall reimburse the Association for all expenses incurred in connection therewith

upon demand. If such expenses are not promptly repaid by the Owner to the Association, the Board shall levy a Reimbursement Fee against such Owner pursuant to Section 5.8, hereof.

(e) If for any reason the Board fails to notify the Owner of any noncompliance within forty-five (45) days after receipt of said notice of completion from the Owner, the improvement shall be deemed to be in accordance with said approved plans.

7.9 **Liability.** Neither the Architectural Control Committee nor any member thereof or their delegates shall be liable to the Association or to any Owner for any damage, loss or prejudice suffered or claimed on account of (a) the approval or disapproval of plans, drawings and specifications, whether or not defective, (b) the construction or performance of any work, whether or not pursuant to approved plans, drawings and specifications, (c) the development of any property within any Individual Development and/or Cedar Landing or (d) the execution and filing of an estoppel certificate whether or not the facts therein are correct; provided, however, that such member has acted in good faith on the basis of such information as may be possessed by him/her. Without in any way limiting the generality of the foregoing, the Architectural Control Committee, or any member thereof, may, but is not required to, consult with or hear the views of the Association or any Owner with respect to any plans, drawings, specifications or any other proposal submitted to the Architectural Control Committee. Approval by the Architectural Control Committee does not mean said Architectural Control Committee is warranting or incurring any liability for the structural adequacy of the plans, drawings and specifications submitted to and approved by said Architectural Control Committee. Plans, specifications and drawings may require building permits and other entitlements from the appropriate governmental agencies.

7.10 **Other Applicable Law.** All improvements must be constructed in full compliance with all applicable governmental building codes. All Architectural Control Committee review and inspection procedures are intended to assure compliance only with aesthetic considerations. Declarant and the Architectural Control Committee are not responsible for any design or construction defects or failure of the building to meet appropriate building codes.

7.11 **Construction Debris.** Any contractor building any improvement approved by the Architectural Control Committee shall furnish trash containers and shall at all times keep the premises free from the accumulation of trash and scrap generated by the construction. Trash and scrap shall not be allowed outside designated trash and scrap areas. Upon completion of the work, all remaining trash and scrap shall be disposed of, and all tools, construction equipment, machinery, and surplus materials shall be promptly removed from the site. Representatives of the Architectural Control Committee or the Board shall be entitled to enter upon any construction site to clean up, remove and dispose of materials left on the site. The contractor and the Owner of the Lot for which the construction has been approved shall be liable for the costs incurred for such removal.

ARTICLE VIII
Property Rights and Easements

8.1 **Conveyance of Common Area.** The Declarant hereby covenants for itself, its successors and assigns, that, prior to or at the Turnover Meeting provided for in the Bylaws, it will convey fee simple title to the Common Area to the Association, free and clear of all liens and encumbrances, except the covenants, conditions and restrictions herein set forth, easements and utility right-of-ways then of record. All of said facilities shall be for the use and benefit of the Owners of Lots within Cedar Landing.

8.2 **Easements in Common Area.** Every Owner shall have a right and nonexclusive easement of enjoyment in and to the Common Area and any easements shown on the final plat, a nonexclusive easement for ingress and egress over and through the Common Area, and a nonexclusive easement for vehicular ingress and egress over and through those portions of the Common Area which shall be designated as private streets on the recorded maps of the Cedar Landing PUD. Such easements shall be appurtenant to the right of the Association to sell, transfer or encumber all or any portion of the Common Area to a person, firm or entity, whether public or private, and the right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the Owners. No such sale, transfer, encumbrance or dedication shall be effective except upon the prior vote or written consent of the Association Members representing seventy-five percent (75%) of the voting power of the Association; provided, however, that a dedication required by a governmental agency as a condition to recording a final plat covering any portion of Cedar Landing shall require no such prior vote or written consent.

8.3 **Delegation.** Any Owner may delegate his/her right of use and enjoyment to the Common Area to the members of his/her family or tenants who reside on his/her Lot. Tenants shall not have the right to further delegate the Owner's right to use and enjoy the Common Areas. The rights and privileges of any delegee shall be in accordance with and subject this Declaration and/or any Association Rules; provided, however, that the Owner making such delegation (and his/her Lot) shall remain liable for the assessments herein provided for and subject to all of the terms and conditions of this Declaration and/or any Individual Development Declaration.

8.4 **Utility Easements.** Each Lot shall be conveyed to Owners, other than Declarant, subject to any and all easements of record for the use and benefit of the several authorized public and/or other utilities, including, but not limited to, cable, fiberoptic, telephone and other communication lines, sanitary sewers, water, gas, and electrical and drainage easements, and sprinkler control boxes, and no Owner shall damage or interfere with the installation and maintenance of such utilities, or in any manner change the direction or flow of drainage channels in any such easements, or in any manner obstruct or retard the flow of water through drainage channels in any such easements.

8.5 **Alterations to Common Area.** Only the Association shall have the right to construct, reconstruct, or alter any improvement situated on any Common Area. No member shall be permitted to trim, cut, or remove any trees, shrubs, or plants in the Common Area without the prior vote or written consent of the Association.

8.6 **Restrictions on Use of Common Area.** All of the Common Areas in Cedar Landing shall be limited to use by pedestrians and non-motorized vehicles and subject to those use restrictions set forth in Article IV of this Declaration. Use of personal mobility devices by persons with limited mobility or as otherwise required by law shall be allowed. No temporary or permanent parking or storage of any kind shall be allowed in any Common Area. No motorized vehicles of any kind, other than ones used for landscaping, shall be permitted in the Common Area. The Common Area shall not be partitioned or otherwise divided into parcels for residential or commercial use and no private structure of any type shall be construed on the Common Area. Except as provided in this Declaration, the Common Area shall be reserved for the use and enjoyment of all Owners in Cedar Landing and no private use may be made of the Common Area.

8.7 **Easements Reserved by Declarant.** So long as Declarant owns any Lot within Cedar Landing, Declarant reserves an easement over, under and across the Common Area in order to carry out sales and rental activities necessary or convenient for the sale or rental of Lots. In addition, Declarant hereby reserves to itself and for the Owners of Lots in all future phases of Cedar Landing a perpetual easement and right-of-way for access over, upon and across the Common Area for construction, utilities, commutation lines, drainage, and ingress and egress for the benefit of other property owned by Declarant and future phases of Cedar Landing. Declarant, for itself and its successors and assigns, hereby retains a right and easement of ingress and egress over, in, upon, under and across the Common Area and the right to store materials thereon and to make such other use thereof as may be reasonably necessary or incident to the construction of the Improvements on Cedar Landing, and/or any Individual Development, or other real property owned by Declarant; provided, however that no such rights shall be exercised by Declarant in such a way as to unreasonably interfere with the occupancy, use, enjoyment or access to an Owner's Lot by that Owner or his/her family, tenants, employees, guess or invitees.

ARTICLE IX
Development Rights

9.1 **Limitations of Restrictions.** Numerous contractors are undertaking the work of constructing residential dwellings and incidental improvements upon the Lots included within the Cedar Landing and each Individual Development. The completion of that work and the sale, rental and other disposal of said dwellings is essential to the establishment and welfare of said property as a planned unit development. In order that said work may be completed and said property be established as a fully occupied planned unit development as rapidly as possible, nothing in this Declaration shall be understood or construed to:

(a) Prevent Declarants, contractors, subcontractors, or permittees from obtaining reasonable access over and across the Common Area in Cedar Landing or from doing on any Lot or any portion of Cedar Landing whatever is reasonably necessary or advisable in connection with the completion of said work; or

(b) Prevent Declarants or contractors from erecting, constructing and maintaining on any part or parts of Cedar Landing such structures as may be reasonably necessary for the conduct of their business in completing said work, establishing said property as

a planned unit development, and disposing of the same in parcels by sale, lease, or otherwise, including the right to maintain model homes; or

(c) Prevent Declarants or contractors from maintaining such signs within the Cedar Landing, as may be necessary for the sale, lease or disposition of the Lots therein.

9.2 **Declarant's Development Rights.** Notwithstanding any other provision herein contained, Declarant or its assigns expressly retains unalterable rights to develop Cedar Landing described on Exhibit "A" and construct homes thereon in the manner deemed desirable by Declarant in Declarant's sole discretion; provided, however, that Declarant has or shall obtain governmental consents where required by law. Upon development of all such real property, Declarant shall have constructed or shall construct the following amenities which shall be a part of the Common Area: (i) Landscape the Open space; (ii) pedestrian and bicycle pathways as described in the Cedar Landing PUD Plan, and (iii) pathway lighting.

Said amenities shall be constructed no later than the time when all Lots in Cedar Landing have been sold by Declarant. It is anticipated that development of the real property will extend over a period of years, and for that reason the Declarant shall retain the flexibility to develop the property in Cedar Landing in the manner deemed best by Declarant in Declarant's sole discretion. Declarant's reserved rights shall include the power to restrict access to portions of the Common Area as reasonably necessary during the course of construction, and thereafter, for health, safety, privacy and security purposes, as deemed appropriate by Declarant. There shall be no limitation, other than that imposed by appropriate governmental agencies having jurisdiction, upon Declarant's rights to develop and sell the property in any manner deemed appropriate by Declarant. Nothing in this Declaration shall limit the right of Declarant or its assigns to commence and complete construction of improvements of Cedar Landing or to alter the foregoing, the Individual Developments or the Lots or Common Area, or to construct such additional Improvements (including any fencing and gates for Common Area, including the pedestrian and bicycle pathways) as Declarant deems advisable prior to the completion and sale of all the Lots in Cedar Landing development described on Exhibit "A" and completion of the landscaping and Improvements in the Common Area. Declarant shall have an easement over and across all boundary lines in the Common Areas for the purpose of adding or removing materials to insure that the boundary lines between the Common Areas and the Lots in Cedar Landing are appropriately aligned.

Declarant may use any of the Lots within Cedar Landing owned by them for model homesites, sales offices, and parking therefor, and for any other purpose for which Declarant may use the Common Area as provided herein. Declarant may use any dwellings upon Lots owned by it as a temporary overnight residence and for promotional purposes in connection with their sales program. Declarant shall have the right and easement to enter upon, use and enjoy and to designate and permit others (including without limitation, Declarant's agents, employees, representatives, contractors and prospective purchasers and lenders) to enter upon, use and enjoy the Common Area, including, but not limited to, all pedestrian and bicycle pathways, streets, sidewalks, parking areas and open areas, for common driveway purposes, for drainage and encroachment purposes, and for ingress to and egress from the Common Area for the purpose of completing improvements thereon or for the performance of necessary repair work.

Declarant reserves the right to alter their construction and development plans and designs for Cedar Landing as they deem appropriate, subject to applicable governmental approvals. The rights of Declarant under this Declaration may be assigned to any successor or successors as to all or part of said entity's respective interests in Cedar Landing by an express assignment incorporated in a recorded deed, option or lease, as the case may be, transferring such interest to such successor. This Declaration shall not limit the right of Declarant, at any time prior to acquisition of title by the purchaser from Declarant, to establish on any Lot or Common Area in Cedar Landing additional licenses, reservations and right-of-ways to themselves, to utility companies, or to others as may from time to time be reasonably necessary to the proper development of Cedar Landing.

9.3 **Consent of Declarant to Amendments.** Until Declarant shall sell all of the Lots in Cedar Landing, all homes are constructed thereon, and all Improvements and landscaping are completed for the Common Areas, no amendment to this Declaration shall be effective to curtail or eliminate Declarant's development rights set forth herein without Declarant's written consent.

ARTICLE X
Damage or Destruction

10.1 **Insurance Proceeds Sufficient.** In the event of damage or the partial destruction of any of the Common Area or Improvements in Cedar Landing, and, if the available proceeds of the insurance carried pursuant to the Bylaws are sufficient to cover not less than eighty-five percent (85%) of the cost of repair or reconstruction thereof, the damaged or destroyed improvements shall be promptly repaired and rebuilt substantially in accordance with the original design and standard of construction of the damaged or destroyed Improvement, unless, within ninety (90) days from the date of such damage or destruction, the Association and the Members representing seventy-five percent (75%) of the total voting power of the Association determine that such repair and reconstruction shall not take place.

10.2 **Insurance Proceeds Insufficient.** If the available proceeds of such insurance are less than eighty-five percent (85%) of the cost of repair or reconstruction, such repair or reconstruction may, nevertheless, take place if, within ninety (90) days from the date of such damage or destruction, Members representing seventy-five percent (75%) of the total voting power of the Association so elect at a duly constituted meeting of the Association.

10.3 **Assessments.** If the Members determine to rebuild, either pursuant to Section 10.1 or Section 10.2 above, each Owner shall be obligated to contribute such funds as may be necessary to pay his/her proportionate share of the cost of reconstruction, over and above the insurance proceeds. Such additional amount shall be assessed to each Owner in the manner provided in Article V and VI of this Declaration.

10.4 **Failure to Rebuild.** If rebuilding of the Common Areas shall not be authorized, either pursuant to Section 10.1 or Section 10.2, above, any available insurance proceeds shall be collected by the Association and used by the Association for such Common Areas improvements as it shall deem appropriate.

ARTICLE XI
Amendments

11.1 **Procedure.** Except as otherwise herein expressly provided, until the two (2) class voting structure of the Association is converted to one (1) class voting, this Declaration may be amended by an instrument in writing signed and acknowledged by the President and Secretary of the Association, certifying that such amendment has been approved by Members representing at least seventy-five percent (75%) of the total voting power of the Association. At such time as the two (2) class voting structure has been converted to one (1) class voting pursuant to the provisions hereof, any such amendment shall be approved by seventy-five percent (75%) of the total voting power of the Association. Notwithstanding the foregoing provisions of this Section 11.1, the percentage of the voting power necessary to amend a specific clause or provision shall not be less than the percentage of affirmative votes prescribed to take action under said clause or provision and, further, the Declarant shall have the power and authority to amend this Declaration when required by a governmental agency as a condition to obtaining a permit.

ARTICLE XII
Deannexation of Properties

12.1 **Deannexations**. In order to correct any errors in legal descriptions, Declarant may deannex, without the consent of the Association or the Owners, any of the Cedar Landing development provided that such property is comprised of Lots, and the Lots have not been improved with dwellings or have not been sold to a public purchaser, or, if comprised of Common Area, has not been conveyed to the Association. Upon any such deannexation, voting rights relating to membership in the Association will continue to be allocated on the basis of one (1) vote for each Lot. Declarant's right to deannex property shall expire when all Lots in Cedar Landing are sold and all Improvements to the Common Areas are complete or at the Turnover Meeting.

12.2 **Supplementary Declaration**. The deannexation authorized under this Article XII shall be made by filing of record a Supplementary Declaration of covenants, conditions and restrictions, or similar instrument. In no event, however, shall any such Supplementary Declaration revoke, modify or add to the covenants, conditions and restrictions established by this Declaration as to Cedar Landing, except as herein otherwise provided.

ARTICLE XIII
Annexation of Additional Property

13.1 **Annexation of Additional Property.** Declarant may from time to time and in its sole discretion annex to Cedar Landing as additional property any real property now or hereafter acquired by it, and may also from time to time and in its sole discretion permit other holders of real property to annex the real property owned by them to Cedar Landing. The annexation of such additional property shall be accomplished as follows:

(a) The owner or owners of such real property shall record a declaration which shall be executed by or bear the approval of Declarant and shall, among other things, describe the real property to be annexed, designate Cedar Landing as the development of which

such property is a part, establish any additional limitations, uses, restrictions, covenants and conditions which are intended to be applicable to such additional property, and declare that such property is held and shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to this Declaration and any Individual Development Declaration.

(b) The additional property included in any such annexation shall thereby become a part of Cedar Landing, this Declaration, and any Individual Development Declaration, and the Association shall have and shall accept and exercise administration of this Declaration and any Individual Development Declaration with respect to such property.

(c) Notwithstanding any provision apparently to the contrary, a declaration with respect to any additional property may:

(i) establish such new limitations, uses, restrictions, covenants, and conditions with respect to such additional property as Declarant may deem to be appropriate for the development of the Additional Property.

(ii) with respect to existing Lots, establish additional or different limitations, uses, restrictions, covenants and conditions with respect to such property as Declarant may deem to be appropriate for the development of such Additional Property.

(d) There is no limitation on the number of Lots which Declarant may create or annex to Cedar Landing, except as may be established by applicable ordinances of the City of Medford. Similarly, there is no limitation on the right of Declarant to annex common property, except as may be established by the City of Medford.

(e) Declarant does not agree to build any specific future improvement, but does not choose to limit Declarant's right to add additional improvements.

(f) Upon annexation to Cedar Landing, additional Lots so annexed shall be entitled to voting rights as set forth in Article III. All assessments shall be regulated pursuant to Article V and VI of this Declaration.

ARTICLE XIV
General Provisions

14.1 **Binding Effect; Term.** The covenants, conditions and restriction of this Declaration shall run with the land, and shall inure to the benefit of and be enforceable by the Association, or any Owner, their respective legal representatives, heirs, successors, and assigns.

14.2 **Nuisance.** Every act or omission, whereby any provision of this Declaration is violated in whole or in part, is hereby declared to be a nuisance and may be enjoined or abated, whether the relief sought is negative or affirmative action, by Declarant, the Association, and/or any Owner.

14.3 **Violation or Law.** Any violation of any federal, state, municipal, or local law, ordinance or regulation, pertaining to the ownership, occupation or use of Cedar Landing or any

part thereof is hereby declared to be a violation of this Declaration and/or any Individual Development Declaration and subject to any or all of the enforcement procedures set forth herein.

14.4 **Condemnation of Common Area.** If at any time all or any portion of any Common Area, or any interest therein, be taken for any public or quasi-public use, under any statute, by right of eminent domain or by private purchase in lieu of eminent domain, the entire award in condemnation shall be paid to the Association. Any such award to the Association shall be deposited into the operating fund of the Association. No owner shall be entitled to any portion of such award, and no Owner shall be entitled to participate as a Party, or otherwise, in any proceedings relating to such condemnation, such right of participation being herein reverted exclusively to the Association, or other holder of the fee title which shall, in its name alone, represent the interests of all Lot owners to the extent such Lot owners have any interest.

14.5 **Obligations of Owner.** No Owner may avoid the burdens or obligations imposed on him/her by this Declaration and any Individual Development Declaration through non-use of the Common Area, or by abandonment of his/her Lot. Upon the conveyance, sale, assignment or other transfer of a Lot to a new Owner, the transferring owner shall not be liable for any assessments levied with respect to such Lot after the date of such transfer, and no person, after the termination of his/her status as an Owner and prior to him/her again becoming an owner, shall incur any of the obligations or enjoy any of the benefits of an Owner under this Declaration and/or any Individual Development Declaration.

14.6 **Notice of Sale.** Within five (5) business days after the consummation of the sale of any Lot under circumstances whereby the transferee becomes an Owner thereof, the transferee shall notify the Association in writing of such sale. Such notification shall set forth (i) the name of the transferee and his/her transferor, (ii) the street address of the Lot purchased by the transferee, (iii) the transferee's mailing address, and (iv) the date of sale. Prior to receipt of such notification, any and all communications required or permitted to be given by the Association, this Declaration and the Board shall be deemed to be duly made and given to the transferee if duly and timely made and given to his/her transferor.

14.7 **Notices.** Any written notice or other documents relating to or required by this Declaration may be delivered either personally or by mail. If by mail, such notice or document shall be deemed to have been delivered and received five (5) calendar days after a copy thereof has been deposited in the United States postal service, postage prepaid, addressed as follows:

(a) If to the Association, to the address designated by the Association as its principal office address in the Articles of Incorporation.

(b) If to an Owner, to the address of any Lot owned, in whole or in part, by him/her or to any other address last furnished by an Owner to the Association:

(c) If to Declarant, to Cedar Landing, LLC, at 3535 Cedar Links Drive, Medford, Oregon 97504

Provided, however, that any such address may be changed at any time by the party concerned by delivering a written notice of change of address to the Association. Each Owner of a Lot shall file the correct mailing address of such Owner with the Association, and shall promptly notify the Association in writing of any subsequent change of address.

14.8 **Cumulative Remedies.** Each remedy provided by this Declaration is cumulative and not exclusive.

14.9 **Partial Invalidity; Construction.** The invalidity or partial invalidity of any provision of this Declaration shall not affect the validity of enforceability of any other provision of this Declaration and/or any Individual Development Declaration. This Declaration or the Bylaws shall be liberally construed to accomplish the purposes set forth herein. All captions used herein are intended solely for the convenience of reference and shall in no way limit any of the provisions of this Declaration.

14.10 **Number; Gender.** As used herein, the singular shall include the plural and the plural shall include the singular unless the context requires the contrary, and the masculine, feminine and neuter shall each include the masculine, feminine or neuter, as the context requires.

14.11 **Enforcement.** The Association or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, easements, liens, and charges now or hereinafter imposed by the provisions of this Declaration and any Individual Development Declaration. In the event of any such enforcement, the prevailing party shall be entitled to recover reasonable attorney fees and costs and disbursements incurred, including such of the same as may be incurred in any appeal.

14.12 **Exceptions.** The Board shall have the power to grant to any Owner special exceptions as to any conditions or covenants contained in this Declaration or the Bylaws upon the assent of fifty-one percent (51%) of the votes of the Association Membership of Cedar Landing who are voting in person or by proxy at a meeting duly called for this purpose or a regular annual meeting. These exceptions shall be final and binding upon the Association and all Owners of Lots in Cedar Landing. Such special exception may be granted subject to whatever provisions or conditions the Board shall deem appropriate. Any special exception granted by the Board shall conform to administrative rules, ordinances and statutes of the City of Medford and the State of Oregon.

14.13 **Assignment by Declarant.** Any or all rights, powers and reservations of Declarant herein contained may be assigned to any person or entity existing now or hereafter. Upon delivery of written notice of assignment from Declarant, the Association must accept such assignment and, to the extent of such assignment, the Association shall have the same rights and powers and be subject to the same obligations and duties as are given to and assumed by the Declarant herein.

14.14 **Scope and Applicability.** This Declaration and the Bylaws, and Association Rules apply to and bind all Members and all resident non-members of Cedar Landing. This paragraph does not confer membership status on any resident non-member, nor does it impose liability on any resident non-member for assessments authorized herein.

14.15 **Non-Waiver.** Any failure by the Association or by any Owner to enforce any covenant or restriction contained in this Declaration, any Individual Development Declaration, Bylaws, or the Association Rules shall in no event be deemed to constitute a waiver of the right to do so hereafter or a waiver of any other provision of this Declaration, any Individual Development Declaration, Bylaws or the Association Rules.

14.16 **Mediation; Arbitration; Attorney Fees.** It shall be a goal of the Association and Owners that disagreements and disputes between Owners and/or between an Owner and the Association be resolved as civilly and inexpensively as possible. Accordingly, all such disputes and disagreements arising out of or relating to interpretations or alleged violations of this Declaration, Bylaws, or Association rules, which are not resolved between the parties, except for non-payment of assessments, shall be mediated. The mediator shall be selected by the disputing or disagreeing parties. If the parties cannot agree upon a mediator, after reasonable attempts to do so, then one shall be selected through the process provided by a recognized mediation service designated by the first party who notifies the other of the mediation service selected. If the mediation is successful in arriving at a solution, the costs of mediation, not including attorney's fees, shall be split equally among the parties.

If the mediation is unsuccessful at arriving at a solution, then the dispute or disagreement shall be submitted to and decided by neutral binding arbitration in accordance with the provisions of ORS, Chapter 36. An arbitrator shall be selected by the disputing or disagreeing parties. If the parties cannot agree upon an arbitrator, then one shall be appointed by any court of record pursuant to ORS, Chapter 36. The parties shall have a right to discovery in accordance with the Oregon Rules of Civil Procedure. The award of the arbitrator shall be final and unappealable, and such award may be entered in an appropriate court to be enforced in the same manner as a judgment of that court. The arbitrator shall award to the prevailing party reasonable attorney fees and other costs associated with the mediation, arbitration, appeal, and enforcement of the award.

The Board may maintain a list of mediation services willing to provide services required under this Section 14.16. If such list is maintained and the disputing or disagreeing parties cannot agree upon a mediator, the mediator shall be selected from this list pursuant to the procedures of such mediation service(s).

An action by the Association for the collection of assessments or foreclosure of a lien resulting from the non-payment of such assessments shall not be subject to this provision requiring the mediation and arbitration of disagreements or disputes. In such a suit or action, the Association may file an action directly with a court of competent jurisdiction. In any such action or appeal thereon, the prevailing party shall be entitled to recover reasonable attorney fees and costs as determined by the court in which the action or appeal is filed.

IN WITNESS WHEREOF, Declarant has executed this Declaration this 29th day of November, 2007.

CEDAR LANDING, LLC,
An Oregon Limited Liability Company

By: _____
Monty R. Jantzer, Member

By: _____
Theresa L. Jantzer, Member

By: _____
Jason R. Jantzer, Member

By: _____
Travis G. Jantzer, Member

By: _____
Kelley J. Jantzer, Member

_____
Monty R. Jantzer, Individually

_____
Theresa L. Jantzer, Individually

STATE OF OREGON)
) ss.
County of Jackson)

On the 29th day of November, 2007, personally appeared the above-named Monty R. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.

BEFORE ME:

OFFICIAL SEAL
SARAH E. HUMISTON
NOTARY PUBLIC-OREGON
COMMISSION NO. 422071
MY COMMISSION EXPIRES OCT. 29, 2011

_____
Notary Public for Oregon
My Commission Expires: 10/29/11

STATE OF OREGON)
) ss.
County of Jackson)

On the 29 day of November, 2007, personally appeared the above-named Theresa L. Jantzer, who being sworn stated that she is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that she executed this instrument on behalf of said company by authority of its members.

BEFORE ME:

OFFICIAL SEAL
SARAH E. HUMISTON
NOTARY PUBLIC-OREGON
COMMISSION NO. 422071
MY COMMISSION EXPIRES OCT. 29, 2011

Sarah E Humiston
Notary Public for Oregon
My Commission Expires: 10/29/11

STATE OF OREGON)
) ss.
County of Jackson)

On the 29 day of November, 2007, personally appeared the above-named Jason R. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.

BEFORE ME:

OFFICIAL SEAL
SARAH E. HUMISTON
NOTARY PUBLIC-OREGON
COMMISSION NO. 422071
MY COMMISSION EXPIRES OCT. 29, 2011

Sarah E Humiston
Notary Public for Oregon
My Commission Expires: 10/29/11

STATE OF OREGON)
) ss.
County of Jackson)

On the 29 day of November, 2007, personally appeared the above-named Travis G. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.

BEFORE ME:

OFFICIAL SEAL
SARAH E. HUMISTON
NOTARY PUBLIC-OREGON
COMMISSION NO. 422071
MY COMMISSION EXPIRES OCT. 29, 2011

Sarah E Humiston
Notary Public for Oregon
My Commission Expires: 10/29/11

STATE OF OREGON)
) ss.
County of Jackson)

On the 29 day of November, 2007, personally appeared the above-named Kelley J. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.

BEFORE ME:

OFFICIAL SEAL
SARAH E. HUMISTON
NOTARY PUBLIC-OREGON
COMMISSION NO. 422071
MY COMMISSION EXPIRES OCT. 29, 2011

Sarah E. Humiston
Notary Public for Oregon
My Commission Expires: 10/29/11

STATE OF OREGON)
) ss.
County of Jackson)

On the 29th day of November, 2007, personally appeared the above-named Monty R. Jantzer and Theresa L. Jantzer, and acknowledge the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

OFFICIAL SEAL
SARAH E. HUMISTON
NOTARY PUBLIC-OREGON
COMMISSION NO. 422071
MY COMMISSION EXPIRES OCT. 29, 2011

Sarah E. Humiston
Notary Public for Oregon
My Commission Expires: 10/29/11

EXHIBIT "A"

PARCEL 1: Map 371W16 TL 800
The Southwest Quarter of the Northwest Quarter of the Section 16, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon. EXCEPTING THEREFROM the following: Commencing at the Quarter corner common to Sections 16 and 17, Township 37 South, Range 1 West, of the Willamette Meridian, Jackson County, Oregon; thence North 353.6 feet; thence East 578.7 feet to the true point of beginning; thence South 51° 06' East, 90.60 feet; thence North 44° 20' East 150.90 feet; thence North 45° 40' West 13.50 feet; thence North 39° 46' East 48.80 feet; thence North 46° 50' West, 67.50 feet; thence South 43° 10' West 55.20 feet; thence North 46° 50' West, 43.70 feet; thence South 44° 17' West 74.90 feet; thence South 18° 12' West 84.40 feet to the true point of beginning.

PARCEL 2: Small parcel in TL 800
Commencing at the Quarter corner common to Sections 16 and 17, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence North 353.6 feet; thence East, 578.7 feet to the true point of beginning; thence South 51° 06' East, 90.60 feet; thence North 44° 20' East 150.90 feet; thence North 45° 40' West 13.50 feet; thence North 39° 46' East, 48.80 feet; thence North 46° 50' West 67.50 feet; thence South 43° 10' West 55.20 feet; thence North 46° 50' West 43.70 feet; thence South 44° 17' West, 74.90 feet; thence South 18° 12' West 84.40 feet to the true point of beginning.

PARCEL 3: Map 371W16BD TL 200
Commencing at the Quarter corner common to Sections 16 and 17, in Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence East 2120.0 feet; thence North 15.6 feet to a 5/8 inch iron pin found for the Southwest corner of tract described in Volume 574, Page 281, Jackson County, Oregon, Deed Records, for the true point of beginning; thence North 0° 12' 10" West along the West line of said tract, 723.77 feet to a 5/8 inch iron pin found for the Northwest corner thereof; thence East along the North boundary of said tract, 24.51 feet to the Southwest corner of that parcel described in Volume 373, Page 359, Jackson County, Oregon, Deed Records; thence along the West boundary of said parcel and the Northerly projection thereof North 0° 15' 30" West 574.76 feet to an intersection with the North boundary of tract described in Volume 223, Page 484, Jackson County, Oregon, Deed Records; thence along the North boundary of said tract, and the Western projection thereof, North 89° 50' West 821.34 feet to intersect the East boundary of the West Half of the Northwest Quarter of said Section 16; thence along said East fractional Section boundary South 0° 12' 10" East, 1295.49 feet to the North boundary of Cedar Links Drive (formerly known as Roberts Road); thence along said road boundary South 89° 36' 40" East 797.42 feet to the true point of beginning.

PARCEL 4: Map 371W16CA TL 1400 & 2200
Lots 7 and 9 STEWART ACRES in Jackson County, Oregon.

Map 371W16BD TL 300 & 400

Commencing at the quarter corner common to Sections 16 and 17, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence along the centerline of Roberts Road, South 89° 36' 50" East, 2119.84 feet; thence North, 30.00 feet to a point on the North boundary of said road for the true point of beginning; thence North 0° 12' 10" West, 723.71 feet; thence East, 524.48 feet to a 1/2" galvanized iron pipe found to be set for the Northwest corner of tract described in Volume 531, Page 442 of Deed Records of Jackson County, Oregon; thence South 0° 15' 30" East, 297.35 feet to the South corner of said tract; thence along the Northwesterly boundary of Roberts Road, South 38° 08' 20" West, 62.25 feet to an intersection with the Northeasterly boundary of that parcel described in Volume 562, Page 218 of said Deed Records; thence North 61° 50' West, 206.75 feet to the most Northerly corner of said parcel; thence South 37° 00' West, 210.00 feet to the most Westerly corner of said parcel; thence along the Southwesterly boundary of said parcel South 61° 50' East, 202.51 feet to an intersection with the Northwesterly boundary of Roberts Road; thence along said road boundary South 38° 08' 20" West, 270.74 feet to an angle point in said road boundary; thence along the North boundary of Roberts Road, North 89° 36' 50" West, 187.49 feet to the true point of beginning.

EXHIBIT 17

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

This form must be included with any wetland delineation report submitted to the Department of State Lands for review and approval. A wetland delineation report submittal is not "complete" unless the fully completed and signed report cover form and the required fee are submitted. Attach this form to the front of an unbound report and submit to: **Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279.** Make the check payable to the Oregon Department of State Lands. To pay the fee by credit card, call 503-986-5200.

☒ Applicant ☐ Owner Name, Firm and Address:
Cedar Investment Group LLC
617 Fairway Cir
Medford, OR 97504

Business phone # 541-210-6043
Mobile phone # (optional)
E-mail: **artnere@gmail.com**

☒ Authorized Legal Agent, Name and Address:
Schott and Associates Attn: Martin Schott
PO Box 589
Aurora, OR 97002

Business phone # **503.678.6007**
Mobile phone #
E-mail: **martin@schottandassociates.com**

I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.
Typed/Printed Name: Eric Artner Signature:
Date: Special instructions regarding site access:

Project and Site Information (using decimal degree format for lat/long., enter centroid of site or start & end points of linear project)

Project Name: Cedar Landing	Latitude: **42 21.242'N** Longitude: 122 49.885'W
Proposed Use: Residential Development	Tax Map # 37 1W 16, 16CA, 16BD
Project Street Address (or other descriptive location): North and South of Cedar Links Drive, W of Foothills Rd.	Township 37S Range 1 W Section 16 QQ Tax Lot(s) **800, 200, 1400, 2200**
City: Medford County: Jackson	Waterway: River Mile: NWI Quad(s):

Wetland Delineation Information

Wetland Consultant Name, Firm and Address:
Schott and Associates Attn: Martin Schott
PO Box 589
Aurora, OR 97002

Phone # **503.678.6007**
Mobile phone #
E-mail: **martin@schottandassociates.com**

The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.
Consultant Signature: Date:

Primary Contact for report review and site access is ☒ Consultant ☐ Applicant/Owner ☐ Authorized Agent

Wetland/Waters Present? ☒ Yes ☐ No Study Area size: 95.48ac Total Wetland Acreage: 0.74ac

Check Box Below if Applicable:

- ☐ R-F permit application submitted
- ☐ Mitigation bank site
- ☐ Wetland restoration/enhancement project (not mitigation)
- ☐ Industrial Land Certification Program Site
- ☐ Reissuance of a recently expired delineation
  Previous DSL # Expiration date

Fees:

- ☒ Fee payment submitted $ 396
- ☐ Fee ($100) for resubmittal of rejected report
- ☐ No fee for request for reissuance of an expired report

Other Information:

	Y	N	
Has previous delineation/application been made on parcel?	☒	☐	If known, previous DSL # WD2006-0141
Does LWI, if any, show wetland or waters on parcel?	☒	☐	

For Office Use Only

DSL Reviewer: Fee Paid Date: ___/___/___ DSL WD #
Date Delineation Received: ___/___/___ DSL Project # DSL Site #
Scanned: ☐ Final Scan: ☐ DSL WN # DSL App. #

Form Updated 10/10/2012

CITY OF MEDFORD
EXHIBIT # AA
File # PUD-19-002

SCHOTT & ASSOCIATES
Ecologists & Wetlands Specialists

21018 NE Hwy 99E • P.O. Box 589 • Aurora, OR 97002 • (503) 678-6007 • FAX: (503) 678-6011

JURISDICTIONAL WETLAND DETERMINATION AND DELINEATION FOR

Cedar Landing
Township 37S, Range 1W, Sec. 16
Tax Lot# 803, 800, 200, 2200, 1400
North and South of Cedar Links Drive
West of Foothills Rd
Medford, Jackson County, Oregon

Prepared for:
Eric Artner

Prepared by:
Martin R. Schott, PhD
&
Jodi Reed

Project #: 2292

September 2014

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(A) Landscape Setting and Land Use

The approximately 100.9 acre subject property is located on the north and south side of Cedar Links Drive and west of Foothill Road in Medford, Oregon (Sec.16 T37S R1W TL# 800, 803, 200, 2200, 1400) (Figure 1). Cedar Links Drive runs west to east through the property. The subject property is bordered by residential subdivisions on all sides.

Historically, the property was rural residential and the majority of the site was used for hay production, pear orchard and pasture. A residence was located offsite to the east of the northern portion of the property. As seen on the 1953 historical aerial photographs of the site, a faint drainage swale passed from the northwest to the southeast corners of the northern portion of the site. A tributary to the same system was located in the northeast corner of the site. The southern portion of the property was an orchard. A drainage ditch ran along the southern property boundary.

The northern portion of the property was developed into a golf course in the early 1970's. The southern portion was developed into the golf course in 1987. The property functioned as a golf course until recent years. The club house and pro shop, with all the associated parking, were in the northern portion of the site on the western half, close to Cedar Links Drive. The site is no longer being used for a golf course but has been kept mowed. Irrigation water is no longer being applied to the site to fill the ponds. In addition, the pons outlets have been opened and/or enlarged because of safety concerns by the City of Medford.

The property is enclosed with cyclone fencing and it is utilized by local residents, using the cart paths as a walking trail.

The onsite vegetation was dominated by lawn consisting primarily of low-growing grasses and forbs such as colonial bentgrass (*Agrostis capillaries*), Bermuda grass (*Cynodon dactylon*) and white clover (*Trifolium repens*). A small area of native vegetation was present along the historical drainage ditch on the southeastern property boundary. Species included Sitka willow (*Salix sitchensis*) and black cottonwood (*Populus trichocarpa*).

Seven man-made ponds were documented onsite. Five ponds were located in the northern portion of the property and four of these were connected via ditches and culverts. Two ponds are located on the southern portion of the site. These are non- jurisdictional ponds constructed in uplands and are less than an acre in size. The two ponds source of water was from pipes that connected to the irrigation canal. DSL concurred with the 2006 wetland delineation where the two southern ponds were identified as being non-jurisdictional. The ponds were filled with irrigation water from the Medford Irrigation Canal to irrigate the golf course and landscape features. At the time of the second site visit in 2014, water from the irrigation canal had been shut off and most of the ponds were essentially dry.

The golf course has a series of drain tiles, field drains and culverts. These were installed to keep the course playable during the rainy season. The site drains to the north, northwest. The slopes range from nearly flat to moderate.

(B) Site Alterations

Historically, the property was rural residential with the majority of the site used for hay production, pear orchard and pasture. The southern portion was an orchard. A faint drainage swell passed from the northwest to the southeast portion of the northern portion of the site. A tributary to the same system was located in the northeast corner of the site. A drainage ditch ran along the property boundary.

The site was mass graded when golf course construction began. The northern portion of the property was developed into a golf course in the early 1970's. The southern portion was developed into a golf course in 1987. Seven man-made ponds were documented on site. These were excavated and the contents were spread out over the site. Five ponds were located in the northern portion of the property and were connected via ditches and culverts. Two ponds are located on the southern portion of the site. The ponds were filled by irrigation water from the Medford Irrigation Canal.

The golf course has a series of drain tiles, field drains and culverts installed to keep the course playable during the rainy season.

In 2006, a wetland delineation was performed by Schott and Associates for the purpose of a mixed use development including single family homes, townhouses, a commercial center and retirement facility. Aerial photographs indicate residential housing, adjacent to the northeastern corner, was constructed between 2006 and 2010 (Appendix D.). Since the 2006 wetland delineation, a portion of the original property had been developed. In addition, the irrigation has been turned off. Finally, the outlets to most of the ponds have been opened, or enlarged due to safety concerns by the City of Medford.

(C) Precipitation Data and Analysis

Schott and Associates visited the site January 21, 2014 and July 9, 2014. No precipitation was present during either field visit. Accuweather.com indicates two weeks prior to the January field work 0.53 inches of rain had occurred. Two weeks prior to the July 9th field visit precipitation was recorded at 0.54 inches.

Precipitation prior to the January field visit was below the average WETS range in all months. Beginning in February percent of average was within normal range at 216%. Additionally, March was within average at 189%. April through July were within or below the average rainfall according to the Medford WETS table.

Table 1. Precipitation Summary and WETS Averages

Month	2013-2014 Precipitation	WETS Average	WETS Range	Percent of Average
September	0.24"	0.78"	0.16-0.95"	32%
October	0.2"	1.31"	0.54-1.61"	15%
November	1.12"	2.93"	1.62-3.58"	38%
December	0.36"	1.36"	1.36-3.55"	26%
January	0.78"	2.47"	1.36-3.01"	32%
February	4.55"	2.10"	1.16-2.56"	216%
March	3.5"	1.85"	1.21-2.23"	189%
April	0.82"	1.31"	0.82-1.59"	62%
May	0.47"	1.21"	0.61-1.49"	39%
June	0.54"	0.68"	0.26-0.84"	79%
July	0.0"	0.31"	0.03-0.36"	0%
Water Year*	12.58"	17.85"		70%

*Water Year is calculated as September 30, 2013-July 9, 2014

(D) Site Specific Methods

Prior to visiting the site in 2014, the 2006 wetland delineation, as well as recent and historical aerial photographs, were reviewed to determine if there had been any site alterations. In addition, the soil survey and Medford's Local Wetland Inventory were reviewed. Schott and Associates initially walked the subject properties in January 2014 to concur with the 2006 wetland delineation. Additional sampling was done on July 9, 2014. The 1987 Manual and Regional Supplement for Mountains and Valleys West Region were used to determine presence or absence of State of Oregon wetland boundaries and the Federal jurisdictional wetlands.

Sample plots were placed where geomorphic location or vegetation indicated the possibility of wetlands or where a wetland had been previously delineated. For each sample plot, data on vegetation, hydrology and soils was collected, recorded in the field and later transferred to data forms (Appendix B). Where a wetland was present paired plots were located in the adjacent upland to document the transition. Onsite soils and hydrology at this site were disturbed due to grading and maintenance of greens for the previously used golf course. Where wetland criteria were not met in plots previously indicated as wetlands rationale best professional judgment and available information was used to make a determination.

(E) Description of All Wetlands and Other Non-Wetland Waters

In 2006, a wetland delineation was conducted by Schott and Associates, in anticipation of building a mixed use development. The study was conducted using US Army Corps of Engineers 1987 Wetland Delineation manual criteria. Based on vegetation, hydrology and soil data taken in the field in 2006, fourteen PEM/sloped wetlands totaling 1.33 acres

(57,742sf) were found onsite. Seven man-made excavated ponds totaling 2.8 acres (122,193 sf), were delineated. Also delineated were 20 ditches ranging from 1 to 4 feet in width totaling 0.15 acres (6,356 sf).

Field work was completed January 21 and July 9, 2014 for a re-delineation by Schott and Associates. The 2014 delineation deviated from the 2006 by reducing the amount of wetlands present on the site. The primary reason for the changes is the difference between the 1987 manual and the Western Regional Supplement. Under the 1987 manual soils with a chroma of 1 were considered hydric. However, the Western Regional Supplement recognizes that not all chroma 1 soils are hydric. Based on vegetation, hydrology and soil data taken in the field January and July of 2014, five PEM/sloped wetlands totaling 0.74 acres (32,097 sf) were found onsite. Five jurisdictional ponds totaling 2.19 acres and 9 jurisdictional ditches totaling 0.07 acres remained onsite.

For reference in the report all wetlands have maintained previous names/numbers used in the 2006 delineation. The 2014 delineation found wetlands 1, 4, 7, 8 and 9 no longer meet hydric soil criteria per the Western Regional Supplement soils criteria guide lines.

Wetland #1, delineated in 2006, was a 369 square foot wetland located in a disturbed area at the south property line in the southern portion of the property. Vegetation was dominated by broadleaf cattail (*Typha latifolia*) and small fruited bulrush (*Scirpus microcarpus*). Soils were 10YR2/1 and hydrology was evidenced by drainage patterns. Vegetation in the adjacent upland was dominated by Himalayan blackberry (*Rubus armeniacus*) and Canada thistle (*Cirsium arvense*). Upland soils were 10YR3/2 and 10YR2/1 and no hydrology was observed.

In 2014, sample plots 16 and 17 were documented in and adjacent to wetland # 1. Sample plot 17 was within the wetland and vegetation was dominated by meadow foxtail (*Alopecurus pratensis*). Soils were 10YR 3/1 from 0-9 inches and 10YR 2/1 with 10YR ¾ redoximorphic features from 9-20 inches so no longer considered a hydric soil. Sample plot 17 met vegetation criteria; however did not meet hydrology or soil criteria. Additionally, sample plot 16 was dominated by Bermuda grass (*Cynodon dactylon*) (FACU) with no indication of wetland soils or hydrology present in the area.

Wetland #2 was a 0.5 acre (22,422 sf) wetland between ditches along the southern property line in the southern property area. In 2006 the vegetation was dominated by bluegrass with some rush and cattail presence. Soils were 10YR 3/2 from 0 to 9 inches and 10YR2/1 below 9 inches. Soils were saturated at 6 inches. The adjacent upland was dominated by Himalayan blackberry and perennial ryegrass (*Lolium perenne*). The soils were hydric and hydrology was observed.

The 2014 delineation observed the transition of wetland to upland in this area to still be evident based on clear changes in the vegetation. In 2014, sample plot 15 was taken to the west of wetland # 2. Vegetation was dominated by Bermuda grass, an upland

indicator. Soils were not hydric and no hydrology was indicated at this sample plot. Sample plot C was taken in July to verify the area was still wetland. Vegetation was hydric, soils were 10RY 2/1 with redoximorphic features (F6) within 8 inches of the soils surface. Secondary indicators were used to determine hydrology. The wetland is situated in a small swale and located between ditches present along the project boundary and concurs with the 2006 delineation. The wetland drains to a catchment basin which heads off-site.

Wetland #3 from the 2006 delineation is now offsite. The 2006 delineation showed the 0.05 acre (2,379 sf) wetland located along the southeastern edge of the north portion of the property. The 2014 delineation does not include this wetland.

Wetland #4 was 0.09 acres located south of Pond #2 and east of Pond #18 in the north half of the property. The 2006 delineation indicated vegetation, dominated by colonial bentgrass, hydric soils (10YR2/1 and 3/1) and hydrology were present. The adjacent upland was dominated by colonial bentgrass and Bermuda grass. In the previous delineation it was determined not to be a jurisdictional wetland by DSL. This wetland is within an area mapped as Carney clays, an upland soil, and in an area which was mass graded when the golf course was constructed.

Two additional sample plots were taken in 2014 (Sample plot 4 and 5). Sample plot 4 had soils of 10YR 3/2, with 1 percent mottles in the matrix starting at 3 inches. Sample plot 5 had soils of 10YR 3/2 and 2.5YR 4/3. Vegetation at both plots were dominated by colonial bentgrass and no hydrology indicators were present. Wetland # 4 does not meet hydric soil criteria and is no longer considered a wetland.

Wetland #5 was a 0.13 acre (5,679 sf) non-jurisdictional wetland in 2006. It is located just west of wetland #4. It was formed around the French drain running north to Pond #18. Vegetation was dominated by colonial bentgrass. Soils were hydric with a matrix color of 10YR3/1. Hydrology monitoring proved that the wetland had hydrology. The adjacent upland showed the same vegetation and soil profiles but was located at a higher topographic location with no hydrology indicators. In the 2006 delineation wetland # 5 was determined non- jurisdictional by DSL.

The 2014 delineation verified the 2006 delineated wetland. Three additional sample plots were taken in 2014. Sample plot 1 was an upland plot with no hydric soil or hydrology indicators. Sample plots 2 and 3 had hydric soils depleted below dark surface (A11) and depleted matrix (F3) indicators. Hydrology was assumed due to the FAC-Neutral Test, geomorphic position and the monitoring data from 2006. This wetland was man-made when the golf course was built and should still be non- jurisdictional. Additionally, it is within an area mapped with Coker Clay soils and the site was mass graded when the golf course was constructed.

Wetland #6, delineated in 2006, was a 0.1 acre (4,533 sf) wetland located around the French drain in the southwest corner of the north half of the property. Vegetation was dominated by colonial bentgrass and soils were 10YR3/1 with redoximorphic features. Hydrology was present despite the presence of drain tile. Vegetation to the north along the French drain included a dominance of perennial ryegrass, which at the time was a non-hydrophytic species. Soils were hydric but no hydrology was present. This was determined to be non-jurisdictional by DSL because it was man-made.

The 2014 delineation found this to still be a wetland. Sample plot 14 had soils of 10YR 3/2 with redoximorphic features meeting the Redox Dark surface indicator (F6). Vegetation was dominated by colonial bentgrass. Hydrology is assumed by drainage patterns and geomorphic position. However, the drain tile that ran through this area was plugged and has since been unplugged. This wetland is in an area mapped as Darow silt loams, which are not hydric soils. This wetland was in an area that was mass graded when the golf course was constructed, appears to be man made from uplands and is less than an acre in size. Since it was considered to be non-jurisdictional in 2006 it is assumed that it is still non-jurisdictional.

Wetland #7, delineated in 2006, was a 0.11 acre (4,819 sf) wetland adjacent to the east side of Ditch #18. Vegetation was dominated by colonial bentgrass and soils were 10YR3/1. In 2006, hydrology was present and likely provided by irrigation. The adjacent upland plots had similar vegetation and soils. The wetland drained to the ditch.

Two sample plots were taken during the 2014 delineation for wetland # 7 (Sample Plot 9 and 11). Both sample plots were dominated by colonial bentgrass. Soils ranged between 10YR 3/1, 10YR 3/2 and 10YR 2/1. No hydrology was present or indicated. This wetland no longer met hydric soil criteria under the Western Regional Supplement.

Wetland #8, just south of wetland # 7, was a 0.04 acre (1,682 sf) wetland located at the south end of Ditch #18. Vegetation was dominated by colonial bentgrass and tall fescue. Saturation was within 12 inches and soils were 10YR3/1. The adjacent uplands had no hydrology indicators.

The 2014 delineation found this wetland no longer met wetland criteria (Sample plots 12 and 13). Soils in 2006 were 10YR 3/1 and the 2014 delineation found the same soils present but no longer considered hydric under the Western Regional Supplement. Sample plots 12 and 13 were dominated by colonial bentgrass and tall fescue. Neither Sample plot 12 or 13 soils showed hydrology indicators. Wetland # 8 no longer met all three wetland criteria. This is the wetland which had the plugged drain-tile mentioned in the description of Wetland 6. Shortly after the 2006 delineation the outlet to the drain-tile was unplugged.

Wetland #9, delineated in 2006, was a 642 square foot wetland formed over the French drain on the northwest edge of the property. Vegetation was dominated by colonial

bentgrass, both in the wetland and outside of it. Saturation and drainage patterns were present in the wetland due to the fact that the drain did not allow passage of all the water. Soils were 10YR3/1. Outside the wetland the drain function was intact and neither hydrology nor hydric soils were present.

Wetland # 9, under the 2014 delineation, is no longer considered a wetland. Sample plot A was taken July 9, 2014. Soils were 10YR 3/1 from 0 to 20 inches, no longer meeting soil criteria. Vegetation was dominated by colonial bentgrass. No hydrology was present.

Wetland #10, in 2006, was a 0.13 acre (5,459 sf) wetland formed to the north along the same French drain. Vegetation in and outside of the wetland was dominated by colonial bentgrass. Drainage patterns were evident and saturation was present within 12 inches. Soils read as 10YR2/1 with redoximorphic features.

Within wetland #10, sample plot 10 was taken during the 2014 delineation and was dominated by colonial bentgrass. Drainage patterns indicated hydrology. Hydric soils were present beginning at 6 inches reading as 10YR 3/2 with redoximorhpic features of 10YR ¾, meeting the Redox Dark Surface indicator (F6). Wetland # 10 still met wetland criteria.

Wetland #11, in 2006, was a 0.02 acre (654 sf) wetland located at the end of a French drain in the northwest corner of the property, just southwest of pond # 7. Colonial bentgrass was dominat both in and outside of the wetland. Soils were 10YR 4/1 in the wetland and 10YR 3/1 outside the wetland. Soils were saturated at 4.5 inches within the wetland where no rock was present in the French drain. No hydrology was observed outside the wetland.

Sample plot B was taken within the previously delineated wetland # 11. Soils were 10YR 2/1 with 10YR ¾ redoximorphic features entirely within 8 inches of the surface. Vegetation was dominated by colonial bentgrass and hydrology was assumed. Wetland # 11 still met wetland criteria.

Wetland #12 was an 80 square foot wetland formed along the golf cart path near the property boundary north of Pond #7. This wetland was still present during the 2014 re-delineation.

Wetland #13 was a 0.08 acre (3,482 sf) wetland northeast of Pond #7. The 2006 delineation indicated vegetation was dominated by colonial bentgrass. Soils were hydric with a matrix color of 10YR 4/1 and the wetland had saturation. Soils outside the wetland were 2.5Y 4/1, but no hydrology was observed.

Sample plots 6 and 7 were taken in 2014 finding the wetland to still be hydric. Within sp6 vegetation was dominated by colonial bentgrass and 10YR3/2 soils were saturated to the

surface. Due to surface saturation, best professional judgment was used regarding hydric soils and wetland # 13 was determined to still be a wetland.

The wetlands were primarily determined by the soils and secondarily by the hydrology data. The onsite vegetation was almost entirely golf greens no longer maintained. The vegetation almost all lawn grasses classified as FAC. Vegetation was determined by irrigation, not natural hydrology. Soils observed onsite generally resembled the mapped soil series. Occurred discrepancies should be attributed to the fact that the site was extensively graded during creation of the golf course.

Five excavated ponds totaling 2.19 acres were located in the northern portion of the property. Four ponds (#2, 6, 7 and 18) are connected via ditches (ditches # 20, 14 and 13) and culverts. Pond # 18 is connected to Cedar Links Drive via Ditch # 8. Pond # 8 is located in the northwest corner of the site and is ditched (Ditches # 16, 17 and 18) and culverted south to Cedar Links Drive. A sixth pond (Pond # 17) is located just south of Cedar Links Drive and is culverted to the ditch on that side of the Drive. To the south it is connected to old irrigation lines. A final pond (Pond # 15) is located at the south property boundary. Ponds #15 and #17 were determined to not be jurisdictional in 2006 by DSL. They have no inlets or outlets and are filled via pumping and drained through a drain valve. Pond #2 and pond #18 are both cement lined and should not be considered jurisdictional.

The 2006 delineation identified 20 ditches ranging from 1 to 4 feet in width mapped onsite. The ditches were old irrigation ditches and drainage ditches along the roads. Nine ditches have remained on the 2014 delineation. Ditch #19 remains non-jurisdictional and is not indicated on the wetland map data table. Ditch # 19 carried water run-off from an adjacent properties pool. This ditch originally was caught in a catch basin and directed north toward ditching connected to Pond # 8. Nine ditches totaling 0.07 acres are still indicated on the wetland map to remain jurisdictional. Roadside ditches no longer qualify as jurisdictional ditches, but remain labeled.

(F) Deviation from LWI or NWI

The Local Wetland Inventory (LWI) for Medford indicates a series of ponds that were created when the golf course was built. Five ponds were located in the north portion of the property and were connected via ditches and culverts. Three of the ponds were located on the LWI as well as the 2014 delineation (Pond # 6, 7 and 8). These are dirt bottom ponds. Additionally, Pond # 15 in the southern property along the southern boundary is mapped on the LWI as a pond. This pond has no inlets or outlets and is filled via pumping and drained through a drain valve.

Ponds # 2, 17 and 18 are mapped as wetlands on the LWI. All three are ponds not wetlands. Two of these are cement lined (Ponds # 2 and 18) and fed by controlled irrigation water. The third pond, (Pond # 17), 0.64 acres, was constructed in uplands and

is dirt lined. This pond is fed via an irrigation pipe and the pond outlet is also part of the irrigation system controlled via a valve. This pond is man-made, less than an acre in size and constructed in uplands.

Two possible wetlands were indicated on the site by the LWI along the southern border in the southern property. Only one of the indicated possible wetlands was delineated as a wetland for the 2014 delineation.

There is some deviation between the 2006 and 2014 delineations; both were performed by Schott and Associates. The 2006 delineation identified 14 PEM/sloped wetlands, seven man-made ponds and 20 ditches. In 2006 the delineation was performed under the 1987 manual. In 2014, a re-delineation was performed under the new Regional Supplement for Mountains and Valleys West Region. The difference between them is the classification of hydric soils. Due to the change, some of the previously delineated wetlands no longer meet hydric soil criteria. The 2014 delineation verified that five of the previously delineated wetlands still exist.

(G) Mapping Method

The mapped wetlands were based on vegetation, soils, and hydrology found in the field. Because the site was developed into a golf course in the 1970's and 80's, soils and vegetation were disturbed. Wetland boundaries were flagged by Schott and Associates and surveyed by Hoffbuhr and Associates, Inc., a professional Land Surveyor (PLS). Maps were constructed by Construction Engineering Consultants Inc.

(H) Additional Information

None

(I) Results and Conclusions

The Jackson County Soil Survey indicated Padigan and Coker clay on 0 to 3 percent slopes, Carney clay on 1 to 5 and 5 to 20 percent slopes and Darow silty clay loam on slopes of 5 to 20 percent in the study area. The topographic map indicates the subject property slopes from southeast to northwest. The entire site has been graded for the golf course construction. Occured discrepancies should be attributed to the fact that the site was extensively graded during creation of the golf course.

Based on the vegetation, soils and hydrology data collected onsite, 5 palustrine emergent (PEM)/sloped wetlands totaling 0.74 acres (32.097sf) remain. Two wetlands (Wetland # 5 and 6) met wetland criteria for the 2006 delineation and were deemed non-jurisdictional wetlands. Thus, Wetland # 5 and 6 should continue to be non-jurisdictional wetlands and were not included on the Wetland Data table on the Wetland Map (Figure 5.) A total of 7 excavated ponds were mapped. Only 5 of the ponds are jurisdictional and amount to 2.19 acres. Additionally, 9 ditches ranging from 1 to 4 feet in width were mapped onsite

totaling 0.07 acres. The ditches were old irrigation ditches and drainage ditches along the roads. Road ditches are no longer jurisdictional.

(J) Disclaimer

This report documents the investigation, best professional judgment and the conclusions of the investigator. It is correct and complete to the best of my knowledge. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk unless it has been reviewed and approved in writing by the Oregon Department of State lands in accordance with OAR 141-090-0005 through 141-090-0055.

Appendix A: Maps

FIGURE 1. SITE VICINITY

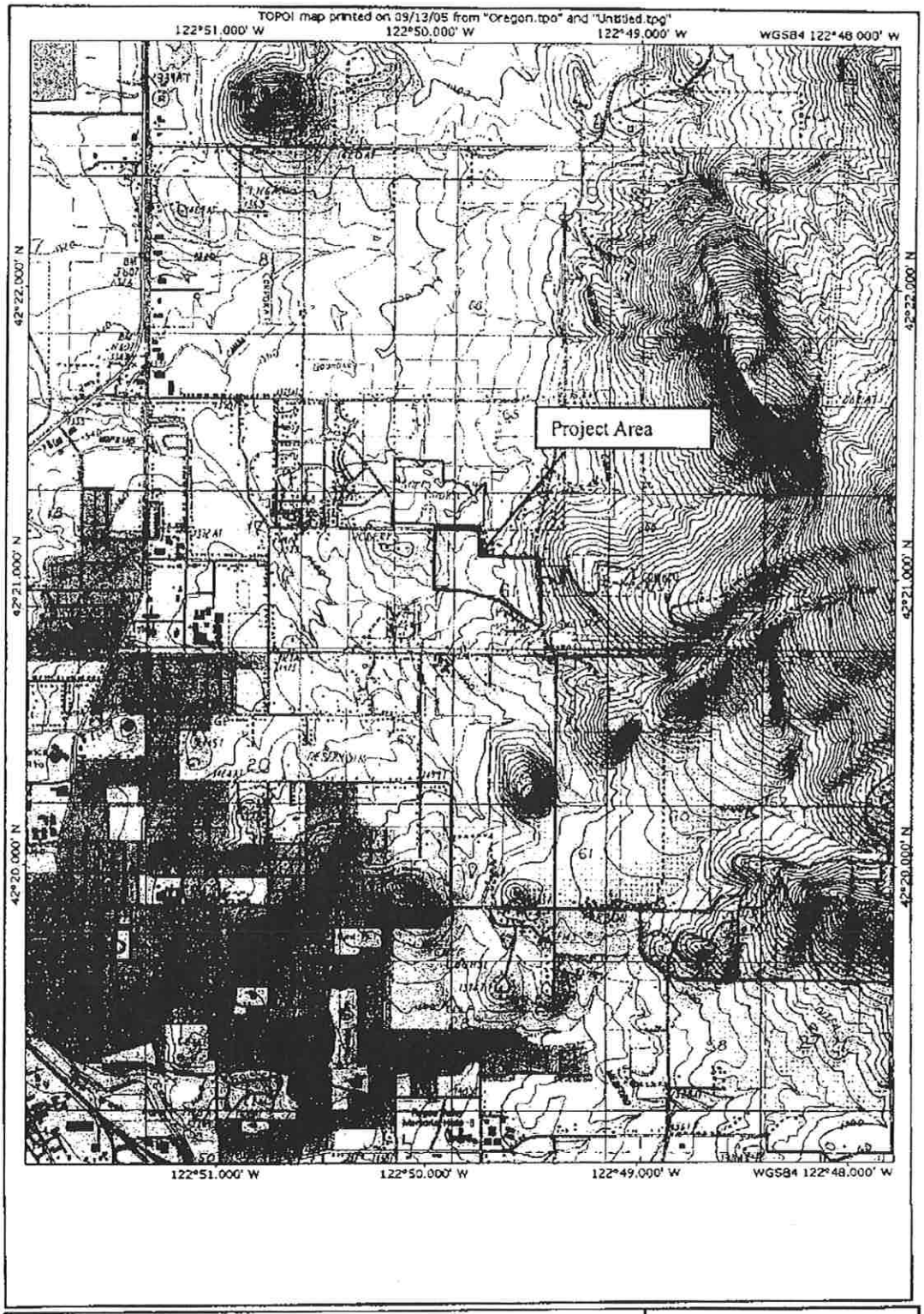

FIGURE 1. SITE VICINITY MAP
Cedar Landing
S & A # 2292

Schott & Associates
P.O. Box 589
Aurora, OR. 97002
503.678.6007

FIGURE 2. TAX MAP

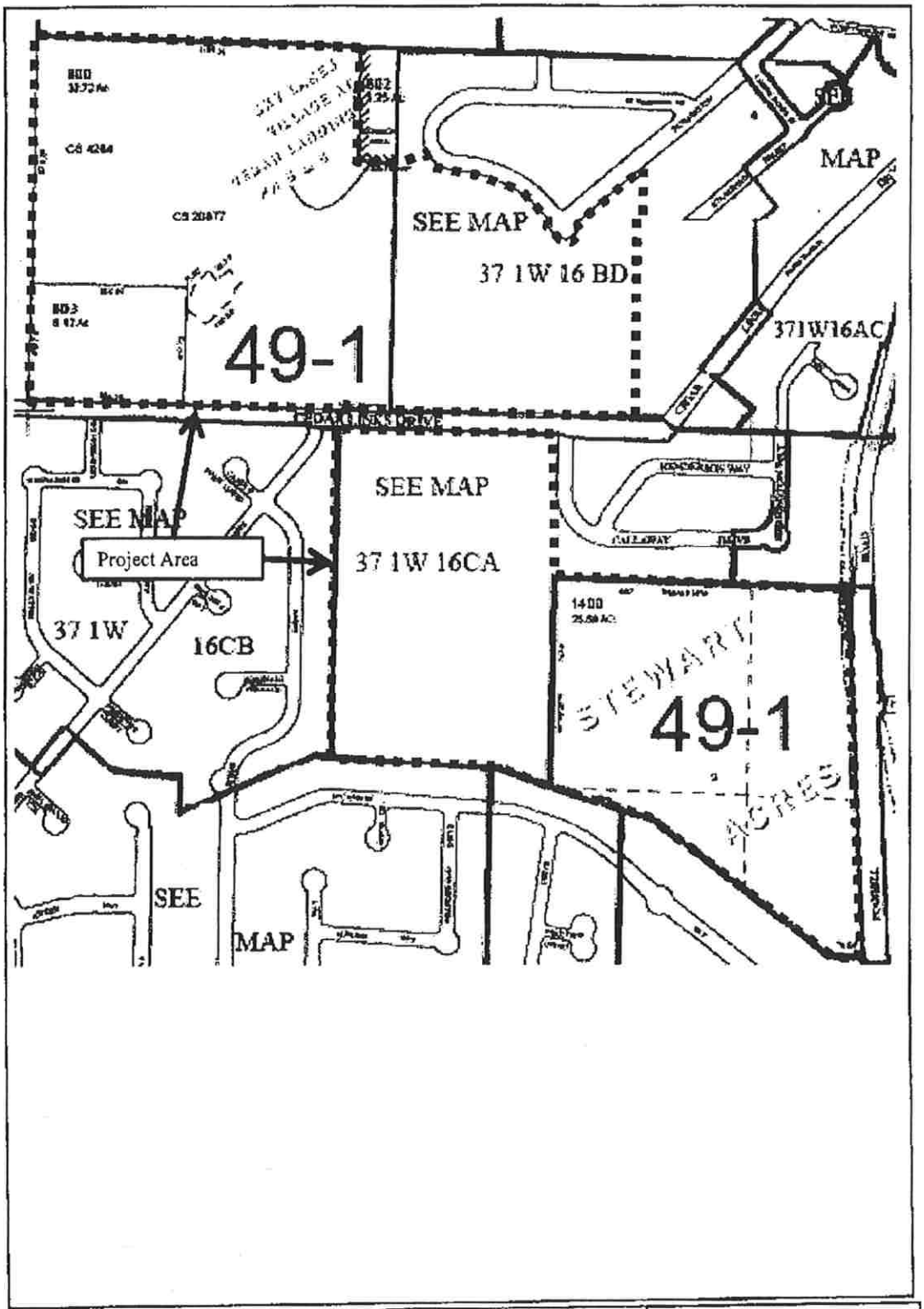

FIGURE 2. TAX MAP(T37S, R1W, SEC 16)
Cedar Landing
S & A # 2292

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P.O. Box 589
Aurora, OR. 97002
503.678.6007

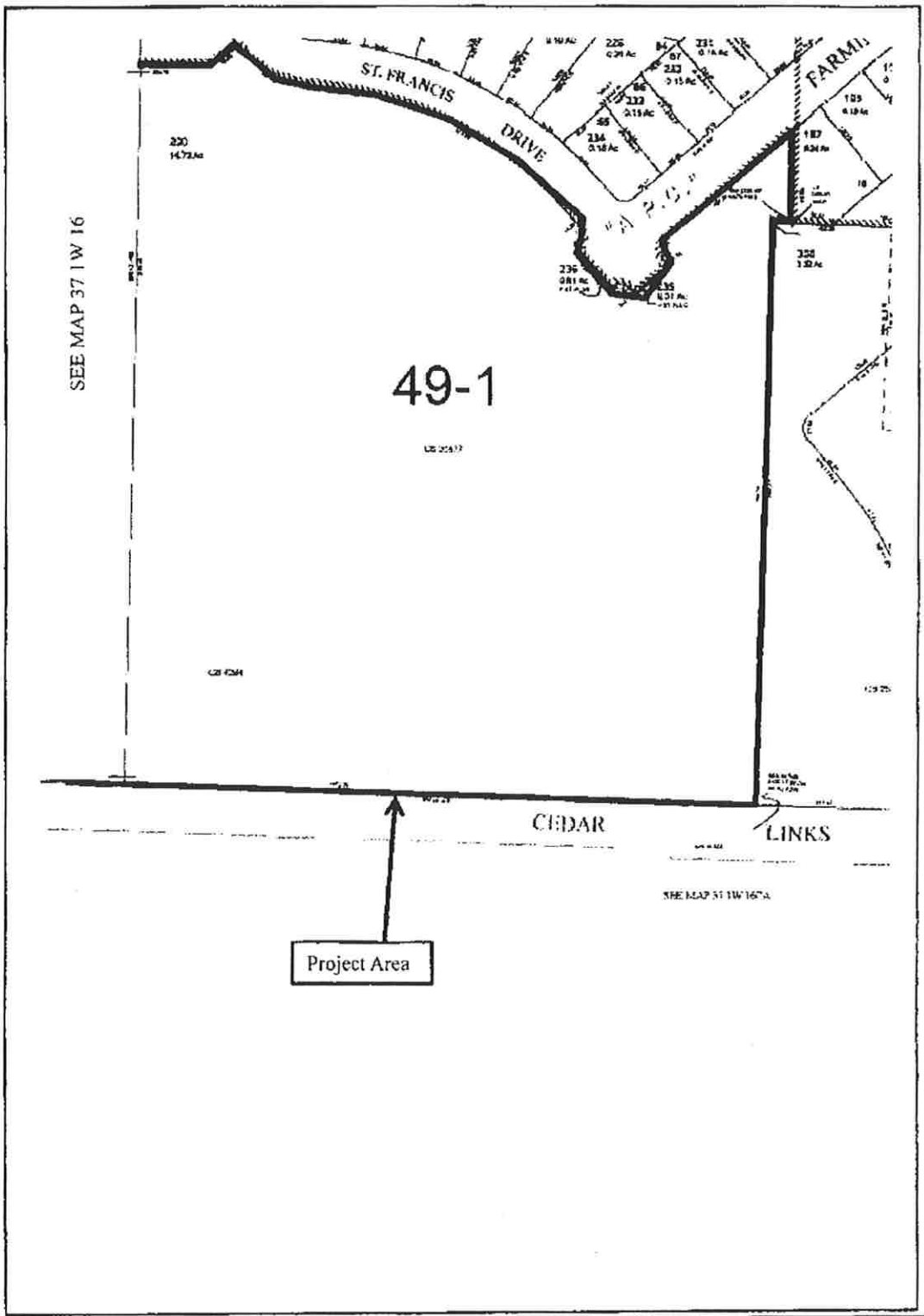

FIGURE 2. TAX MAP(T37S, R1W, SEC 16BD)
Cedar Landing
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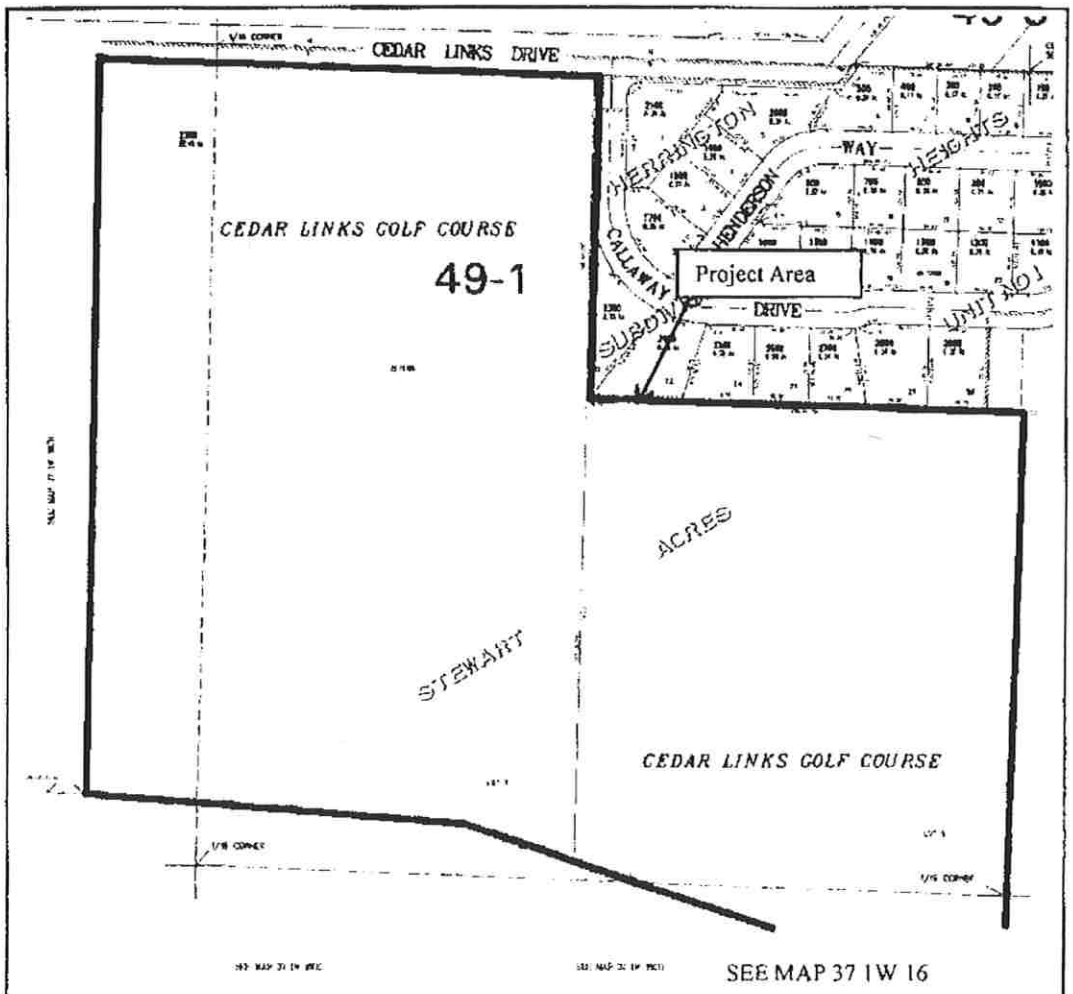

FIGURE 2. TAX MAP(T37S, R1W, SEC 16CA)
Cedar Landing
S & A # 2292

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Aurora, OR. 97002
503.678.6007

FIGURE 3. LWI MAP

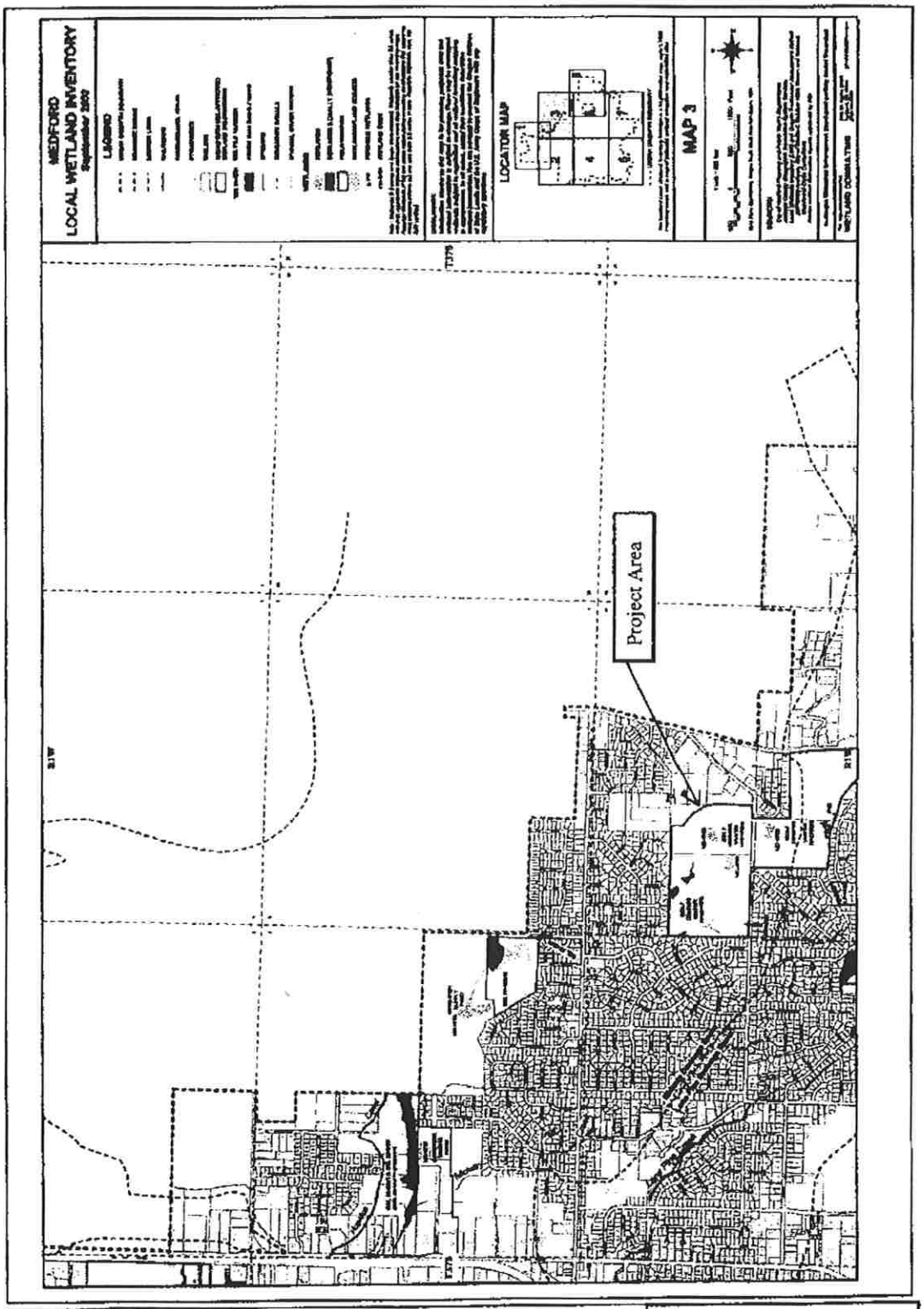

FIGURE 3. LOCAL WETLAND INVENTORY
Cedar Landing
S & A # 2292

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Aurora, OR. 97002
503.678.6007

FIGURE 4. SOIL SURVEY MAP

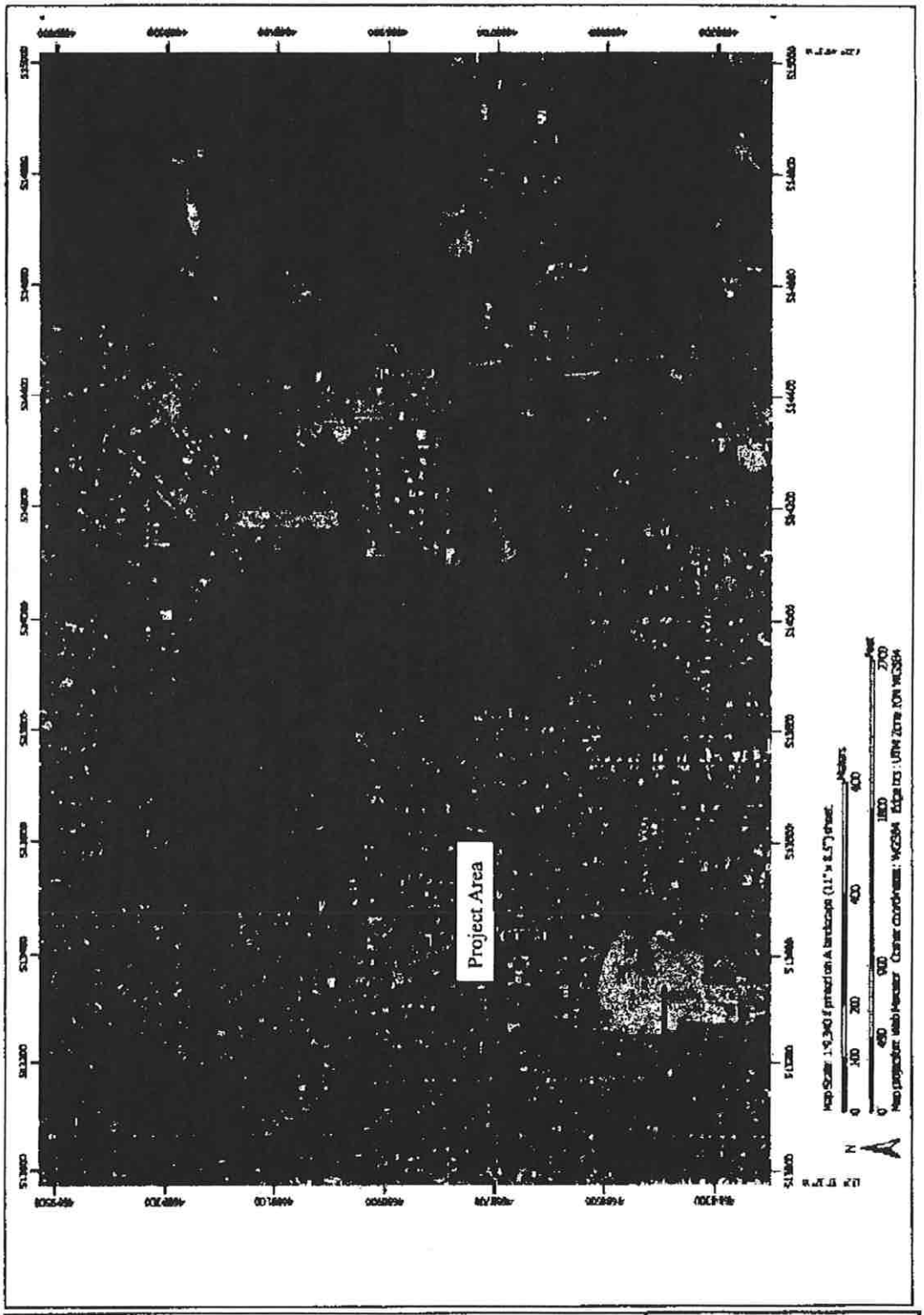

FIGURE 4. SOIL MAP
Cedar Landing
S & A # 2292

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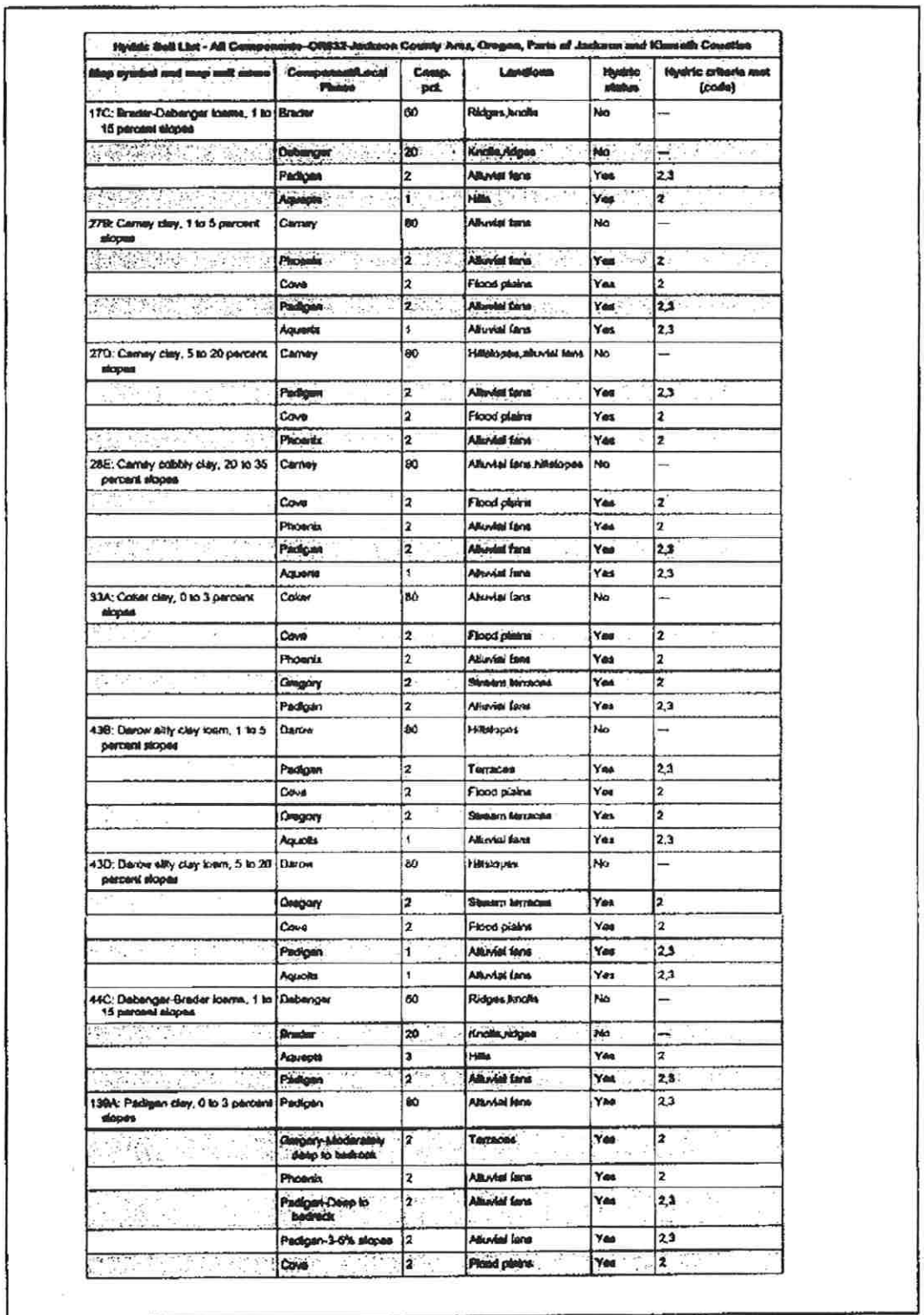

Hydric Soil List - All Components--OR633-Jackson County Area, Oregon, Parts of Jackson and Klamath Counties

Map symbol and map unit name	Component/Local Phase	Comp. pct.	Landform	Hydric status	Hydric criteria met (code)
17C: Brader-Debenger loams, 1 to 15 percent slopes	Brader	60	Ridges,knolls	No	—
	Debenger	20	Knolls,ridges	No	—
	Padigan	2	Alluvial fans	Yes	2,3
	Aquepts	1	Hills	Yes	2
27B: Carney clay, 1 to 5 percent slopes	Carney	80	Alluvial fans	No	—
	Phoenix	2	Alluvial fans	Yes	2
	Cove	2	Flood plains	Yes	2
	Padigan	2	Alluvial fans	Yes	2,3
	Aquents	1	Alluvial fans	Yes	2,3
27D: Carney clay, 5 to 20 percent slopes	Carney	80	Hillslopes,alluvial fans	No	—
	Padigan	2	Alluvial fans	Yes	2,3
	Cove	2	Flood plains	Yes	2
	Phoenix	2	Alluvial fans	Yes	2
28E: Carney cobbly clay, 20 to 35 percent slopes	Carney	80	Alluvial fans,hillslopes	No	—
	Cove	2	Flood plains	Yes	2
	Phoenix	2	Alluvial fans	Yes	2
	Padigan	2	Alluvial fans	Yes	2,3
	Aquents	1	Alluvial fans	Yes	2,3
33A: Coker clay, 0 to 3 percent slopes	Coker	80	Alluvial fans	No	—
	Cove	2	Flood plains	Yes	2
	Phoenix	2	Alluvial fans	Yes	2
	Gregory	2	Stream terraces	Yes	2
	Padigan	2	Alluvial fans	Yes	2,3
43B: Darrow silty clay loam, 1 to 5 percent slopes	Darrow	80	Hillslopes	No	—
	Padigan	2	Terraces	Yes	2,3
	Cove	2	Flood plains	Yes	2
	Gregory	2	Stream terraces	Yes	2
	Aquolls	1	Alluvial fans	Yes	2,3
43D: Darrow silty clay loam, 5 to 20 percent slopes	Darrow	80	Hillslopes	No	—
	Gregory	2	Stream terraces	Yes	2
	Cove	2	Flood plains	Yes	2
	Padigan	1	Alluvial fans	Yes	2,3
	Aquolls	1	Alluvial fans	Yes	2,3
44C: Debenger-Brader loams, 1 to 15 percent slopes	Debenger	60	Ridges,knolls	No	—
	Brader	20	Knolls,ridges	No	—
	Aquepts	3	Hills	Yes	2
	Padigan	2	Alluvial fans	Yes	2,3
139A: Padigan clay, 0 to 3 percent slopes	Padigan	80	Alluvial fans	Yes	2,3
	Gregory-Moderately deep to bedrock	2	Terraces	Yes	2
	Phoenix	2	Alluvial fans	Yes	2
	Padigan-Deep to bedrock	2	Alluvial fans	Yes	2,3
	Padigan-3-6% slopes	2	Alluvial fans	Yes	2,3
	Cove	2	Flood plains	Yes	2

FIGURE 4. SOIL MAP
Cedar Landing
S & A # 2292

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503.678.6007

FIGURE 5. WETLAND MAP

WETLAND DATA

POND DATA	
POND NUMBER	AREA
2	0.50 AC.
6	0.51 AC.
7	0.36 AC.
8	0.14 AC.
18	0.68 AC.
POND TOTAL	2.19 AC.

WETLAND DATA	
WETLAND NUMBER	AREA
2	22,422 SF
10	5,459 SF
11	654 SF
12	80 SF
13	3,482 SF
WETLAND TOTAL	32,097 SF/0.74 AC.

DITCH DATA		
DITCH NUMBER	AREA	WIDTH
10	177 SF	2'
11	300 SF	2'
12	278 SF	2'
13	285 SF	3'
14	306 SF	4'
16	374 SF	2'
17	470 SF	2.5'
18	620 SF	3'
20	155 SF	4'
DITCH TOTAL	2,965 SF/0.07 AC.	

CONSTRUCTION ENGINEERING CONSULTANTS INC.
P.O. BOX 1724 · MEDFORD, OREGON 97501
PH. (541) 779-6288 · FAX (541) 779-0139

Figure 5. Wetland Map
SCHOTT AND ASSOCIATES

21018 NE HWY 99E
AURORA, OR 97002
MARTIN SCHOTT
PH (503) 678-6007

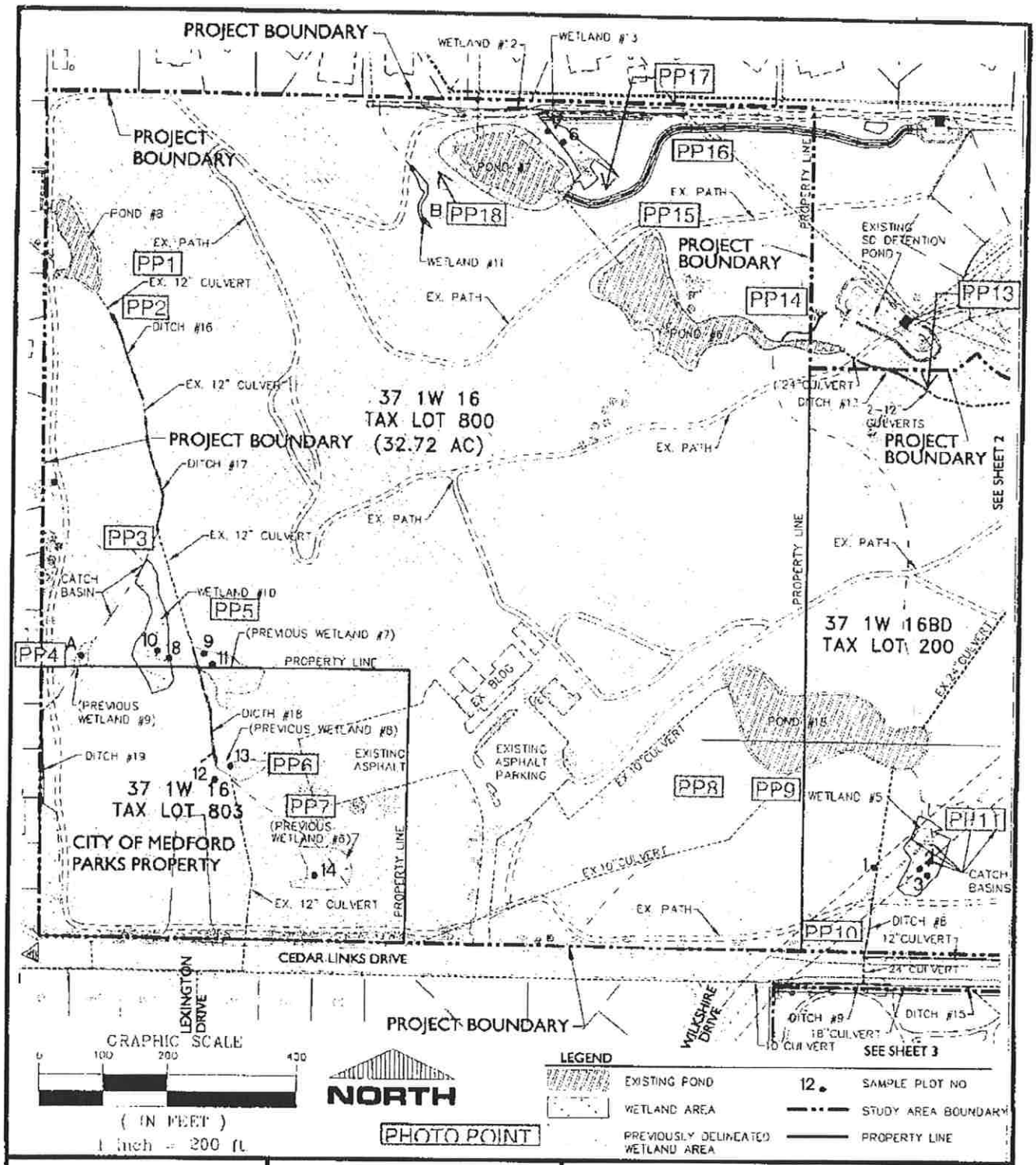
CITY OF MEDFORD

CEDAR LANDING P.U.D.

EXISTING CONDITIONS MAP

EXHIBIT "B"

NAME: WET-EXCOND-TBL.DWG PROJ.: 13-55 PLOT DATE: 9/25/14



CONSTRUCTION ENGINEERING CONSULTANTS INC.
P.O. BOX 1724 • MEDFORD, OREGON 97501
PH. (541) 779-5264 FAX (541) 779-0139

Figure 5. Wetland Map
SCHOTT AND ASSOCIATES

21018 NE HWY 99E
AURORA, OR 97002
MARTIN SCHOTT
PH (503) 678-6007

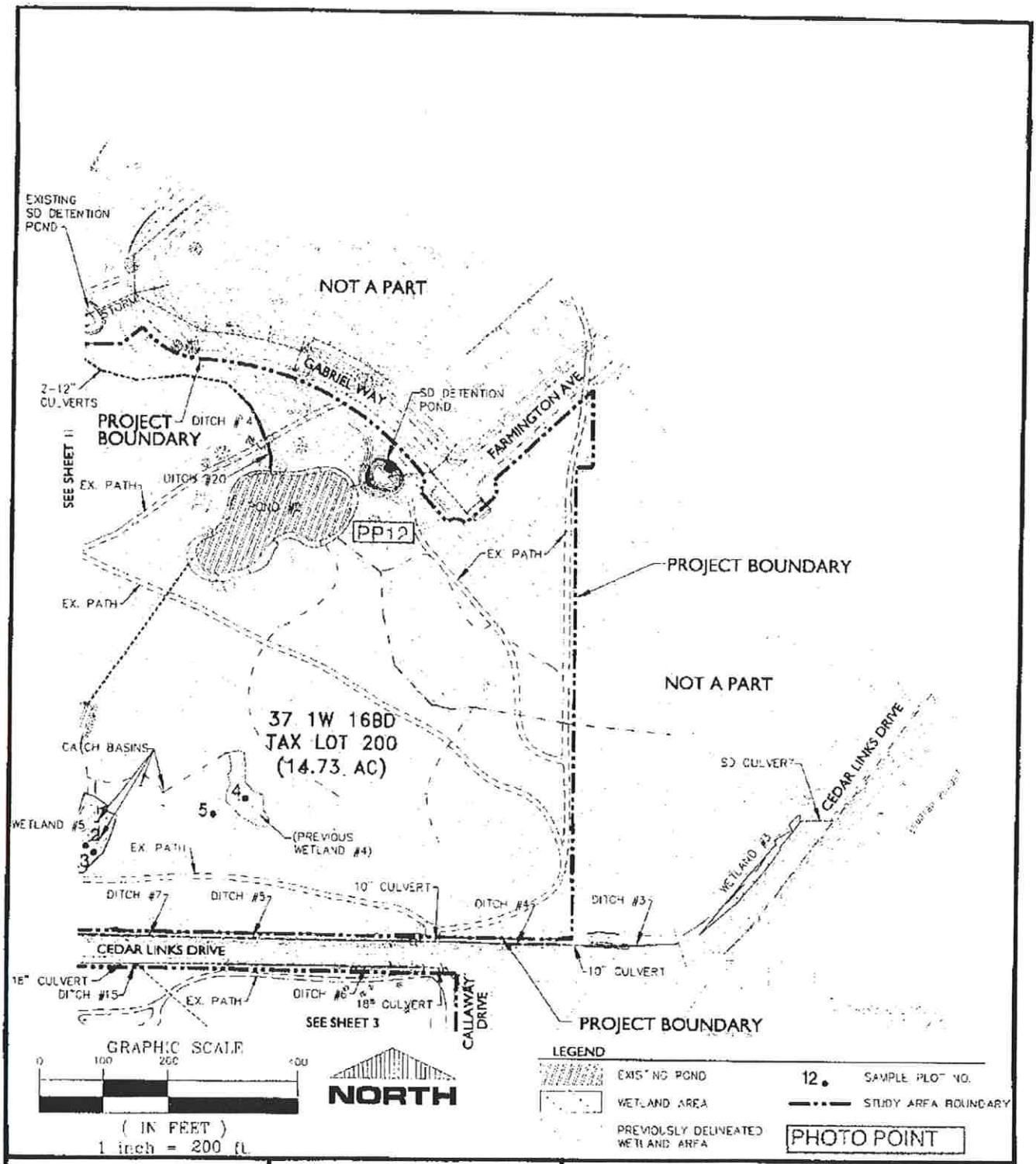
CITY OF MEDFORD

CEDAR LANDING P.U.D.

EXISTING CONDITIONS MAP

EXHIBIT "B-1"

NAME: WET EXCOND.DWG PROJ: 13-55 PLOT DATE: 9/25/14



CONSTRUCTION ENGINEERING CONSULTANTS INC.
P.O. BOX 1724 • MEDFORD, OREGON 97501
PH. (541) 779-5266 FAX (541) 779-3139

Figure 5. Wetland Map
SCHOTT AND ASSOCIATES

21018 NE HWY 99E
AURORA, OR 97002
MARTIN SCHOTT
PH (503) 678-6007

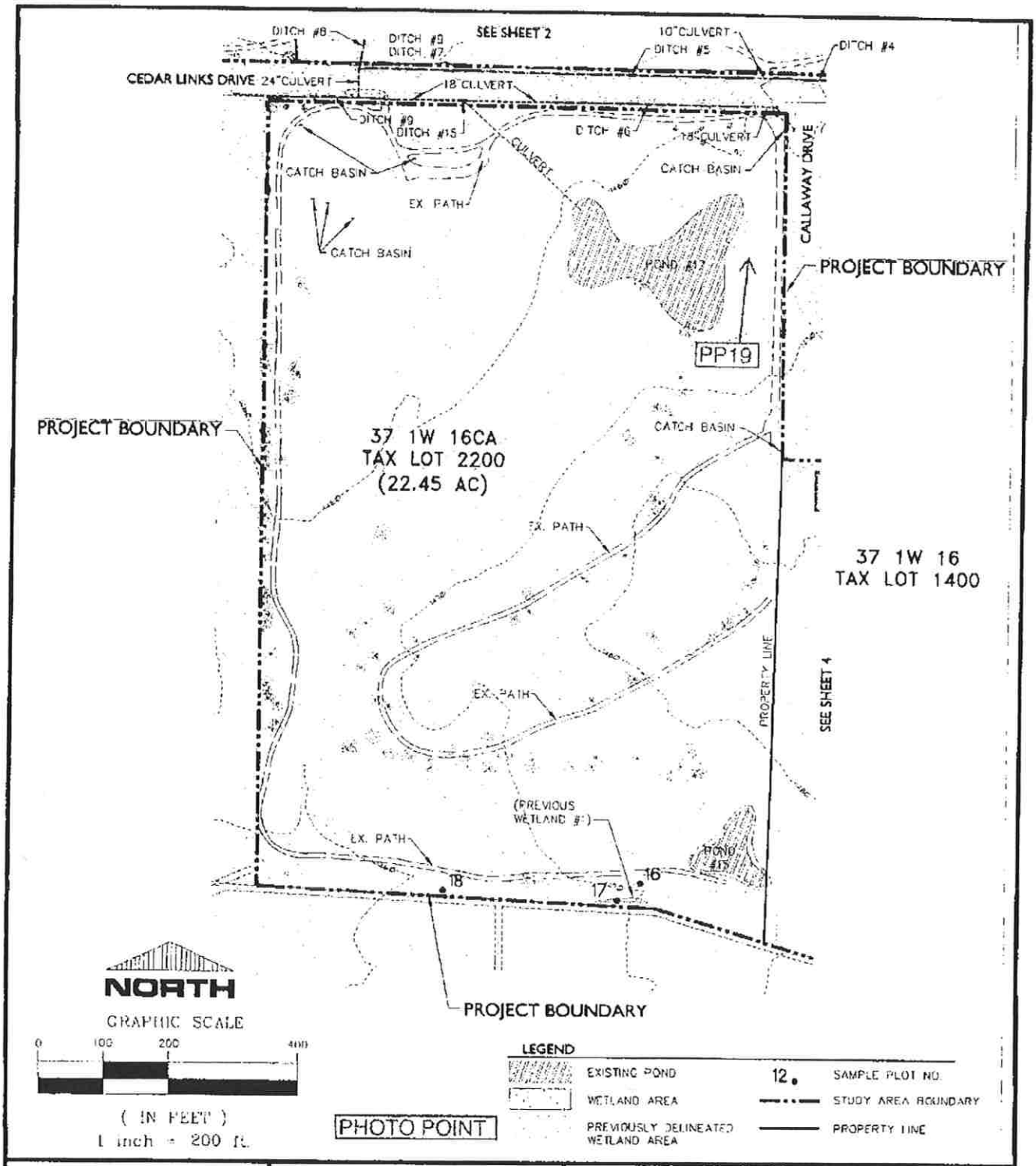
CITY OF MEDFORD

CEDAR LANDING P.U.D.

EXISTING CONDITIONS MAP

EXHIBIT "B-2"

NAME: WET-EXCOND2.DWG PROJ. 13-55 PLOT DATE: 9/20/13



CONSTRUCTION ENGINEERING CONSULTANTS INC.

P.O. BOX 1721 • MEDFORD, OREGON 97501
PH. (541) 779-5266 FAX (541) 779-0139

Figure 5. Wetland Map

SCHOTT AND ASSOCIATES

21018 NE HWY 99E
AURORA, OR 97002
MARTIN SCHOTT
PH (503) 678-6007

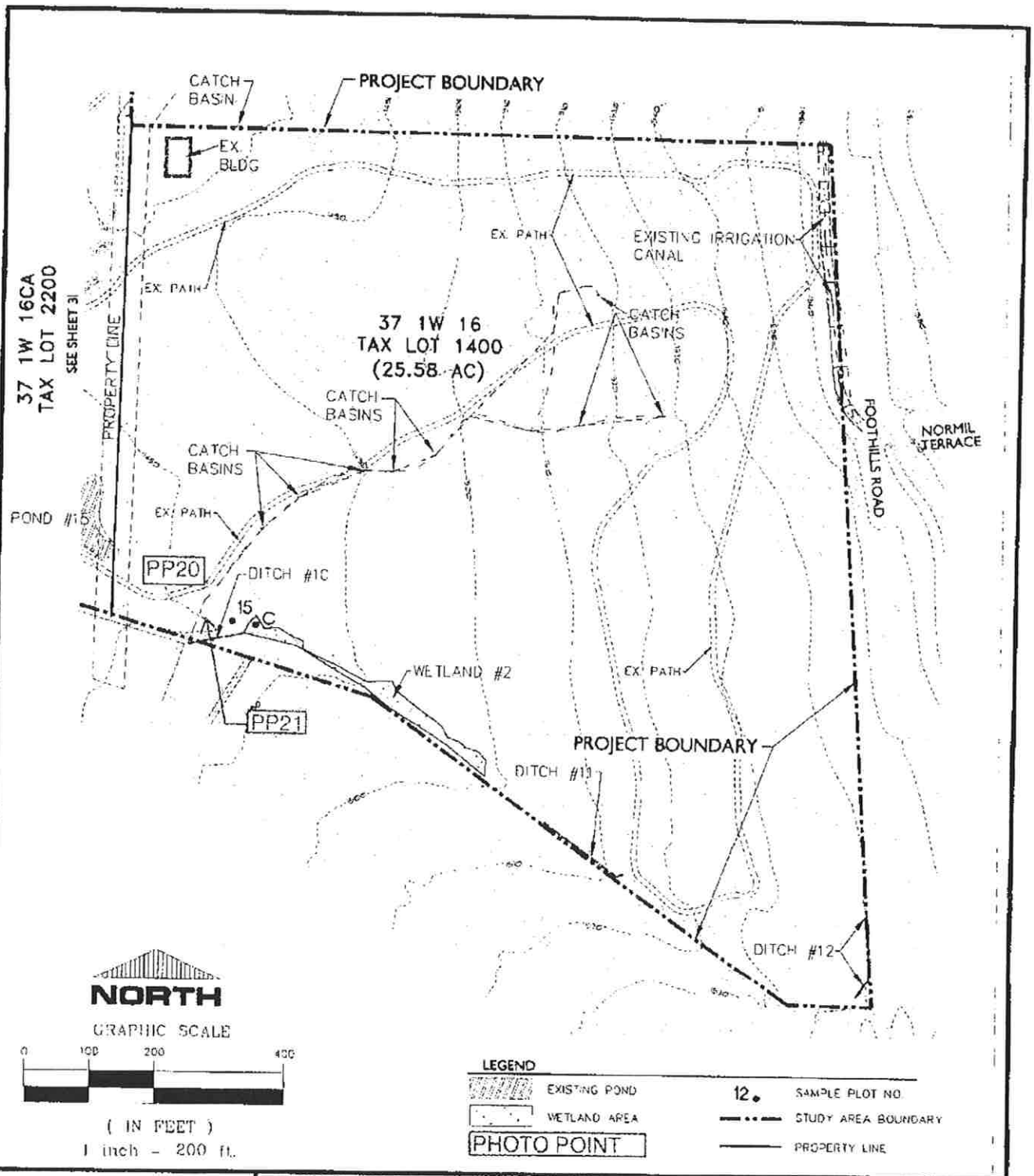
CITY OF MEDFORD

CEDAR LANDING P.U.D.

EXISTING CONDITIONS MAP

EXHIBIT "B-3"

NAME: WET-EXCOND3.DWG PROJ: 13-55 PLOT DATE: 9/25/14



CONSTRUCTION ENGINEERING CONSULTANTS INC.
P.O. BOX 1724 • MEDFORD, OREGON 97501
PH. (541) 779-5266 FAX (541) 779-3139

Figure 5. Wetland Map

SCHOTT AND ASSOCIATES

21018 NE HWY 99L
AURORA, OR 97002
MARTIN SCHOTT
PH (503) 678-6007

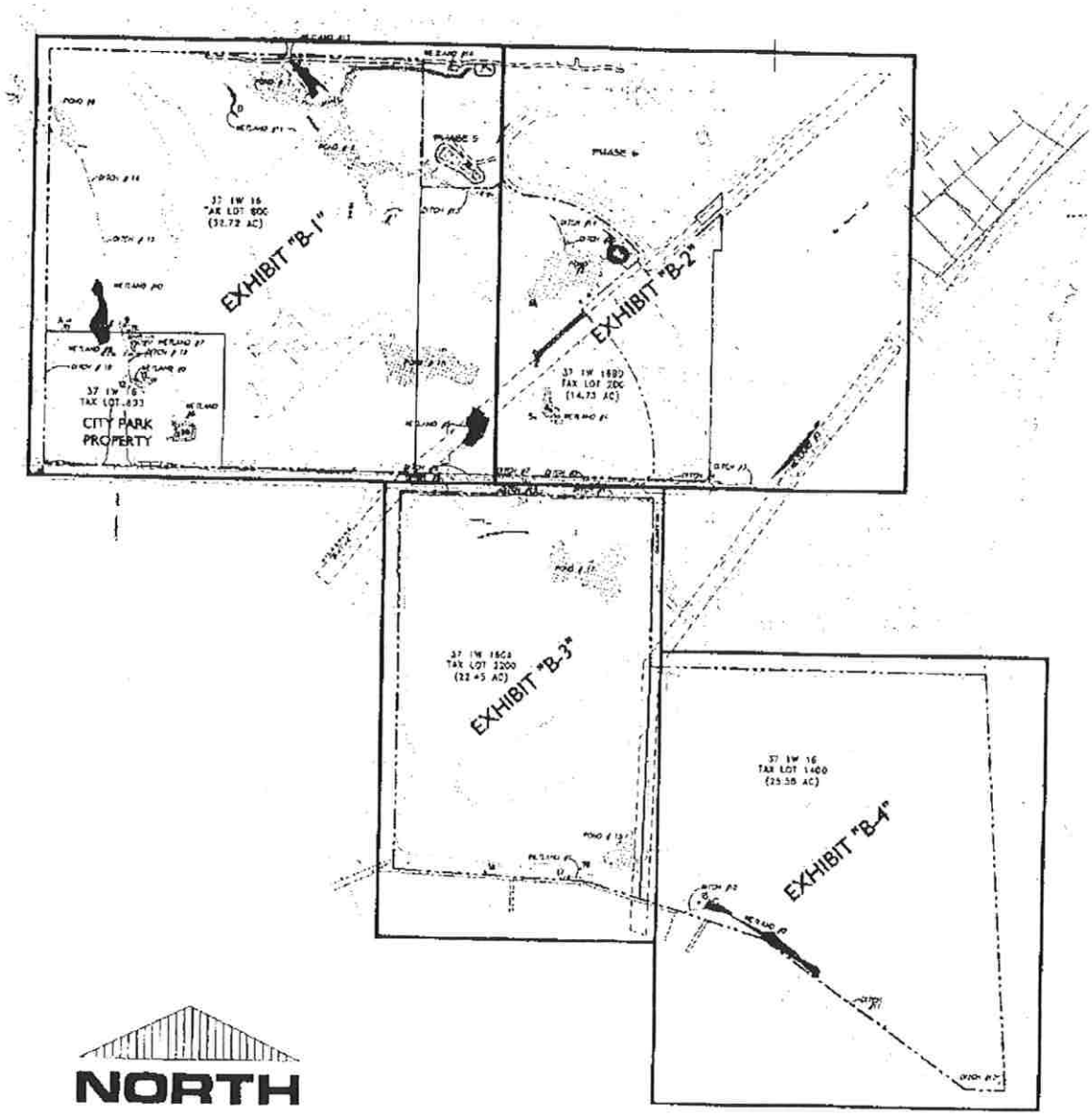
CITY OF MEDFORD

CEDAR LANDING P.U.D.

EXISTING CONDITIONS MAP

EXHIBIT "B-4"

NAME: WET EXCONDA DWG PROJ: 13-55 PLOT DATE: 9/25/13



NORTH

GRAPHIC SCALE

500 0 250 500 1000

(IN FEET)

1 inch = 500 ft.

Wetland boundaries flagged by Schott & Associates, Inc. Surveyed by Hoffbur and Associates, Inc. a Professional Land Surveyor (PLS).

CONSTRUCTION ENGINEERING CONSULTANTS INC.

P.O. BOX 1761 - MEDFORD, OREGON 97501
PH. (541) 779-5099 FAX (541) 779-0130

Figure 5. Wetland Map

SCHOTT AND ASSOCIATES

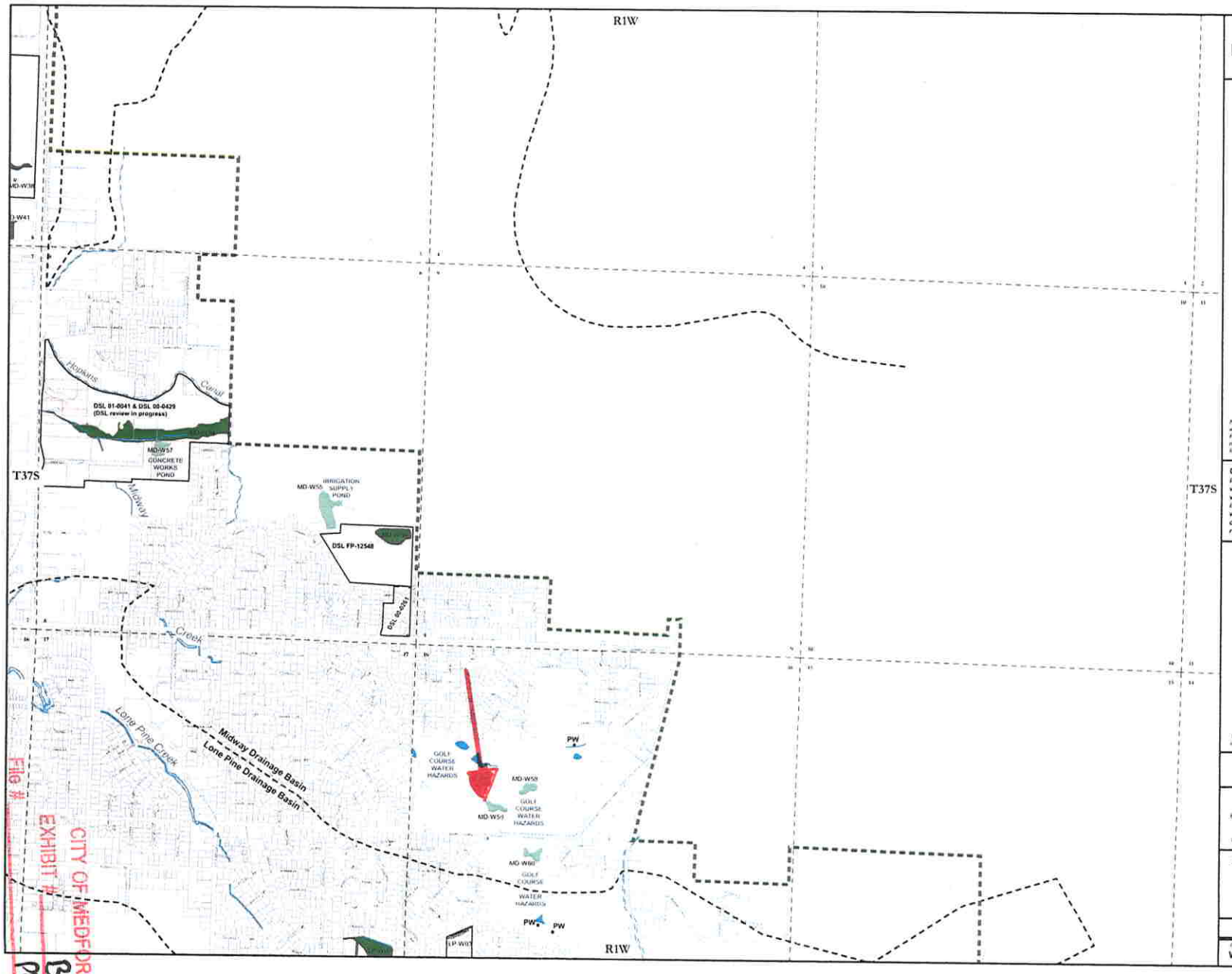
21018 NE HWY 99E
AURORA, OR 97002
MARTIN SCHOTT
PH (503) 678-6007

CITY OF MEDFORD

CEDAR LANDING P.U.D.

EXHIBIT KEY
APPLIES TO EXHIBITS "B-1 - "B-4"

NAME CED-WET-KEY.DWG PROJ. 13 35 PLOT DATE 9/25/14



MEDFORD
LOCAL WETLAND INVENTORY
September 2002

LEGEND

- URBAN GROWTH BOUNDARY
- DRAINAGE BASINS
- SECTION LINES
- RAILROADS
- PAVED/GRAVEL AREAS
- STRUCTURES
- TAXLOTS
- AREAS WITH DSL-APPROVED WETLAND DELINEATIONS
- DSL 01-0001 DSL FILE NUMBER
- PONDS (less than 0.5 acres)
- STREAMS
- IRRIGATION CANALS
- DITCHES, OTHER WATERS

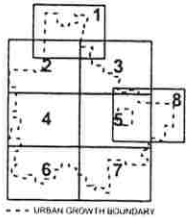
WETLANDS

- WETLANDS
- WETLANDS (LOCALLY SIGNIFICANT)
- FIELD VERIFIED
- WETLAND/UPLAND MOSAICS
- PW POSSIBLE WETLANDS
- SW-W01 WETLAND CODE

Note: Wetlands 0.5 acres and larger were mapped. Wetlands smaller than 0.5 acres with DSL-approved wetland delineations were also included on the inventory maps. Possible Wetlands (PW) are areas noted during inventory development that appear to meet wetland criteria but are less than 0.5 acres in size. Possible Wetlands were not field verified.

DISCLAIMER:
Information shown on this map is for planning purposes only and wetland information is subject to change. There may be unmapped wetlands subject to regulation and all wetland boundary mapping is approximate. In all cases, actual field conditions determine wetland boundaries. You are advised to contact the Oregon Division of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.

LOCATOR MAP



URBAN GROWTH BOUNDARY

The Medford Local Wetland Inventory includes a 1:24,000 index map, eight 1:7200 inventory maps and a map of potential wetland mitigation and restoration sites.

MAP 3

1 inch = 600 feet

600 0 600 1200 Feet

State Plane Coordinates, Oregon South, North American Datum 1983

SOURCES:
City of Medford Planning and Public Works Departments
Jackson County Geographic Information Systems Services
Local Wetlands Inventory (LWI) and Oregon Freshwater Assessment Method (OFWAM) Analysis, City of Medford, October 1995, Brown and Caldwell Woodward-Clyde Consultants
Private wetland delineation reports approved by DSL

An Oregon Watershed Enhancement Board grant partially funded this project

This map was produced by
WETLAND CONSULTING
3710 SE Taylor Street
Portland, OR 97214
(503) 238-5942
jshecht@pacifier.com

CITY OF MEDFORD
EXHIBIT #
File #
BB
PUD-17-002

Wetland Code	Summary Sheet	LWI Map Number	OFWAM Assessment Unit	Locally Significant	DSL File Number(s)
MD-W45	None (<0.5 acres)	2	--	NO	00-0396
MD-W46 **MD-W47** **MD-W48** **MD-W49** **MD-W50**	61	2	17	YES	
MD-W51 **MD-W52** **MD-W53**	62	2	18	YES	
MD-W54	63	3	19	YES	00-0429 01-0041
MD-W55	64	3	20	NO	
MD-W56	65	3	21	YES	FP-12548
MD-W57	66	3	--	NO	
MD-W58 **MD-W59** **MD-W60**	67	3	--	NO	
MD-W61	68	1	52	NO	
MD-W62	69	1	53	YES	GA-22849
SW-W01	70	1	1	YES	
SW-W02	71	1	2	YES	99-0371 App 22156
SW-W03	72	1	2	YES	

RECEIVED
SEP 1 8 2019
PLANNING DEPT.

To: Kelly Evans
Assistant Planning Director
Planning Department
City of Medford

To: All members of the Planning Commission
City of Medford.

Reference: Planning Commission Meeting
September 26, 2019.
Agenda Item # PUD - 19-002.

Gentlemen:

At this time and with this letter, including attachments, we wish to address the specific request of applicant that his proposed project be granted a variance of at least five feet (5) reference the height of the buildings which he proposes to construct within the project.

The height of all buildings within the entire PUD has been addressed by the Planning Commission on two prior occasions, 2006, and 2016. On both occasions the planning commission has limited the height of all buildings in the PUD to a maximum of thirty five (35) feet.

We respectfully draw the Planning Commissions attention to the two attachments included with this letter, which are respectively, pages (5) & (6) of the planning commissions findings of fact as of 2006. Said finding were incorporated in the Planning Commissions approval of the Cedar Landing project, as currently adopted, in 2016.

The height of the buildings to be constructed within the Cedar Landing Project are even more critical at this point in time due to the fact that the adjacent properties have been developed and sold, or are scheduled to be developed as single family homes (cottages).

Specific to the applicants plan is the fact that the proposed residential facets of the project have been relocated to the perimeter of the property, on both Cedar Links and Farmington streets, or approximately seventy five (75) feet from currently occupied homes. Residential units are proposed to occupy the second and third floors of the subject buildings. Such construction, we submit, is incompatible with the characteristics of a normal single family residential neighborhood , particularly as it relates to expectations of privacy.

Respectfully Submitted:

TOM MICHAELS
1070 CALLAWAY DR
MEDFORD, OR 97504

CITY OF MEDFORD
EXHIBIT # cc
File # PUD-19-002

Also stated on page 9 of the findings of fact is that after *High Cedars* the development sequence may then be *The Village at Cedar Landing* south of Cedar Links Drive; the development schedule of *Cascade Terrace, Sky Lakes Village* and the portion of *The Village* north of Cedar Links drive would be driven primarily by demand and other timing factors.

Deviations from Standards:

The applicant's treatment of the requested deviations is on pages 4 through 9 of the Findings of Fact (Exhibit "H-1"). Staff supports the proposed eleven (11) deviations and concludes the deviations would not impair the function, safety, or efficiency of the circulation system or the PUD.

1. **Minimum Lot Area:** The minimum lot area in the SFR-4 zone is 6,500 square feet. The applicant is proposing a reduction in lot area applicable to the majority of 71 lots that comprise the *Cascade Terrace* sub-development area. The reduced lot areas proposed in *Cascade Terrace* range between 4,117 and 6,155 square feet. The applicant asserts that this particular deviation, along with some that follow, are intended to preserve the highest amount of open space within Cedar Landing PUD.

2. **Lot Width:** The minimum width in the SFR-4 zone is 60 feet for interior lots and 70 feet for corner lots. The applicant's Findings of Fact do not specify the precise reduction that is proposed likely due to the impracticability of doing so. The proposed reduction in lot widths correspond with the same lots discussed above for a reduction of lot area. In summary of information taken directly from the tentative plats, the majority of the interior lots are proposed to be 40 feet in width with corner lots ranging between 51 and 58 feet wide.

3. **Maximum Lot Area:** The maximum lot area in the SFR-4 zone is 18,750 square feet. Lot 124 in *Sky Lakes Village* is proposed as reserve acreage with a total area of 26,035 square feet. An existing residential building is located and intended to remain on Lot 124 possibly until such time that the reserve acreage would be developed further.

4. **Pad Lot:** The proposed PUD includes "pad lots" to facilitate the development of attached, zero-lot line single-family residences on Lots 71 through 102 and Lots 132 through 157 in *High Cedars* sub-development area. "Pad lots" are lots that typically do not meet any of the SFR residential standards and are, therefore, not subject to size standards. The purpose of "pad lots" is to allow the creation of separate tax entities for home ownership. The proposed deviation would allow 56 pad lots to provide for this housing type.

5. **Building Height [Not Approved]:** The maximum building height allowed in the SFR-4 zone is 35 feet. The applicant is proposing a deviation that would allow the 4-story congregate care facility on Lot 19 of *The Village at Cedar Landing* to be constructed to an approximate height of 55 feet. It is noted that the congregate care facility is positioned within *The Village* no closer than 400 feet away from the closest PUD boundary.

   Decision: On the basis of the proposed building height deviation (55 or 45 feet) being *too extreme and unjustified for the underlying SFR-4 zoning district*, the Commission denied the request and affirmed the maximum building height limitation of thirty-five (35) feet for *all*

buildings constructed within *all* phases of Cedar Landing Planned Unit Development (PUD-05-35). Said building height shall be calculated in accordance with Section 10.705 of the *Land Development Code*. A condition is included requiring all plans, supporting documents and Findings of Fact to be consistent with the 35-foot maximum building height limitation; however, where the applicant's plans, supporting documents and Findings of Fact reference building heights other than those permitted in the SFR-4 zone, said references are specifically superseded to conform to the maximum allowable height of 35 feet in the underlying SFR-4 zone within Cedar Landing Planned Unit Development.

6. **Residential PUD Sign [Modified]:** Section 10.1200 (3) allows two (2) non-illuminated ground signs, approved by the Planning Commission, which do not exceed 20 feet in sign area, 4 feet in height, setback a minimum of 5 feet from the right-of-way. The applicant is requesting a greater number of signs due to the size of the PUD and due to the fact that there will be twelve entry points to the development. The deviation request appears to be reasonable due to the size of the PUD and could be approved conceptually subject to the approval of a master sign plan by the Site Plan and Architectural Commission.

Decision: The Commission modified the above deviation relating to residential PUD signs (Item 6) to allow two (2) non-illuminated ground signs as per Code Section 10.1200 (3) plus one entrance sign each for Cascade Terrace, Sky Lakes, High Cedars, the commercial component of The Village, and the retirement component of The Village, a total of seven (7) residential PUD signs.

Decision: The Commission approved the residential PUD sign styles depicted in Exhibit "N" and within the Cedar Landing presentation booklet subject to the designs being modified to conform to the standards set forth in Section 10.1200 (3) of the *Land Development Code* which prohibit illuminated signs and limit the size to a maximum of 20 square feet of sign area, a maximum of 4 feet in height and a minimum setback of 5 feet from any street right-of-way.

7. **Commercial Signage [Modified]:** Due to the presence of the underlying SFR-4 zone, the applicant is requesting a deviation which would allow the placement of signs within *The Village* commercial areas that follow the sign standards applicable to the Service Commercial and Professional Office (C-S/P) and Neighborhood Commercial (C-N) zoning districts.

Contained within the Cedar Landing presentation booklet and Exhibit "N" of the staff report is a presentation of conceptual signage for the project. This section includes illustrations and dimensions of various signs and a listing of specific sign locations. The Preliminary PUD Plan (Exhibit "A-1") also provides detail and a legend to further describe sign locations within the development. Coupled with the information on page 6 of the Findings of Fact (Exhibit "H-1"), the application provides detailed evidence which demonstrates the least intensive commercial sign standards for the project. If the Commission concurs, a wholesale deviation could be allowed as part of the PUD plan authorization.

In order to facilitate the administrative function of reviewing sign permits for Cedar Landing PUD during the course of its build-out, Staff has included a discretionary condition requiring

ATTACH #2

RECEIVED
SEP 1 8 2019
PLANNING DEPT.

To: Kelly Evans
Assistant Planning Director
Planning Department
City of Medford

To: All members of the Planning Commission
City of Medford

Reference : Planning Commission Meeting
September 26, 2019.
Agenda Item # PUD - 19- 002

Gentlemen:

As previously noted, I have objected to the proposed modifications of the multi-family condominium / apartments residences at Cedar Landing, as approved by the planning commission in July of 2016.

Please refer to my letter , with attachments, which was made a part of the record at the last Planning Commission meeting of August 22,2019.

At this time and with this document, I am asserting that the Applicants entire proposal is without merit and should be rejected in its entirety.

This assertion is based on the Applicants failure to meet the required criteria for Revision of a PUD , as specified in section 10.198.A.1., item 2 of the current PUD ordinance.

Specifically, it is noted that the pertinent language of Section 10.198.A.1. states;
" The application form shall bear the signatures of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitutes more than 50% of the total assessed value of the vacant portion of the PUD."

First, it does appear that the applicant, Mr. Westermen, and the other developers / owners of vacant land who joined in his application for Revision of the approved PUD did and currently control a majority interest in more than 50% of the vacant land within the approved PUD.

As a factual matter the vacant land within the PUD was , as of September 1, 2019, recorded by Jackson County as having a aggregate market value of $13,207,696. Said land is controlled by eighteen (18) business entities, although one person, with investors , Mr.Galpin ,controls multiple property sections (3) within the total.

CITY OF MEDFORD
EXHIBIT # DD
File # PUD-19-002

Pursuant to the requirements of 10.198.A.1. the applicant and his associates must hold; "land and improvements " which in value constitute more than 50% of the total assessed value of the vacant portion of, or in this specific case $ 6,603,848.00. dollars.

A review of Jackson Counties Property Data web site reveals that sixty one(61) improved properties are , as of September 1,2019, owned by sixty one (61) individual owners whose titles were recorded prior to June ,10, 2019, the date of the applicants filling of the application for Revision of the approved PUD plan. The properties have an aggregate value of $ 29,228,834.00 .

Relative to the pending application, and of paramount importance, is the fact that neither the applicant himself, or his business associates , did prior to June 10, 2019 , or as September 1,2019, own improved properties within the subject PUD.

Therefore, the application fails to meet that requirement of Ssction 10.198.(A).1. of the current PUD ordinance , ToWit: The application form shall bear the signature(s) of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of the vacant portion of PUD."

We respectfully submit the failure of applicant and his associates to previously or currently own improved property within the subject PUD renders the application pending before the commission Null and Void.

Please refer to attachment one (1) which reflects the ownership and Real Market Value of improved property within the subject PUD, as reported on Jackson Counties Property Data web site, as of September 1, 2019.

We further and respectfully reject the applicants argument that his application meets all the requirements of the code because code language refers to both majority land area and majority land value controlled by owners of the vacant land portions of the PUD.

First, his position defies the specificity of the language of the code itself , To Wit: " and who are also the owner(s) of land and improvements within the PUD."

The value and designation of vacant as opposed to improved property is reflected in the Real Market Value of specific property as established by the most recent sale of the property.

Ownership of a specific property is recorded by title , as maintained by the Jackson County Clerks and Assessors offices.

Thus, public record supports the rejection of his argument.

Secondly, the applicants argument presupposes and requires the Planning Commission to negate or at least relegate the standing of the owners of improved properties to a position secondary to that of owners of vacant land irrespective of aggregate size and value.

Lastly, and certainly of significant importance is, what we believe to be the past and current practice of the Medford Planning Department to include majority ownership in both vacant and improved property in it's assessment of appropriate compliance with section 10.198.(A).1.

We respectfully request that the Planning Commission reject the current application to revise the previously approved plan , reference item #PUD-19-002 , residences at Cedar Landing.

Respectfully Submitted,

James T Greathouse

James T Greathouse.

Homes and land within the PUD

#	Street	Home Owners	Tax Lot #	RMV	
560	St Augustine	Howard & Alice Hunt	371W16BD229	$443,000	
559	St Augustine	Donna Wright	371W16BD201	$427,930	
554	St Augustine	Rick & Claire Sharp	371W16BD228	$488,330	
553	St Augustine	Matthew & Chungmin Wright	371W16BD202	$433,770	
549	St Augustine	Walt & Sue Trigg	371W16BD203	$451,490	
550	St Augustine	Guy & Carol Imada	371W16BD227	$477,530	
544	St Augustine	Barry & Beth Braden	371W16BD225	$473,140	
543	St Augustine	Mark & Linda Dirnberger	371W16BD204	$491,910	
540	St Augustine	Curtis Smith	371W16BD223	$507,710	
537	St Augustine	Mike & Mindi Nielsen	371W16BD206	$513,620	
536	St Augustine	Joe & Tanya Friscia	371W16BD221	$511,560	
531	St Augustine	Karl Burkhauser	371W16BD207	$442,720	
			Sub Total	*$3,662,710-*	
530	St Augustine	Denise Lewman	371W16BD219	$476,730	
525	St Augustine	Nicole Elliott	371W16BD208	$432,510	
524	St Augustine	Jennifer Long	371W16BD218	$478,610	
519	St Augustine	Treesa Beaton	371W16BD209	$491,810	
513	St Augustine	John & Lorraine Ferrell	371W16BD210	$483,330	
507	St Augustine	Carl & Linda Thompson	371W16BD212	$549,060	
506	St Augustine	Dar & Janice Wolber	371W16BD215	$496,820	
501	St Augustine	Susan Claridge	371W16BD213	$449,980	
935	St Francis	Jeff & Pennie Pons	371W16BD241	$526,020	
954	St Francis	Karrie Kay	371W16BD240	$512,570	
959	St Francis	Tony & Sarah Chavez	371W16BD243	$510,910	
947	St Francis	Mike & Michelle Neunschwander	371W16BD242	$491,760	
971	St Francis	Ray & Jennifer Riggins	371W16BD244	$480,990	
970	St Francis	Susan Rufener	371W16BD239	$470,430	
1020	St Francis	Seth & Melissa Brower	371W16BD226	$469,620	7-13-17
1030	St Francis	Elvin & Nancy Hawkins	371W16BD224	$535,970	11-5-09
1040	St Francis	John Westmoreland	371W16BD222	$454,230	
1050	St Francis	David & Valerie Weber	371W16BD220	$496,410	
1060	St Francis	Rick & Margaret Moseley	371W16BD217	$452,710	
1070	St Francis	Deanna Copeland	371W16BD216	$556,440	
2774	Farmington	Jim & Kona Wilson	371W16BD272	$485,030	8-28-18
2811	Farmington	Phyllis Allen	371W16BD234	$479,670	
2817	Farmington	Glenn & Mieke McElroy	371W16BD233	$432,950	
2822	Farmington	David & Linda Erickson	371W16BD237	$469,430	
			Sub Total	*$11,683,990-*	
2823	Farmington	Ruth & Heather Kile	371W16BD232	$453,340	
2829	Farmington	Cameron & Bri Williams	371W16BD231	$448,270	
2835	Farmington	Michael & Paula Palacios	371W16BD230	$490,960	
925	Callaway	O'Neill Living Trust	371W16BD245	$486,840	10-12-18
926	Callaway	Ron & Karen Weathers	371W16BD257	$475,070	4-11-18
937	Callaway	Clayton & Mariella Cathcart	371W16BD246	$429,590	2-19-18
938	Callaway	Minerva Miller	371W16BD258	$443,000	11-21-17

949	Callaway	Christian & Jennifer Barnett	371W16BD247	$447,830	9-15-17
950	Callaway	Dieter & Erika Gellert	371W16BD259	$432,240	8-18-18
961	Callaway	Nancy Saum	371W16BD248	$441,070	3-12-17
962	Callaway	Steven & Ariel Murray	371W16BD260	$484,600	6-28-18
974	Callaway	Kamala Gautam	371W16BD261	$445,980	2-8-18
984	Callaway	Binod & Saraswati Dhakal	371W16BD262	$447,520	1-5-18
985	Callaway	Mo & Kathy Austin	371W16BD251	$515,560	2-23-17
996	Callaway	Travis Bowers	371W16BD263	$479,040	9-18-17
997	Callaway	Shirley Trapp	371W16BD252	$481,820	9-10-18
3505	Christine	Sandi Soliday	371W16BD249	$463,900	4-11-18
3517	Christine	Shaun & Samantha O'Brien	371W16BD250	$514,990	7-18-16
3403	Venice Ct	Gary Olson	371W16BD271	$418,070	3-18-19
3404	Venice Ct	Rick & Marianne	371W16BD265	$484,570	3-11-18
3411	Venice Ct	D & M Gaddis	371W16BD270	$428,150	5-8-19
3412	Venice Ct	Dino & Kandice Rossi	371W16BD266	$441,720	11-16-18
3419	Venice Ct	R & N Kirkland	371W16BD269	$439,120	7-26-18
3427	Venice Ct	Anna Sardo	371W16BD268	$452,210	5-14-19
2872	Morning V	Bill & Patty Miller Galpin Homes before 5/27/19	371W16CA2224	$109,560	6-27-19
2889	Caldera	Jim Wilcox	371W16CA2217	$311,570	3-28-19
3219	Fallen Oak	Brady & Sarina Duncan Finished Home Bought from Vision Homes (Peter)	371W16CA2215	$127,250	8-15-19
3267	Fallen Oak	Kellene Fisler Bought from Clark Homes Finished Home	371W16CA2210	$109,520	6-30-19
2881	Caldera	Marcy Hansen Finished Home Bought from Vision Homes (Peter)	371W16CA2218	$119,640	6-27-19
2677	Farmington	Daniel Zakour FOR RENT Bought from Galpin Homes	371W16CA2246	$59,134	8-13-19
			Sub Total	*$11,882,134-*	
		HOMES WITH OWNERS	**GRAND TOTAL**	**$29,228,834-**	

2

		Adams Const			
2668	Farmington		371W16CA2244	$59,134	4-11-19
			Sub Total	*$59,134*	
		Chamberlin Homes			
3240	Fallen Oak		371W16CA2220	$112,040	10-24-18
3259	Fallen Oak & Farmington	Under Constr.	371W16CA2211	$122,180	10-24-18
			Sub Total	*$234,220-*	
		Kodiak LLC			
3275	Fallen Oak	Kodiak LLC (Under Constr) For Sale by Galpin Homes	371W16CA2209	$106,980	12-21-18
			Sub Total	*$106,980-*	
		C & H Capital			
3283	Fallen Oak	C & H Capital of Shady Cove FOR SALE	371W16CA2208	$124,710	2018
			Sub Total	*$124,710-*	
		Cedar Landing Dev (Artner)			
3231	Sky Way		371W16CA2255	$51,989	
3237	Sky Way		371W16CA2256	$51,989	
3243	Sky Way		371W16CA2257	$51,989	
3249	Sky Way		371W16CA2258	$51,989	
3250	Sky Way		371W16CA2268	$50,851	
3255	Sky Way		371W16CA2259	$51,989	
3261	Sky Way		371W16CA2260	$51,989	
3267	Sky Way		371W16CA2261	$51,989	
3273	Sky Way		371W16CA2262	$51,989	
3274	Sky Way		371W16CA2264	$50,861	
3279	Sky Way		371W16CA2263	$51,989	
3282	Sky Way		371W16DB1704	$51,989	
3285	Sky Way		371W16DB1701	$51,989	
3290	Sky Way		371W16DB1703	$51,989	
3291	Sky Way		371W16DB1702	$51,989	
1 ½	Acres		371W16DB1700	$74,671	
9.98	Acres		371W16DB7001	$1,016,380	
2.39	Acres		371W16DB3700	$243,400	
5.92	Acres		371W16CA2203	$602,900	
2787	Noble Fir/Sky Way	2787 & 3238	371W16CA2269	$51,989	
2788	Noble Fir/Sky Way	2788 & 3250	371W16CA2268	$50,861	
			Sub Total	*$2,817,770-*	
Joe	**Westerman**	**Cedar Links Apartments**			
2.52 2.27	Acres 4.79 total	Farmington	371W16BD238 371W16BD238	$256,640 $231,180	2-1-18
			Sub Total	*$487,820-*	

3

		Clark Homes			
3235	Fallen Oak	Under Constr.	371W16CA2213	$109,250	
2845	Morning V	Finished Home Randall Clark Owner Previous (Peter)	371W16CA2231	$106,980	
			Sub Total	*$216,230-*	
		Eagle Point Dev.LLC (Galpin)			
3225	Sky Way		371W16CA2202	$54,239	
3226	Sky Way		371W16CA2271	$50,861	
3232	Sky Way		371W16CA2270	$48,612	
3238	Sky Way		371W16CA2269	$51,989	
3256	Sky Way		371W16CA2271	$50,861	
			Sub Total	*$256,562-*	
		Foursquare Homes			
2882	Caldera	Caldera & Fallen Oak Corner		$112,040	10-30-18
			Sub Total	*$112,040-*	
		Galpin Homes			
2669	Farmington	Under Constr.	371W16CA2247	$59,134	
2880	Morning V	Finished Home-For Sale by Galpin Homes	371W16CA2223	$106,980	
			Sub Total	*$166,114-*	
		Galpin			
.57	Acres	Yamsay	371W16BC205	$58,050	
.57	Acres	Yamsay	371W16BC204	$58,050	
6.12	Acres	Yamsay	371W16BC202	$715,630	
15.50	Acres	Yamsay	371W16BC201	$1,518,540	
			Sub Total	*$2,350,270-*	
		Jantzer			
2.38	Acres	Cedar Links Dr	371W16BD300	$257,340	
3.71	Acres	3535 Cedar Links Dr	371W16BD400	$697,550	
			Sub Total	*$954,890-*	
		Magel Construction			
2888	Morning V	Under Constr.	371W16CA2207	$117,120	
			Sub Total	*$117,120-*	
		Owen, Kelly			
2861	Morning V	Under Constr.	371W16CA2227	$106,980	
3420	Venice Ct	Equity Trust Co Kelly Owen	371W16BD267	$109,590	10-31-17
			Sub Total	*$216,570-*	
		Obrien Built			
3293	Fallen Oak	Under Constr.	371W16CA2212	$124,710	10-18-18
			Sub Total	*$124,710-*	

		RV Cottages-John Clason			
1.80 4.12	Acres Acres		371W16BC206 371W16BD200	$183,310 $419,590	3-14-19
			Sub Total	*$602,900-*	
		Ziggy Investments			
3256	Sky Way		371W16CA2267	$51,989	
3262	Sky Way		371W16CA2266	$51,989	
3268	Sky Way		371W16CA2265	$50,861	
			Sub Total	*$154,839-*	
		Peter			
11.4	Acres		371W16CA2201	$891,069	
2829	Morning V		371W16CA2234	$119,640	
2837	Morning V		371W16CA2232	$117,120	
2848	Morning V		371W16CA2230	$114,580	
2877	Morning V		371W16CA2222	$112,040	
2853	Morning V		371W16CA2229	$106,900	
2869	Morning V	Under Constr.	371W16CA2225	$106,980	
2856	Morning V		371W16CA2228	$109,520	
2864	Morning V		371W16CA2226	$109,520	
2877	Morning V		371W16CA2222	$112,040	
3210	Sky Way	Under Constr.	371W16CA2235	$124,710	
3218	Sky Way	Under Constr.	371W16CA2236	$122,180	
2625	Farmington		371W16CA2253	$124,710	
2628	Farmington		371W16CA2239	$66,135	
2631	Farmington		371W16CA2252	$59,134	
2636	Farmington		371W16CA2240	$63,334	
2637	Farmington		371W16CA2251	$59,134	
2644	Farmington		371W16CA2241	$59,134	
2645	Farmington	Under Constr.	371W16CA2250	$59,134	
2652	Farmington	Under Constr. Found. Forms	371W16CA2242	$59,134	
2653	Farmington	Under Constr.	371W16CA2249	$59,134	
2660	Farmington		371W16CA2243	$59,134	
2661	Farmington	Under Constr.	371W16CA2248	$59,134	
2664	Farmington		371W16CA2241	$59,134	
2676	Farmington	Under Constr. Found. Forms	371W16CA2245	$59,134	
2684	Farmington		371W16CA2221	$112,040	
3227	Fallen Oak		371W16CA2214	$106,980	
.17	Corner Lot		371W16CA2233	$10	
11.48	Acres		371W16CA2201	$891,069	
			Sub Total	*$4,101,917-*	
		CONTRACTORS	**GRAND TOTAL**	**$13,204,796**	
		AND OTHERS			

5

RECEIVED
SEP 18 2019
PLANNING DEPT.

September 16, 2019

200 South Ivy Street
Lausmann Annex
Room 240
Medford OR 97501

Dear Planning Commission:

My name is David Rabon, and I own the house at 925 Callaway Drive. My wife and I purchased the property in April 2018 from Galpin Homes. We were told that the house was in a PUD and the remaining undeveloped property was at some point going to be developed, but none of the future development would be within view of our house, as we purchased the property because we liked the view and did not want to have the view obstructed by buildings. However, we were told that a senior housing project was planned but it would be built up on the hill near the park, and would not be visible from our location. We were told the property on the corner of Farmington and Cedar Links would at some point have a coffee shop and small store. There were plans for some cottages to be built to the north of us, but those were not to be visible from our property, nor would those have impacted traffic as there were not that many planned. The cost of those tiny houses would have been in the $300,000 range, and would have impacted the value of our home along with the others in the community. Most if not all of the houses in our community cost over $470,000. A few months ago, we were notified that a company was planning to build tiny houses on the site instead of the cottages. The deve loper has since backed out and the tiny houses are no longer planned. Now the site that was slated to have senior housing is going to have an apartment complex. In addition, there is a request to build a three story commercial development on the corner of Farmington and Cedar Links.

We are very concerned about the traffic and parking problems that these developments will cause. Farmington is already busy with traffic as it is apparently being used as a through street between Phoenix Rd and Cedar Links. The developer seems to think they have the parking issue solved. From past experiences, I am sure the parking will become a major issue. The number of vehicles that will be added to the area will very likely exceed the available parking. The overflo w will undoubtedly park along the streets in our community. We, along with most of our neighbors have properties valued over $470,000. The apartment complex is alone going to be a detriment to our property values, but the building of a huge THREE story complex on the corner of Farmington will also be a blow to the property values. The houses along Farmington west of Callaway will be looking into a three story wall. I am sure the owners did not purchase those properties to stare at a wall.

It seems that the developer is constantly slipping in more and more changes that are not in the PUD. The developer stated in a meeting with the residents and the planning commission that the apartments will not be sold, that his company will retain ownership and manage the property. What guarantees do we, the residents of the community have the those plans will be kept?

CITY OF MEDFORD
EXHIBIT # EE
PUD-19.002

As I previously stated, the values of the houses in our community exceed $470,000. The addition of the apartment complex is bad enough, but the commercial development will really impact the value of not only MY home, but those in the community. We want to enjoy the view we paid for.

I sincerely hope you will take into account the wishes our community, and reconsider these items.

Thank you for taking time to read my letter.

Respectfully,

David L. Rabon

RECEIVED
SEP 18 2019
PLANNING DEPT.

September 17, 2019

200 South Ivy Street
Lausmann Annex
Room 240
Medford OR 97501

Dear Planning Commission

My name is Kathy Rabon, and I purchased the house at 925 Callaway Drive in Medford, Or. 97504 in 2018 from Galpin Homes. We were told that the house was in a PUD and the remaining undeveloped property was at some point going to be developed, but none of the future development would be within view of our house. We loved the property because we liked the view of the ponds and the mountains. We don't want this taken away from us by obstructed buildings that's not what we signed up for. We are very concerned about the traffic and parking problems and that these developments will cause. Farmington is already busy with traffic as it is apparently being used as a through street between Phoenix Rd and Cedar Links. You should just stand on the corner of Farmington and St Francis and see the traffic speeding down Farmington it's really scary. The majority of people in this subdivison are seniors so please help keep us safe and protect what we have now.

The developer seems to think they have the parking issue solved. From past experiences, I am sure the parking will become a major issue. The number of vehicles that will be added to the area will very likely exceed the available parking. The overflow will undoubtedly park along the streets in our community. We, along with most of our neighbors have properties valued over $470,000. The apartment complex is alone going to be a detriment to our property values, but the building of a huge THREE story complex on the corner of Farmington will also be a blow to the property values. The houses along Farmington west of Callaway will be looking into a three story wall. I am sure the owners did not purchase those properties to stare at a wall.

It seems that the developer is constantly slipping in more and more changes that are not in the PUD. The developer stated in a meeting with the residents and the planning commission that the apartments will not be sold, that his company will retain ownership and manage the property. What guarantees do we, the residents of the community have the those plans will be kept?

The addition of the apartment complex is bad enough, but the commercial development will really impact the value of not only MY home, but those in the community. We want to enjoy the view we paid for. Some of these homes will not even get sunshine anymore if a 3 story apartment building and complex is approved.

I sincerely hope you will take into account the wishes our community, and reconsider these items.

Thank you for taking time to read my letter.

Respectfully,

Kathy Rabon

Kathy Rabon

CITY OF MEDFORD
EXHIBIT # FF
File # PUD-19-002

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SEP 19 2019
PLANNING DEPT.

Cedar Landing Apartments

- Response Items Addressing Planning Commission Comments on August 22, 2019

In response to comments generated at the August 22nd Planning Commission Meeting, the following items have been revised or added to the previously submitted review package.

- Increased Tree Counts along Cedar Links and Farmington.
- Added landscape area summary for parking areas.
- Clarified bicycle parking locations.
- Reduced Building Heights of Buildings A, C, and D.
- Modified façades to increase articulation along all street frontages.
- Provided additional siding material/finish at ground floor of each building to further articulate the building base and break down the mass.

Tree Count Summary

- Increased street tree quantity along Cedar Links from 5 to 13 trees to comply with 10.797 Street Frontage Landscaping Requirements
- Increased street tree quantity along Farmington from 3 to 15 trees to comply with 10.797 Street Frontage Landscaping Requirements

Landscape Area Summary

- Added Parking Lot Landscape Calculations table to sheet L2.0
- Minor adjustments to interior planting bed layouts and pathways

CITY OF MEDFORD
EXHIBIT # GG
File # PUD-19-002

Bicycle Parking Locations

Required Bicycle Parking:

Residential = 1 per unit

Commercial = 10% of required vehicle parking

Total required and provided = 126 spaces

The required Bicycle Parking will be provided through the use of interior secure bicycle storage areas within each building [General locations are shown on the Site Plan].

Building Height Reductions

To aid in addressing concerns regarding relationships to adjacent properties, all building heights have been reduced to further minimize any negative impacts.

- Building A has been reduced from 40'-0" in height to 38'-7"
- Buildings C & D have been reduced from 36'-5" & 37'-8" to 35'-0"

Façade Articulation

As shown on the updated Site Plan and Building Elevations, the building facades have been modified to increase articulation and further reduce building mass. This increased articulation includes a change in the ground floor siding material color to accentuate the building base and reduce the overall visual impact of the structures. This added definition of the base of the buildings accentuates the horizontality, further reducing the visual perceived heights of the buildings. In addition to the material change, increased stepping of the façades in key locations has been added to the plan configuration as shown on the Building Elevations and associated façade plans shown below each elevation. In addition to reducing building mass, this façade articulation increases the relief along the length of the building plane, adding shadow lines and further aiding in breaking down the building mass and scale.

Summary Narrative

As previously stated, and following the original intentions for the commercial and multi-family components of this PUD development, this new development will provide much needed mid to high end market rate apartments, along with a commercial node at the key intersection to serve the local community needs.

The following key features demonstrate the architectural compatibility and design measures taken in order to better integrate the architecture and project design into the surrounding neighborhood community.

- Expanding upon the previous architectural design descriptions, the increased articulation and base material delineation serves to even better integrate the 'modern farmhouse' architectural style into the surrounding neighborhood, while providing a greater visual reduction in building mass and scale.
- Building roof forms further aid in breaking down the mass of the buildings through the extensive use of gable end and dormer details along the length of each of the buildings' rooflines. These roof forms improve the aesthetic compatibility with the architectural design of the surrounding homes, and reduce the visual mass and scale of the buildings. Primary roof pitch of the buildings is a minimum of 4:12, while the gable end details along the building facades provide an increased pitch of 8:12 and 12:12 to reflect the residential scale and character of the buildings.
- In addition to the community benefit of the commercial hub that the development will provide, the large community center will be available to the neighboring communities as well.

RECEIVED
SEP 19 2019
PLANNING DEPT.

To: All members of the Planning Commission
City of Medford

Reference: Planning Commission Meeting
September 26, 2019
Agenda Item #PUD-19-002

Enclosures: (1) Proposed Site Plan as submitted by koble/CREATIVE dated September 16, 2019
(2) Previously approved Site Plan as submitted by Kistler+Small+White dated March 22, 2016

This submission consists of several site placement drawings currently submitted for proposal and the previously approved site placement drawings from 2016.

I respectfully request that these enclosures be compared and submit that a side by side evaluation will result in finding that the applicants new plan fails to meet the requirements of Section 10.198(A)(3) of the current PUD regulations in the following ways:

1. Section 10.190(D)(2)(b) states "The proposed modifications enhance the development as a whole resulting in a more creative and desirable project".
2. Section 10.190(D)(4)states "The location, size, shape, and character of all common elements in the PUD are appropriate for their intended use and function".

I respectfully submit that the approved plan provides an enhanced environment relative to the interior space of the apartment complex.

I also submit that the sitting of the multi-story apartment buildings within the interior as opposed to the perimeter of the complex creates a project which is not detrimental to the improved properties which share common streets with the complex; to include overall size, abruptness and diminished privacy.

Specifically, the proposed three story monolithic L shaped building proposed, not only violates current height requirements per Municipal Code 10.721 by at least five feet, but by its very size, a length of over 206 feet on Cedar Links Drive and 196 feet on Farmington Avenue, creates a domineering structure which blocks views, restricts sunlight, and generally destroys the ambiance of adjoining neighborhood.

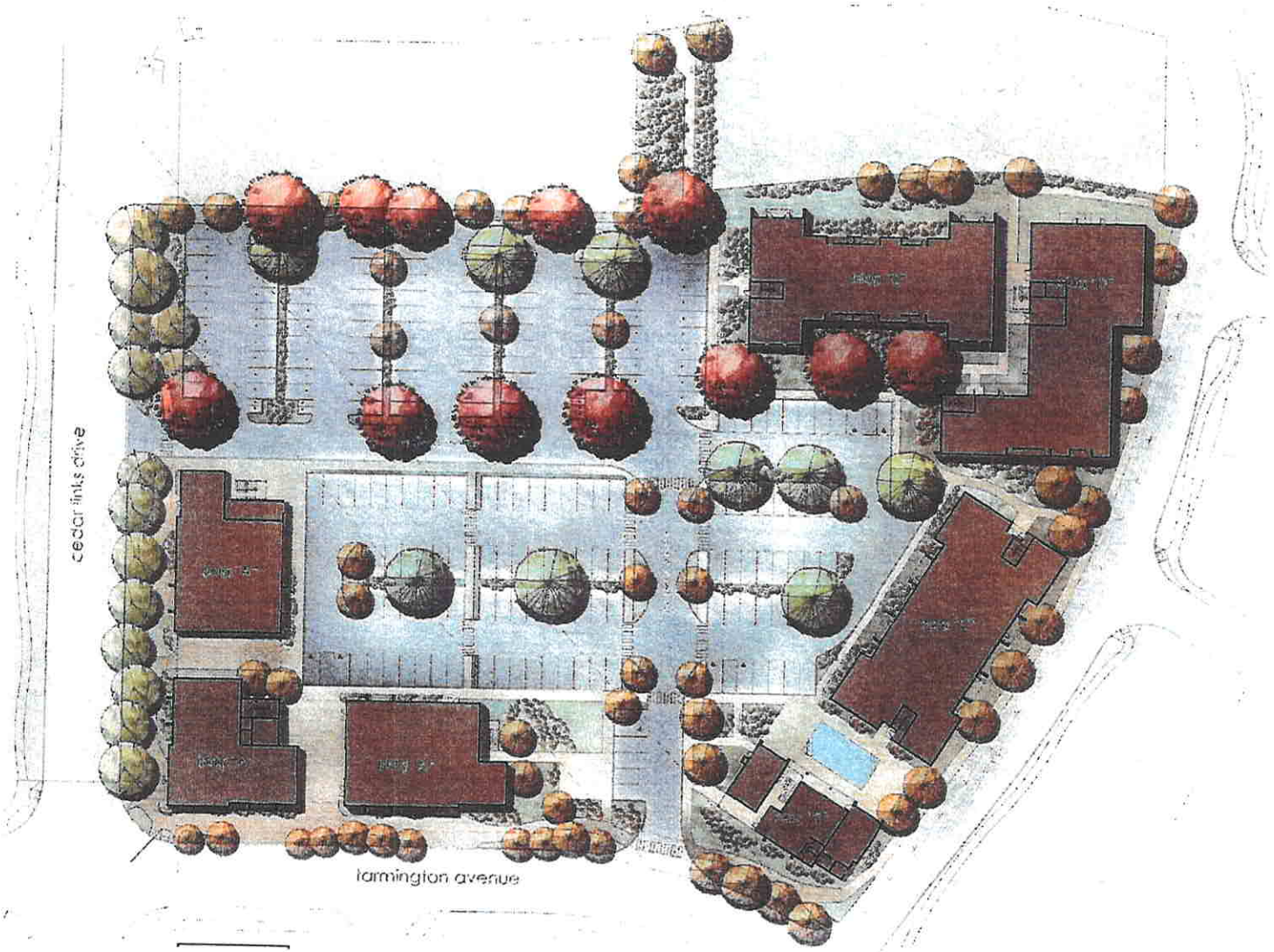
Further, the upper two residential stories of said colossus deprive neighbors residing in the single-story family residences located on the opposite side of Cedar Links Drive and Farmington Avenue of the privacy which is currently enjoyed and as was expected upon purchase and development of their properties, pursuant to the previously approved PUD plan.

Summarily, and for the reasons cited, I respectfully request that the applicants request for a revision of the current and approved plan for a multi-family development within Cedar Landing PUD 19-002 be denied.

Respectfully submitted,

JIM WILSON
2774 FARMINGTON AVE
EDEN OR 97504

CITY OF MEDFORD
EXHIBIT # HH
File # PUD-19-002

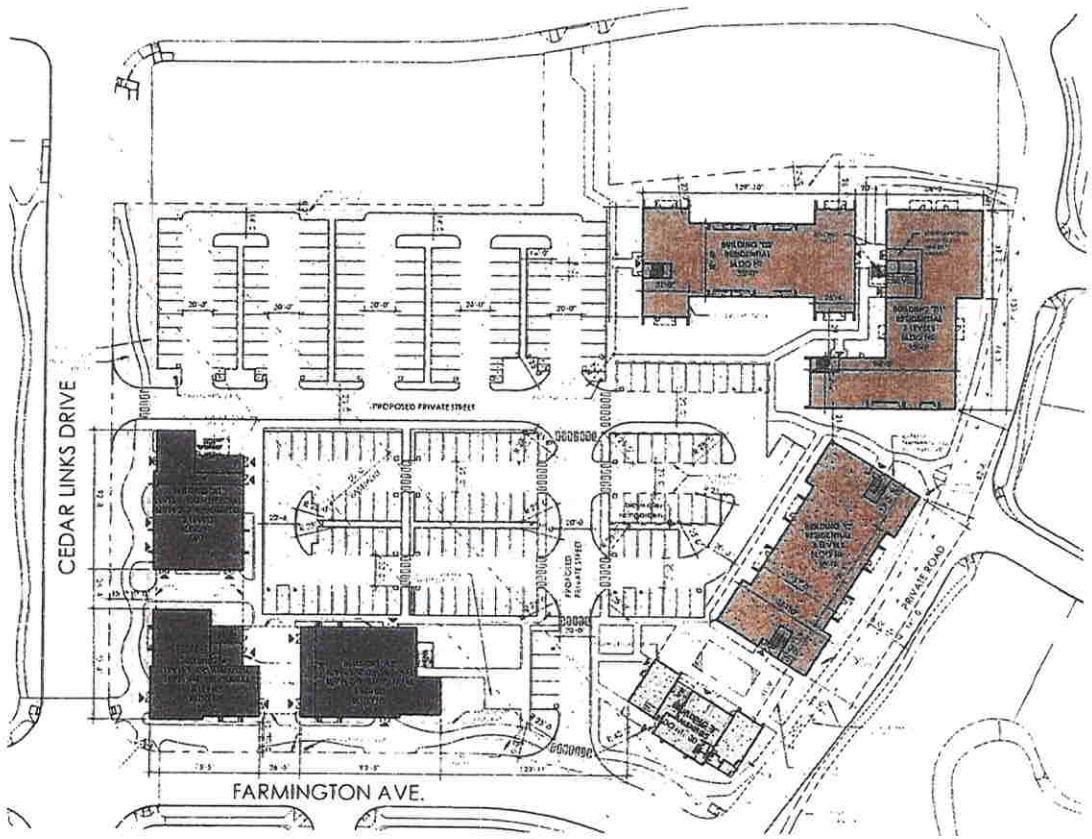


/kōblə/CREATIVE
SEPTEMBER 16, 2019

SITE PLAN

CEDAR LINKS
MILFORD, MICHIGAN

Enclo Page 421 pg 1



1/ SITE PLAN

SITE

SITE DENSITY	21%	40%
building coverage		previous PUD

BUILDING AREA		
BLDG. 'A1'	4,910 SF	
BLDG. 'A2'	4,529 SF	
BLDG. 'A3'	5,000 SF	
BLDG. 'B'	3,460 SF	
BLDG. 'C'	8,040 SF	
BLDG. 'D1'	8,394 SF	
BLDG. 'D2'	9,334 SF	
	44,227 SF	21.0%

LANDSCAPING / IMPERVIOUS AREA		
HARDSCAPE	33,354 SF	
	33,354 SF	15.8%

LANDSCAPING / PERVIOUS AREA		
LANDSCAPE	52,144 SF	
	52,144 SF	24.7%

SITE AREA		
ROADS/PARKING	81,275 SF	
	81,275 SF	38.5%
TOTAL SITE AREA	210,985 SF	100.0%
	4.85 ACRES +/-	

PARKING

Required Vehicle Parking = 232 Stalls
Commercial = 13,214/1000 (at 5.3 stalls)
Residential = 120 (1.3) = 180

Provided Vehicle Parking Breakdown = 240 Stalls
STANDARD 163
PARALLEL 17
COMPACT 48 (20%)
MOTORCYCLE 12 (5%)

REQUIRED AND PROVIDED BIKE PARKING = 126 SPACES
Residential = 1 per unit = 120 bike spaces
Commercial = 10% of required vehicle parking = 13,214/1000 (at 5.3 bike spaces)

Bike Parking Breakdown
Building A = 35 spaces
Building B = 5 spaces
Building C = 24 spaces
Building D = 62 spaces

BUILDING

OVERALL BUILDING AREA

BLDG. 'A1'	5,331 SF	6,298 SF amenity
BLDG. 'A2'	2,974 SF	
BLDG. 'A3'	4,779 SF	
BLDG. 'A'	15,452 SF	
BLDG. 'A' SERVICE	1,219 SF	13,214 SF commercial; 15,750 SF previous PUD
BLDG. 'A' STAIR	234 SF	
BLDG. 'B'	6,295 SF	
BLDG. 'C'	24,461 SF	
BLDG. 'D1'	27,290 SF	118,366 SF residential
BLDG. 'D2'	24,410 SF	
	137,429 SF	

UNIT INFO	120	100
total dwelling unit		previous PUD

BLDG. HEIGHT MAX.	38'-7"	40'
building 'A'		previous PUD

LEGEND

AMENITIES
RESIDENTIAL
COMMERCIAL

/kōblə/CREATIVE
SEPTEMBER 13, 2019

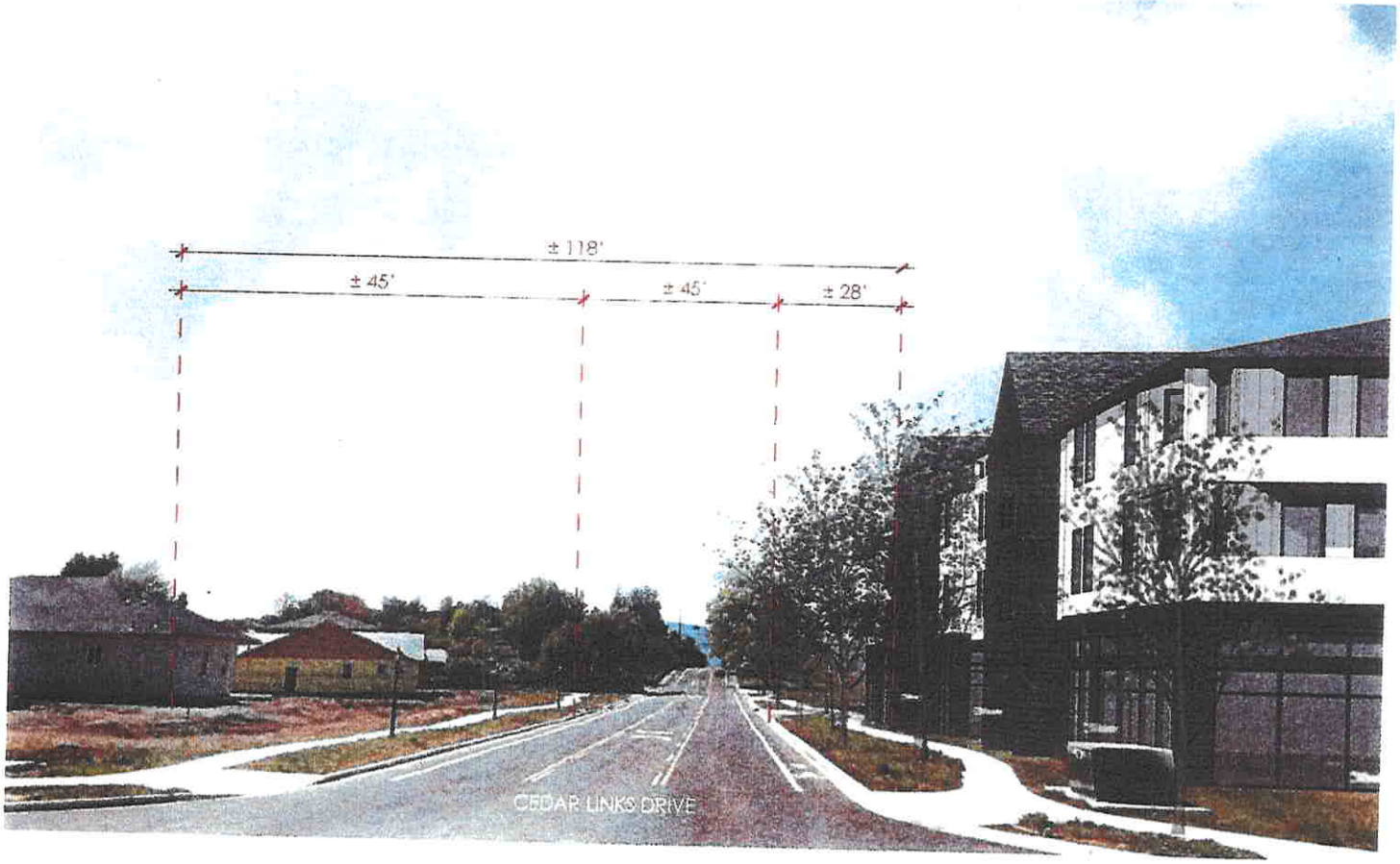
CEDAR LINKS
MEDFORD, OREGON

/kōblə/CREATIVE

SEPTEMBER 16, 2019

ADJACENT NEIGHBORHOOD EXHIBIT

CEDAR LINKS

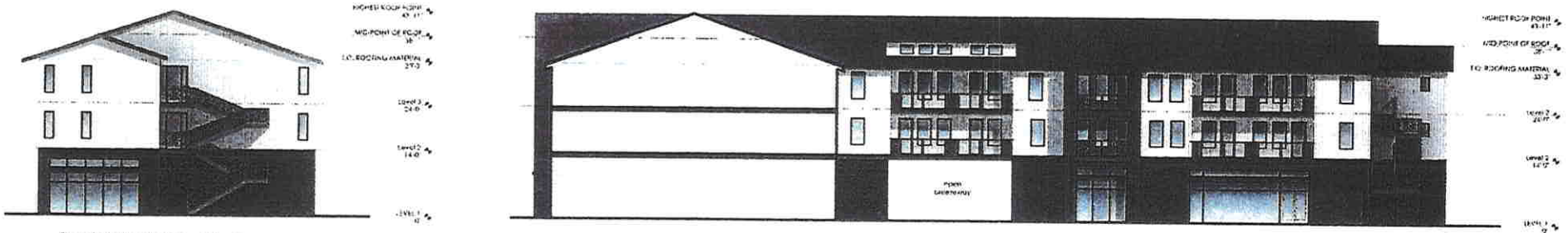


/kōblə/CREATIVE
SEPTEMBER 16, 2019

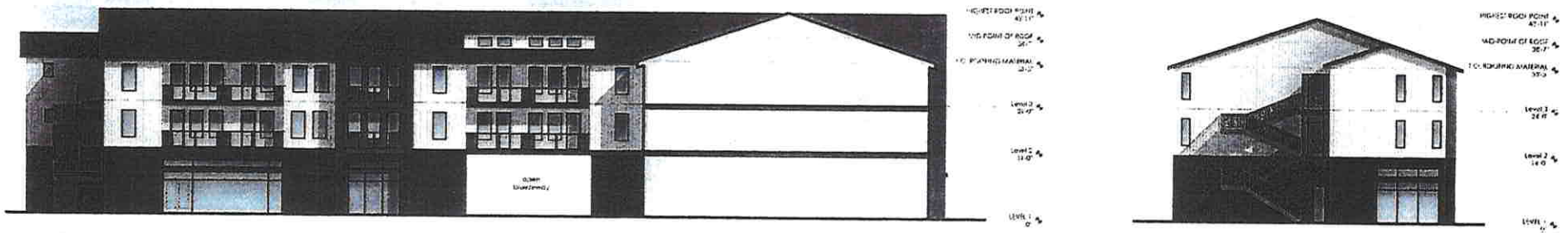
ADJACENT NEIGHBORHOOD EXHIBIT

CEDAR LINKS
MEDFORD, OREGON

Page 424 of (1) pg. 4



Partial North Elevations



Partial West Elevations

/kōblə/CREATIVE

SEPTEMBER 16, 2019

BUILDING "A" ELEVATIONS

CEDAR LINKS

MEDFORD, OREGON

CEDAR LANDING

SITE PLAN

ENCLOSURE (2) PG. 1

CEDAR LANDING

VIEW OF COURTYARD

CEDAR LANDING

AERIAL VIEW

ENCLOSURE (2) Pg. 3

City of Medford

Planning Department

Vicinity Map

File Number:

PUD-19-002

Project Name:

Minor Revision to Cedar Landing PUD

Map/Taxlot:

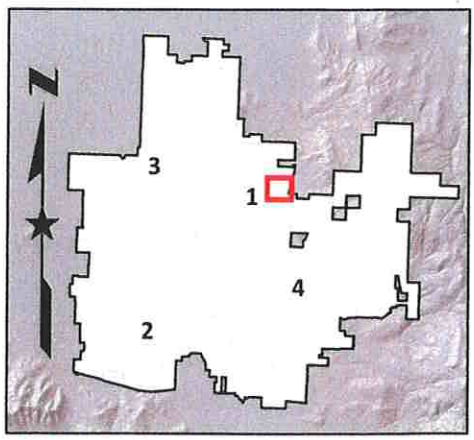
371W16BD238 & 371W16BC203

0 250 500 Feet

Legend

- Subject Area
- Zoning Districts
- Tax Lots

06/18/2019



MEDFORD
PLANNING

STAFF REPORT

for a Type-III quasi-judicial decision: **Conditional Use Permit**

Project	Life Skills Transition House Applicant: Phoenix Talent School District; Agent: CSA Planning Ltd.
File no.	CUP-19-044
To	Planning Commission *for 09/26/2019 hearing*
From	Steffen Roennfeldt, Planner III
Reviewer	Kelly Evans, Assistant Planning Director
Date	September 19, 2019

BACKGROUND

Proposal

Request for a Conditional Use Permit (CUP) for a new educational use in an existing single-family residence located at 2841 Juanipero Way within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W33BD8902).

Vicinity Map

Subject Site Characteristics

GLUP	U-R	Urban Residential
Zoning	SFR-4	Single Family Residential (2.5 to 4 dwelling units per gross acre)
Use	Single Family Residence	

Surrounding Site Characteristics

North	Zone:	SFR-4
	Use:	low density residential
South	Zone:	SFR-4
	Use:	Orchard Hill Elementary School
East	Zone:	SFR-4
	Use:	low density residential
West	Zone:	SFR-4
	Use:	low density residential

Related Projects

None.

Applicable Criteria

Medford Municipal Code §10.184(C) Conditional Use Permit Approval Criteria.

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

(a) 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.

(b) 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.

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

(a) 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.

(b) Establish a special yard or other open space or lot area or dimension requirement.

(c) Limit the height, size, or location of a building or other structure.

(d) Designate the size, number, location, or nature of vehicle access points.

(e) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.

(f) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.

(g) Limit or otherwise designate the number, size, location, height, or lighting of signs.

(h) Limit the location and intensity of outdoor lighting, or require its shielding.

(i) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.

(j) Designate the size, height, location, or materials for a fence.

(k) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.

Medford Municipal Code §10.184(D) Conditional Use Permits, Mitigation of Impacts.

A conditional use requiring the mitigation of impacts under Subsection (C)(1)(b) above must do one 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.

Corporate Names

William H Fowler is the Registered Agent for CSA Planning, Ltd. According to the Oregon Secretary of State Business Registry. Jay Harland is listed as President and Raul Woerner is listed as Secretary.

ISSUES AND ANALYSIS

Background

The subject site is occupied with a typical single family residential structure and is located north of Juanipero Way, directly across the street from Orchard Hill Elementary school. The site at 2841 Juanipero Way is owned by the Phoenix Talent School District who is proposing a new educational use within the existing single family residence.

The purpose of the educational use is to prepare young disabled adults with the skills needed to live independently and to enter the workforce.

Per the applicant, the existing residence is to remain in place and the there will be no physical changes beyond basic repairs at the building.

Figure 1 - Street View of 2841 Juanipero Way

Code references

Per MLDC 10.010, an Institutional Use is defined as follows:

> *Public and quasi-public uses such as government offices, fire stations, convention or community centers, auditoriums, post offices, public and private schools and colleges (not including business or commercial schools), libraries, museums, utilities, park-n-ride lots, churches, religious or charitable institutions, facilities for organizations and clubs, and cemeteries, mausoleums, columbariums, and crematories.*

MLDC 10.314(6), titled *Non-residential Special Uses*, lists Institutional Uses as permitted in the SFR-4 zoning district solely pursuant to a Conditional Use Permit.

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
6. NONRESIDENTIAL SPECIAL USES									
(a) Bed and Breakfast Inn	X	X	Cs	Cs	Cs	Ps	Ps	Ps	10.828
(b) Child Day Care Center	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.811
(c) Institutional Uses	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.815-817

Pursuant to MLDC 10.341(6) shown above, the applicant will be required to gain approval for the issuance of a CUP prior to the residential structure being used as an educational facility. The special standards listed in MLDC 10.815 through 10.817 do not apply to this application.

Parking

The table found in MLDC 10.743-1 specifies that the minimum parking for schools shall be provided at 1 space per 3.3 students plus 1 space per employee (including faculty) at the largest class attendance period is required. Per the applicant's findings (Exhibit K) *most days there will be 2 staff on-site during school hours, with a maximum of 5 staff on-site at any one time. (...) 8 to 12 students will be on-site during school hours.*

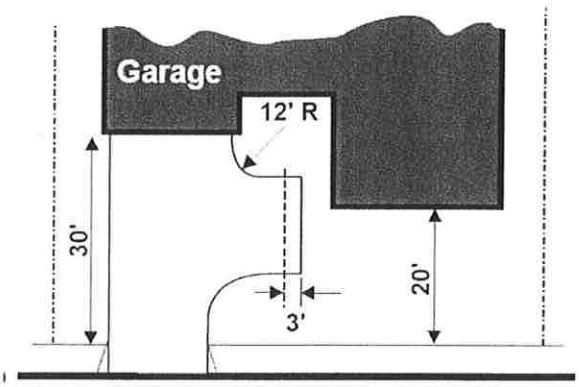
Based on these facts, a minimum of 9 parking spaces will be required (4 spaces for a maximum of 12 students plus 5 spaces for a maximum of 5 teachers). Per the site plan (Exhibit B), only 3 spaces will be provided.

MLDC 10.744 and 10.745 allow for the shared use of parking spaces on abutting lots. At the time this staff report was written, the applicant did not provide staff with a demonstration on whether the existing parking lot for Orchard Hill Elementary School

can handle the additional required parking spaces for this application or not. The program will be operating during typical school hours from 8.30 am to 3.30 pm, Monday through Friday.

Driveway

Per the Public Works staff report (Exhibit K), the applicant will be required to construct all vehicle maneuvering areas per the standards in MLDC 10.746. This includes the construction of a turnaround area per Subsection (11) and the screening requirement (Subsection 9) which required a 10-foot wide landscaping buffer between the public right-of-way and the parking/maneuvering area.



At the time this staff report was written, the applicant did not address the above mentioned requirements. However, it is expected that the applicant will make findings regarding the above mentioned code standards prior to the public hearing.

Transportation System

Per the applicant's findings, the students will be dropped off at Orchard Hill Elementary school and will walk from there to the facility. These findings prompted Public Works to question on how students, and especially handicapped students, could safely cross Juanipero Way. To ensure safe street crossing opportunities for all students and staff using the proposed facility, Public Works recommends that the CUP be conditioned to provide legal ADA access from the drop-off area at Orchard Hill school to the subject site. Three options were given in the Public Works staff report.

After the above mentioned findings were received, the applicant verbally described to staff that all student might be dropped off directly in front of the subject site and that the students would not have to cross the street to get to the facility. These changes could trigger a change in the Public Works report, however, at the time this staff report was prepared, no written findings were provided addressing this issue. Staff does expect this issue to be addressed at or before the public hearing.

Committee Comments

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

No other issues were identified by staff.

FINDINGS OF FACT

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.

The Commission can find that there is sufficient evidence contained in the applicant's narrative and findings of fact, and the Staff Report, to determine that the proposed educational use can be made to comply with the provisions of the Code with the imposition of conditions of approval contained in Exhibit A, and therefore, will not have an adverse impact on the surrounding area. This criterion is satisfied.

> *(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.*

The Commission can find that the proposal is in the public interest and the proposed use can also comply with this criterion.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit J) and recommends the Commission adopt the findings as recommended by staff.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of CUP-19-044 per the staff report dated September 18, 2019, including Exhibits A through N.

EXHIBITS

A Conditions of Approval, dated September 18, 2019
B Site Plan, received July 19, 2019
C Floor Plan, received July 19, 2019
D Zoning Map, received July 19, 2019
E GLUP Map, received July 19, 2019

F Photo Key Map, received July 19, 2019
G Assessor Map, received July 19, 2019
H Narrative, received July 19, 2019
I Criteria Compliance, received July 19, 2019
J Findings of Fact and Conclusions of Law, received July 19, 2019
K Public Works Staff Report, dated September 4, 2019
L Medford Water Commission Memo, dated September 4, 2019
M Medford Fire Rescue Report, dated August 28, 2019
N Building Department Memo, dated September 4, 2019
Vicinity map

PLANNING COMMISSION AGENDA: SEPTEMBER 26, 2019

EXHIBIT A

Life Skills Transition House
CUP-19-044
Conditions of Approval
September 19, 2019

CODE REQUIRED CONDITIONS

Prior to the single family residence being used for the proposed educational use, the applicant shall:

1. Comply with all requirements of the Public Works Report (Exhibit K);
2. Comply with all conditions of the Medford Water Commission (Exhibit L).
3. Comply with all requirements of the Medford Fire Department (Exhibit M).

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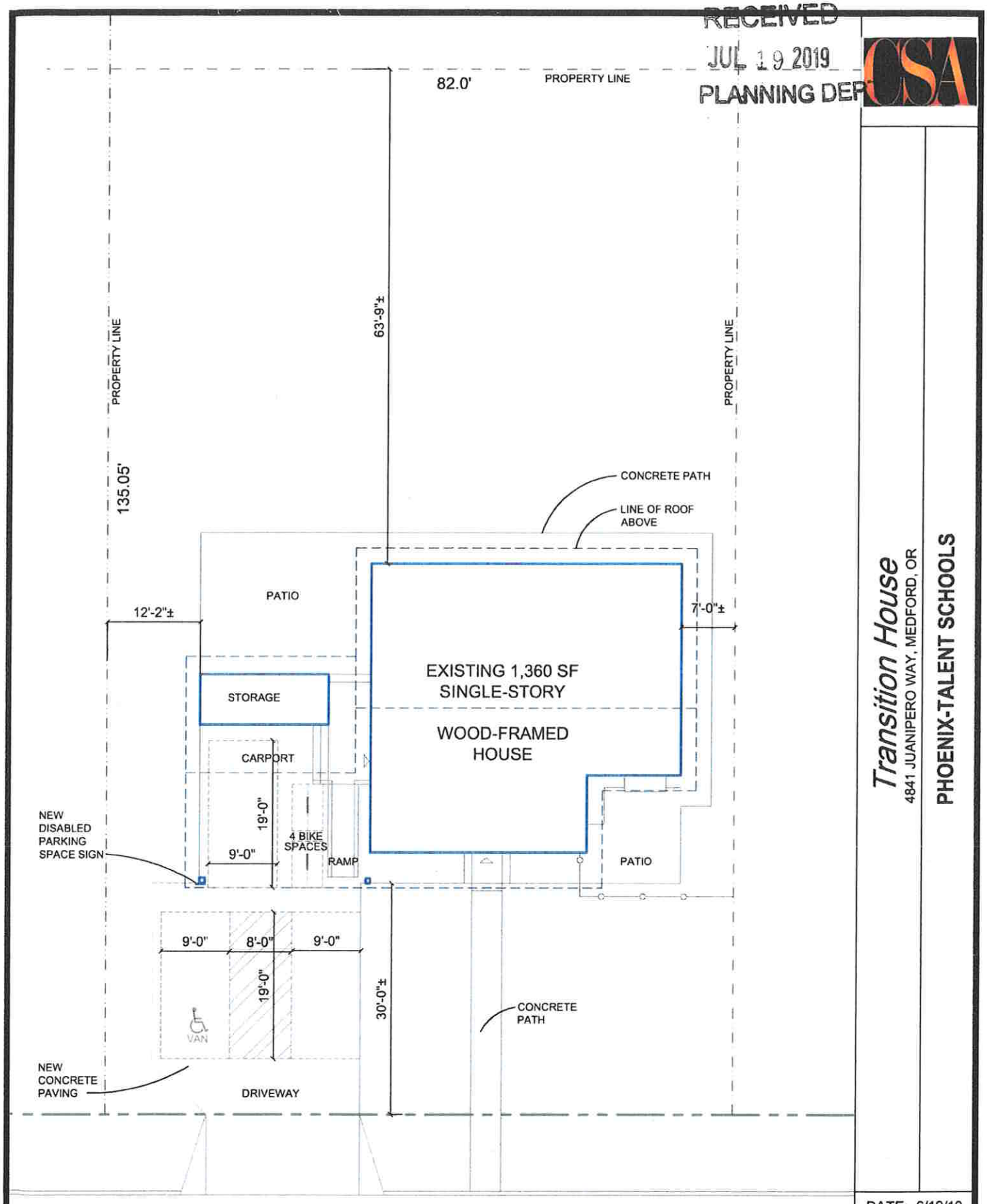


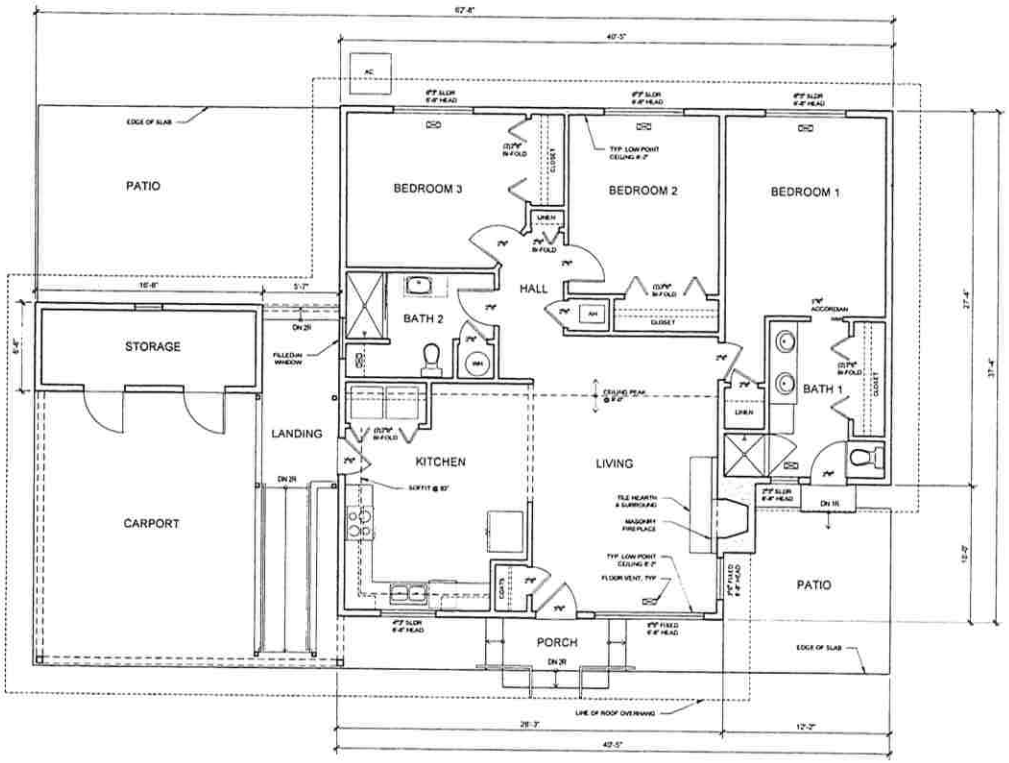
CSA

Transition House
4841 JUANIPERO WAY, MEDFORD, OR
PHOENIX-TALENT SCHOOLS

DATE: 6/19/19

SITE PLAN
SCALE:1/16"=1'-0"

CITY OF MEDFORD
EXHIBIT # B
FILE # CUP-19-044



EXISTING FLOOR PLAN

SCALE: 1/4"=1'-0" ON 24 X 36 1/8"=1'-0" ON 11 X 17

1

N

THIS DOCUMENT, AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF ARKITEK DESIGN AND ARCHITECTURE, LLC

CITY OF MEDFORD
EXHIBIT # 5
FILE # CUP-19-044

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PHOENIX-TALENT SCHOOL DISTRICT
TRANSITION HOUSE

2841 JUANIPERO WAY
MEDFORD, OR 97504

arkitek
design and architecture, llc
426 a street
ashland, or 97520
tel. 541.591.9988

REGISTERED ARCHITECT
CHRISTOPHER PLUMMER BROWN
6022
ASHLAND, OREGON
STATE OF OREGON

Revision	Date

Date	5-8-19
Job	19_016
Drawn By	LG
Checked By	
Scale	AS NOTED

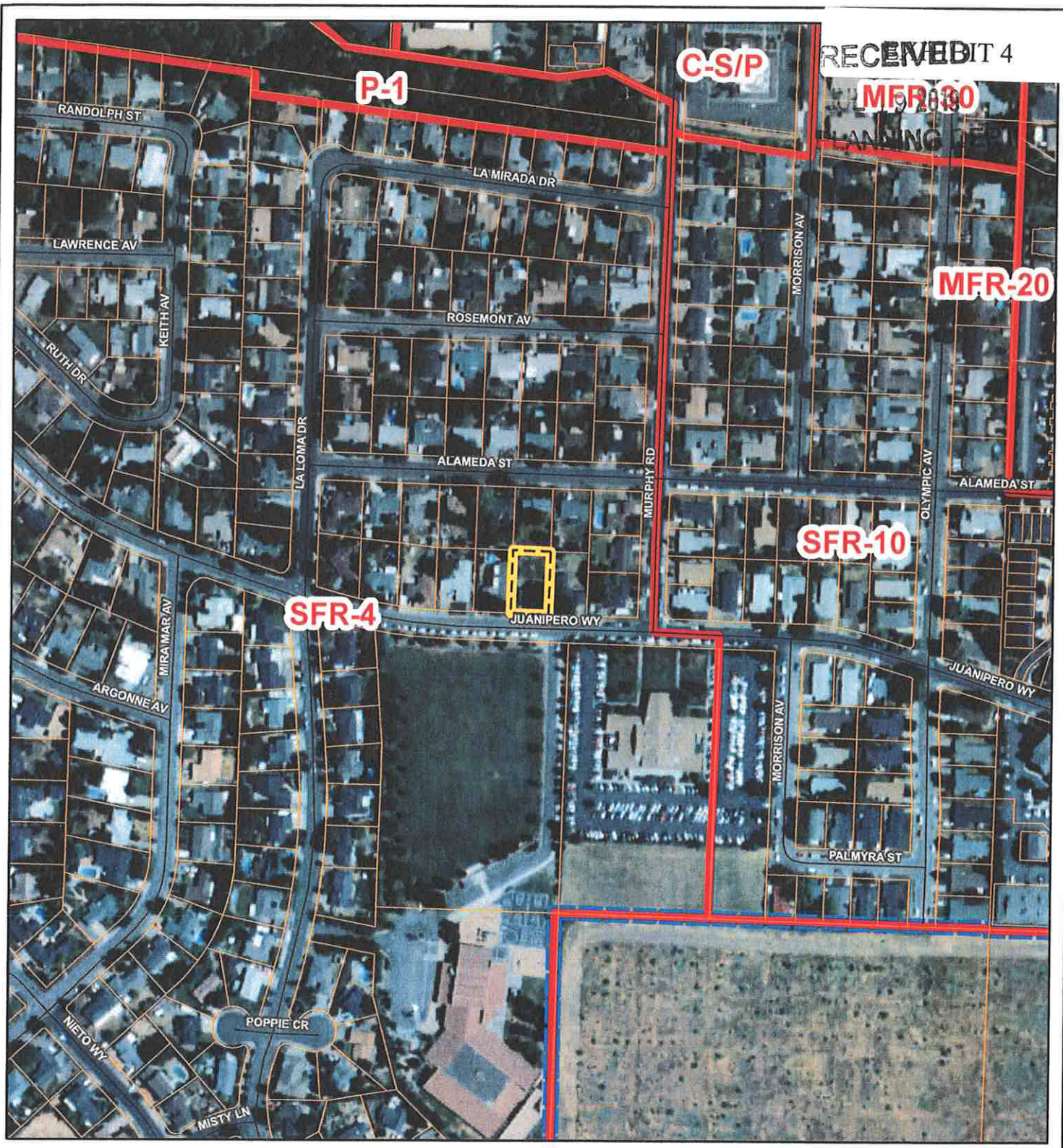
AS-BUILTS

Drawing Title
EXISTING FLOOR PLAN

CITY OF MEDFORD
EXHIBIT #
FILE # CUP-19-044

AB-1

EXHIBIT 8



RECEIVED EXHIBIT 4

Subject
Tax Lots
Medford Zoning
City Limits

Zoning Map

2016 Aerial

Phoenix-Talent School District
Conditional Use Permit
37-1W-33BD tax lot 8902

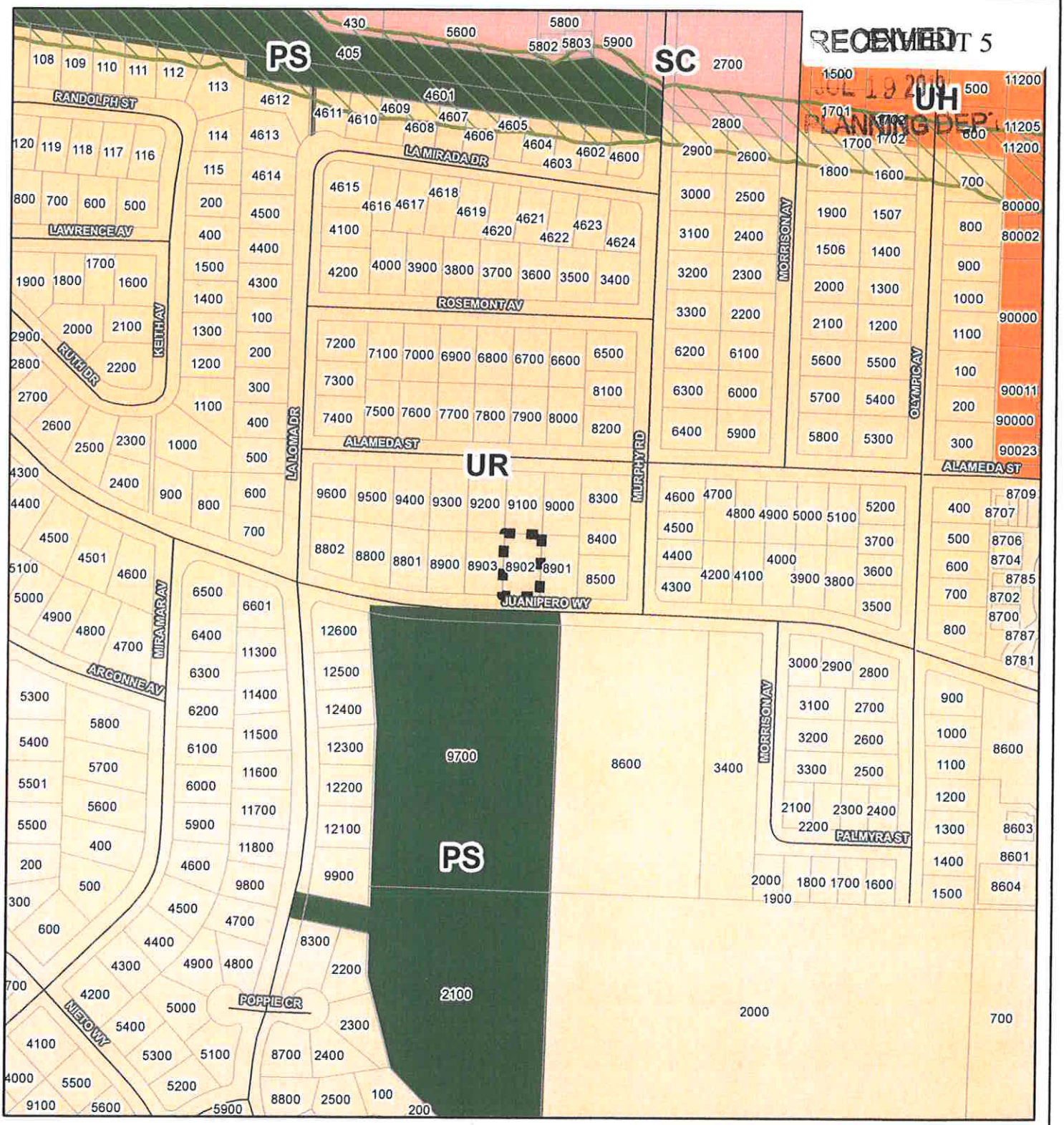
CITY OF MEDFORD
EXHIBIT # 3
FILE # CUP-19-044

CSA Planning LTD

300 150 0 300 Feet

June 2019 Source: CSA Planning, Ltd; City of Medford GIS; Jackson County GIS

3



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Subject
Tax Lots
Greenways

GLUP
PS
SC
UH
UR

General Land Use Plan (GLUP) Map

Phoenix-Talent School District
Conditional Use Permit
37-1W-33BD tax lot 8902

CITY OF MEDFORD
EXHIBIT # 6
FILE # CUP-19-044

N
W E
S

300 150 0 300 Feet

CSA Planning LTD

June 2019 Source: CSA Planning, Ltd; City of Medford GIS; Jackson County GIS

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EXHIBIT 6

Subject

Tax Lots

Photo Location & Direction

Photo Key Map

2012 Aerial

Phoenix-Talent School District
Conditional Use Permit
37-1W-33BD tax lot 8902

CITY OF MEDFORD
EXHIBIT # F
FILE # CUP-19-044

CSA Planning LTD

50 25 0 50 Feet

June 2019 Source: CSA Planning, Ltd; City of Medford GIS; Jackson County GIS

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1 **Frontage on Juanipero Way Looking Northeast**

2 **Frontage on Juanipero Way Looking Northwest**

3 **LDS Church driveway adjacent to Orchard Hill Elementary driveway**

4 **Orchard Hill Elementary School driveway across street from Transition House**

Legend

2 Photo ID Number

Photos

Transition House

PHOENIX-TALENT SCHOOL DISTRICT

June 2019

CSA Planning, Ltd.

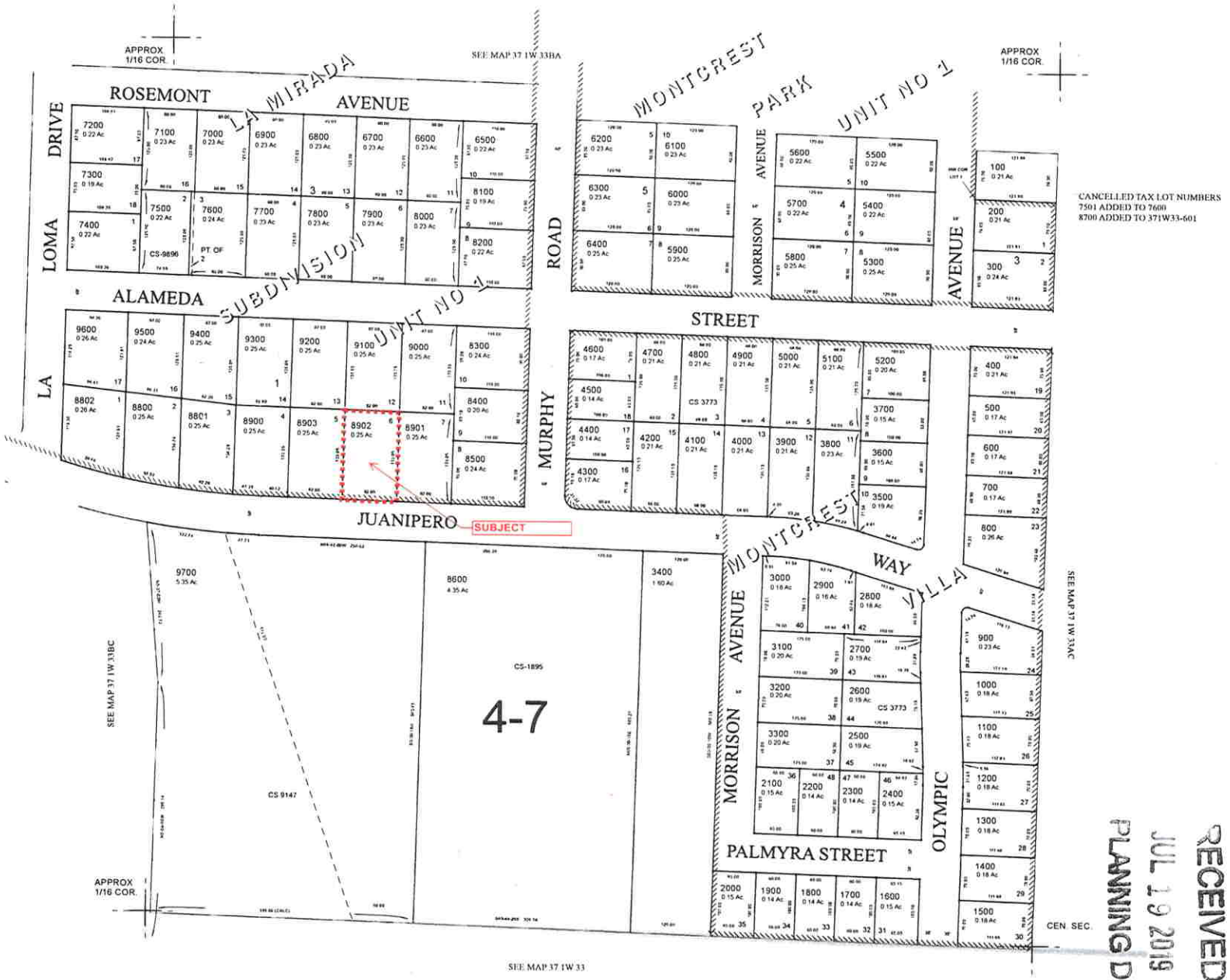
CITY OF MEDFORD
EXHIBIT # ____
FILE # CUP-19-044

FOR ASSESSMENT AND TAXATION ONLY

S.E.1/4 N.W.1/4 SEC.33 T.37S. R.1W. W.M.
JACKSON COUNTY
1" = 100'

EXHIBIT 3

371W33BD
MEDFORD



CANCELLED TAX LOT NUMBERS
7501 ADDED TO 7600
8700 ADDED TO 371W33-601

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371W33BD
MEDFORD

NEW MAP March 22, 2018

CITY OF MEDFORD
EXHIBIT # 6
FILE # CUP-19-044

GIS DATA
04/04/2019 9:59:44 AM bosmanb

Page445

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NARRATIVE

Applicant requests a conditional use permit for a new educational use in an existing single-family residence. Phoenix-Talent School District has purchased the residence to provide an appropriate facility for their "Life Skills - Transition House" program. The purpose of the program is to prepare young disabled adults with the skills needed to live independently and to enter the workforce. Located directly across the street from the District's Orchard Hill Elementary School, the facility will be easily accessible to staff and students.

The existing residence is to remain in place. The proposal is for a use change and the physical changes to the property, beyond basic maintenance repairs, will be limited to the meeting any minimum building code or fire code requirements for the educational use.

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EXHIBIT # H
FILE # CUP-19-044

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APPLICANT'S EXHIBIT 2

DEMONSTRATION OF COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Medford Land Development Code ("MLDC"). The relevant approval standards are recited verbatim below:

ARTICLE 3- ZONING DISTRICTS

10.309 SFR-4, Single-Family Residential - 4 dwelling units per gross acre

This urban residential district is representative of historical low density, large lot single-family development. New SFR-4 zoning should be located in areas where slopes exceed five percent (5%) but are less than fifteen percent (15%) to prevent excessive grading.

10.314 Permitted Uses in Residential Land Use Classification

The following table sets forth the uses allowed within the residential land use classification by zoning district. Uses not identified herein are not allowed.

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS		SFR 4	Special Use or other code section
6. NONRESIDENTIAL SPECIAL USES			
(c)	Institutional Uses	Cs	10.815-817

"C" = Conditional Use; permitted subject to approval of a Conditional Use Permit.
"s" = Special Use

10.012 Definitions, Specific

Institutional uses. Public and quasi-public uses such as government offices, fire stations, convention or community centers, auditoriums, post offices, **public** and private **schools** and colleges (not including business or commercial schools), libraries, museums, utilities, park-n-ride lots, churches, religious or charitable institutions, facilities for organizations and clubs, and cemeteries, mausoleums, columbariums, and crematories.

10.815 Cemetery, Crematory, mausoleum, Columbarium

10.816 Churches, Hospitals or Other Religious or Charitable Institutions in a Residential District

10.817 Community Buildings, Social Halls, Lodges, Fraternal Organizations and Clubs in a Residential District.

Compliance with Standards: The proposed public school facility is, per section 10.012, considered to be an Institutional Use. Institutional Uses are is permitted in the SFR-4 zone as conditional uses/special uses. None of the special uses listed under 10.815 - 817 include public schools and therefore the special requirements do not apply and the public school use is only required to meet the conditional use criteria

* * * * * * * * * * * *

ARTICLE 4- PUBLIC IMPROVEMENTS STANDARDS AND CRITERIA

10.550 Access Standards

(1) Driveway Throat Width Standards.

Driveways that connect to a public right-of-way shall be constructed according to the standards in Tables 10.550-1 and 10.550-2. See Figure 10.550-1 for driveway throat, flare and radius definitions.

CITY OF MEDFORD
EXHIBIT # 1
FILE # CUP-19-044

For the purposes of this section, Minimum Access Easements and Alleys shall be considered driveways.

Table 10.550-1 - Driveway Throat Widths	
Street Classification	**Land Use on Parcel to be served by Driveway**
Collector	**COMMERCIAL**
Less than 500 ADT***	18 to 24 ft.
500 to 1,000 ADT***	18 to 30 ft.
Greater than 1,000 ADT***	18 to 36 ft.

**Institutional uses shall be considered commercial uses for the purposes of this subsection.*

Compliance with Standards: The existing concrete driveway conditions are to remain. The driveway has a throat of approximately 40 feet. The width of the driveway curb cut flare is approximately 20 feet. Project complies.

(3) Driveway Spacing and Locational Standards

a. Arterial and Collector Streets

(1) Driveway spacing and Location. No driveway access to an Arterial or Collector Street shall be allowed for any parcel that abuts the right-of-way of a lower order street or has legal right of access to any street via any abutting parcel(s).

No driveway access shall be allowed to an Arterial Street within 150 feet of the nearest right-of-way line of an intersection street.

Driveways shall be placed adjacent to the property line of a contiguous parcel if possible to do so and meet driveway spacing requirements of this section.

No driveway access to an Arterial or Collector Street shall be located closer than allowed by the standards in Table 10.550-3, measured from the center of driveway to center of driveway

Table 10.550-3 Minimum Driveway Spacing Standards (Center-to-Center) Arterial and Collector Streets	
SPEED LIMIT (MPH)	**25**
DRIVEWAY SPACING	145 ft.

Compliance with Standards: Driveway is existing. No change is proposed. Standard does not apply.

* * * * * * * * * * * *

ARTICLE 5- SITE DEVELOPMENT STANDARDS

10.732 Fencing of Lots

(1) Fencing located within the front yard setback area of all zones, except the MFR zone, shall not exceed three (3) feet in height when measured from the grade of the street centerline. When within a MFR zone, a fence shall not exceed three (3) feet in height when located within ten (10) feet of a street right-of-way unless otherwise approved by the approving authority. (Effective Dec. 1, 2013.)

(2) Fencing located in the side or rear yards (when not a through-lot) shall not exceed eight (8) feet in height. Height shall be measured as follows:

(a) In required yards abutting a street, it shall be the effective height measured from the finished grade on the side nearest the street.

(b) In other required yards, it shall be the total effective height above the finished grade measured on the side nearest the abutting property.

(3) No fencing shall conflict with the site distance requirements of Section 10.735, Clear View of Intersecting Streets.

Compliance with Standards: Fencing that is present within the front yard setback is less than 3 feet in height. All other perimeter fencing is 6 feet or less in height. Site complies.

* * * * * * * * * * * *

10.743 Off-Street Parking Standards

(1) Vehicle Parking – Minimum and Maximum Standards by Use. The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 10.743-1.

Where a use is not specifically listed in table 10.743-1, parking requirements shall be determined by the Planning Director or designee finding that the use is similar to one of those listed in terms of parking needs.

Parking spaces that count toward the minimum requirement are parking spaces meeting minimum dimensional and access standards in garages, carports, parking lots, bays along driveways, and shared parking areas.

(2) Number of Required Parking Spaces. Off-street vehicle parking spaces shall be provided as follows:

(a) Parking Space Calculation. Parking space ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.

(b) Parking Categories.

(i) Table 10.743-1 contains parking ratios for minimum required number of parking spaces and maximum permitted number of parking spaces for each land use.

A. Minimum Number of Required Parking Spaces. For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.

B. Maximum Number of Permitted Parking Spaces. The number of parking spaces provided shall not exceed the maximum number of parking spaces allowed for each listed land use.

Table 10.743-1 – City of Medford
Minimum and Maximum Parking Standards

Land Use Category	Minimum Number of Required Parking Spaces	Maximum Permitted Parking Spaces
School, Secondary (9th - 12th)	1.0 space per teacher and staff plus 1.0 space per 5.5 non-bused students	1.0 space per teacher and staff member plus 1 space per 4.4 non-bused students

Compliance with Standards: Two staff members will be present daily at Transition House to staff during school hours. All students will be bussed to the facility or dropped off by parents at the Orchard Hill bus loop. Therefore only 2 teacher/staff parking spaces are required on-site. The residence has one space in the covered carport and two spaces in the driveway, one of which will be marked for accessible use. If additional parking is needed on an occasional basis, parking is available across the street at Orchard Hill Elementary School. Project complies.

10.746 General Design Requirements for Parking

The design provisions of this section are applicable to all new parking facilities, parking lot expansions, and to areas where existing parking facilities are excavated and re-installed. A pre-existing parking lot that is legally nonconforming to a standard in subsections 10.746(3), (4), (9), or (10) and is improved with a surface pavement overlay only, without excavation of existing pavement, may remain nonconforming to that particular standard(s). All other provisions of this section are applicable to resurfaced parking lots.

Compliance with Standards: In order to retain the residential nature of the property, no changes are proposed to the existing parking facilities, except for striping for an accessible space on the driveway as they are consistent with the neighboring properties. Project complies.

(8) Accessible Parking Space Requirements. The following rates and design regulations are derived from ORS 447.233.

(a) The number of accessible parking spaces shall be provided at these rates:

Total Parking In Lot	Required Minimum Number of Accessible Spaces	Required Minimum Number of Van-Accessible Spaces	Required Minimum Number of Spaces marked "Wheelchair User Only"
1-25	1	1	-

Compliance with Standards: One (1) accessible space is required. One Van-accessible space will be provided. Project complies.

(16) Parking Space Minimum Dimension Standards.

Parking Angle	Space Width	Space Length
90 deg.	9'0"	19'0"

Compliance with Standards: The driveway and carport can and will accommodate three (3) 9' x 19' parking spaces. See Exhibit 7. Project complies.

10.749 Location of Bicycle Parking Facilities

Required bicycle parking facilities shall be located on-site in well lighted, secure locations within 50 feet of well-used entrances and not farther from the entrance than the closest automobile parking space. Bicycle parking shall have direct access to both the public right-of-way and to a main entrance of the principal use. Bicycle parking may also be provided inside a building in suitable, secure and accessible locations. Bicycle parking for multiple uses (such as in a commercial center) may be clustered in one or several locations

Compliance with Standards: The plan proposes to provide 4 covered bike spaces within the carport. Project complies.

* * * * * * * * * * * *

10.773 Pedestrian Walkway Connections and Routing

A pedestrian walkway shall be provided:

(1) To each street abutting the property, and for every 300 feet of street frontage not including limited access freeways.

Compliance with Standards: A paved path is existing from the main entrance to the street. Project complies.

* * * * * * * * * * * *

10.781 Concealment of Trash Receptacles

Trash receptacles shall be kept in enclosures made of solid wood, metal, brick, or masonry block which conceal them from view. Access doors shall be made of solid wood or metal. When possible, enclosures should be incorporated into the building (i.e., wing walls, alcoves). If free standing, the enclosures shall be constructed of materials which are compatible with other structures on the site. Chain link fencing, with or without slats, for this purpose is prohibited.

Compliance with Standards: Trash cans will be held in the carport until put out at the curb for pick-up, as is standard in a residential subdivision. Project complies.

* * * * * * * * * * * *

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JUL 19 2019
PLANNING DEPT.

BEFORE THE CITY OF MEDFORD

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

IN THE MATTER OF AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW EDUCATIONAL USE ON A .25 ACRE PARCEL IN THE SFR-4 ZONING DISTRICT. THE SUBJECT PROPERTY IS IDENTIFIED AS TAX LOT 8902 IN TOWNSHIP 37 SOUTH, RANGE 1 WEST, SECTION 33BD AND IS LOCATED AT 2841 JUANIPERO WAY WITHIN THE CORPORATE LIMITS OF THE CITY OF MEDFORD

Owner/Applicant: Phoenix-Talent School District

Agent: CSA Planning, Ltd.

PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

Applicants' Exhibit 1

I

NATURE AND SCOPE OF APPLICATION

Applicant requests a conditional use permit for a new educational use in an existing single-family residence. Phoenix-Talent School District has purchased the residence to provide an appropriate facility for their "Life Skills - Transition House" program. The purpose of the program is to prepare young disabled adults with the skills needed to live independently and to enter the workforce. Located directly across the street from the District's Orchard Hill Elementary School, the facility will be easily accessible to staff and students.

The existing residence is to remain in place. The proposal is for a use change and the physical changes to the property, beyond basic maintenance repairs, will be limited to the meeting any minimum building code or fire code requirements for the educational use.

CITY OF MEDFORD
EXHIBIT # 1
FILE # CUP-19-044

II

EVIDENCE SUBMITTED WITH APPLICATION

Applicant submitted the following evidence with its conditional use permit application and the same were before the City of Medford:

Exhibit 1. Proposed Findings of Fact and Conclusions of Law (this document) for applicable substantive CUP approval criteria

Exhibit 2. Findings of Compliance with Applicable Development Standards

Exhibit 3. Assessor plat map (37-1W-33BD)

Exhibit 4. Zoning and Aerial Photo Map

Exhibit 5. Current Medford General Land Use Plan Map

Exhibit 6. Site Photos

Exhibit 7. Site Plan

Exhibit 8. Floor Plan

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The relevant substantive approval criteria for issuance of a conditional use permit for a public school use in an "SFR-4" district are recited verbatim below and are addressed later with findings of fact in Section IV and conclusions of law in Section V.

MEDFORD LAND DEVELOPMENT ORDINANCE (MLDO)

CONDITIONAL USE PERMIT CRITERIA

10.012 Definitions, Specific

Institutional uses. Public and quasi-public uses such as government offices, fire stations, convention or community centers, auditoriums, post offices, public and private schools and colleges (not including business or commercial schools), libraries, museums, utilities, park-n-ride lots, churches, religious or charitable institutions, facilities for organizations and clubs, and cemeteries, mausoleums, columbariums, and crematories.

10.314 Permitted Uses in Residential Land Use Classification

The following table sets forth the uses allowed within the residential land use classification by zoning district. Uses not identified herein are not allowed. (See Article I, Section 10.012, for the definition of each listed use.)

These symbols indicate the status of each listed use:

"P" = Permitted Use.
"C" = Conditional Use; permitted subject to approval of a Conditional Use Permit. (See Article II, Section 10.184.)
"X" = Prohibited Use .
"s" = Special Use (See Article V, Sections 10.811- 10.900, Special Use Regulations)

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS		SFR 4	Special Use or Other Code Section
6. NONRESIDENTIAL SPECIAL USES			
(c)	Institutional Uses	Cs	10.815-817

10.815 Cemetery, Crematory, mausoleum, Columbarium

10.816 Churches, Hospitals or Other Religious or Charitable Institutions in a Residential District

10.817 Community Buildings, Social Halls, Lodges, Fraternal Organizations and Clubs in a Residential District.

None of the Special Uses listed under 10.815 - 817 include public schools and therefore the special requirements do not apply to a public-school institutional use.

10.184 Conditional Use Permit Criteria

(C) Conditional Use Permit Approval Criteria.

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

(a) 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.

(b) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the Planning Commission to produce a balance between the conflicting interests.

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

(a) Limit the manner in which the use is conducted, including restricting the time an activity may occur, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.

(b) Establish a special yard or other open space or lot area or dimension requirement.

(c) Limit the height, size, or location of a building or other structure.

(d) Designate the size, number, location, or nature of vehicle access points.

(e) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.

(f) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading areas.

(g) Limit or otherwise designate the number, size, location, height, or lighting of signs.

(h) Limit the location and intensity of outdoor lighting, or require its shielding.

(i) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.

(j) Designate the size, height, location, or materials for a fence.

(k) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.

(D) Conditional Use Permits, Mitigation of Impacts

A conditional use requiring the mitigation of impacts under Subsection (C)(1)(b) above must do one 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.

IV

FINDINGS OF FACT

The following facts are found to be true with respect to this matter which involves consideration of a conditional use permit to utilize the existing single-family dwelling structure as a "Life Skills – Transitional House".

1. **Property Description**: The subject property consists of a single parcel having .25 acres and is described in the records of the Jackson County Assessor as Tax Lot 8902 on Assessor's Map 37-1W-33BD. The location is at 2841 Juanipero Way, within the corporate limits of the City of Medford and its urban growth boundary. The property contains one single-family residence that was constructed in the early 1970's.

2. **Ownership**: The property is owned in fee simple by Phoenix-Talent School District 4.

3. **Comprehensive Plan; Zoning;** The property is planned Urban Residential on the comprehensive plan (GLUP) map and zoned Single Family Residential (SFR-4).

4. **Land Use Classification:** Pursuant to the table in MLDC 10.314(6)(c)- Institutional Uses is an allowable special conditional use in the SFR-4 zoning district. The term Institutional uses includes: public and quasi-public uses such as government offices, fire stations, convention or community centers, auditoriums, post offices, ***public and private schools*** and colleges (not including business or commercial schools), libraries, museums, utilities, park-n-ride lots, churches, religious or charitable institutions, facilities for organizations and clubs, and cemeteries, mausoleums, columbariums, and crematories. The Applicant is proposing a public-school use for the property therefore a Conditional Use application is required, however, none of the listed "special use" requirements apply to the project.

5. **Surrounding Land Uses and Development**:

   West/North/East: The property is part of the La Mirada Subdivision Unit No. 1 which includes the blocks to the north that contain houses constructed in the 1970's, through the 1900's. The surrounding area includes similar subdivisions containing single family residences on 10,000 to 12,000 sf lots.

   South: South, across Juanipero Way, is the play field and driveway for Orchard Hill Elementary School. The school campus is to the south of the play field. To the east of the school is a large LDS church campus. The property south of both the school and church is inactive EFU land that is part of portion the MD-5 Urban Reserve that was recently brought within the Urban Growth Boundary.

6. **Facility Use:** The house will be used as a life skills classroom for students ages 18-21 with disabilities who have not attained a regular high school diploma. The program focuses on independent living skills, vocations/occupations, recreation, and social skills.

   The program will be operating 8:30 to 3:30 Monday through Friday with occasional meetings outside that time frame. 8 to 12 students will be on-site during school hours. Students will be dropped off by bus or parents at the Orchard Hill Elementary School bus

loop and will walk from there to the facility. Students will also pick-up their lunches at the elementary school and bring them back to Transition House. Most days there will be 2 staff on-site during school hours, with a maximum of 5 staff on-site at any one time.

7. **Access**: The property has an existing private residential driveway on Juanipero Way.
8. **Off-Street Parking**: Only staff will be allowed to park at the house. The residence has one space in the covered carport and two spaces in the driveway. Striping is to be added to allow one of the driveway spaces to be designated for accessible use. If additional parking is needed on an occasional basis, parking is available across the street at Orchard Hill Elementary School. Additional parking, if needed, is available at Orchard Hill Elementary School across the street. 4 bicycle spaces will be located within the carport.
9. **Public Facilities and Services**: The property is served by public sanitary sewer, water and storm drainage facilities provided by the City of Medford and Medford Water Commission. Other municipal public services supplied to the property include Medford Police and Fire protection. The property is also served by a full range of public utilities including electricity, natural gas and communications.
10. **Wetlands and Riparian Features**: No wetlands or riparian features have been identified on the property.

V

CONCLUSIONS OF LAW

The City of Medford reaches the following conclusions of law with respect to the relevant substantive criteria prerequisite to approval of a conditional use permit for this school use at this location:

CONDITIONAL USE PERMIT

CUP Criterion 1

10.184 Conditional Use Permit Criteria

(C) Conditional Use Permit Approval Criteria.

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

(a) 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.

Discussion; Conclusions of Law: Based upon the Evidence in Section II and the Findings of Fact in Section IV, the Planning Commission concludes in the first instance, that the use will not have any adverse impacts on livability, value and appropriate development based upon the following:

(1) Livability- No significant adverse impacts are anticipated from the commencement of the proposed Life Skills program at Transition House. The program proposed will have students engaged in living skills activities that are typical and permitted within a

residential neighborhood. The low number of daily users and types of educational activities proposed will not generate adverse environmental impacts on neighboring properties. No additional traffic beyond what you would have at a typical residence in the neighborhood is expected to be generated, as only the staff will be allowed to park on-site, with the students will be walking from the Orchard Hill bus loop to the facility.

Additionally, the average activity at the house will similar or less than a typical single-family dwelling. During the school day hours, activity will be slightly higher than a single-family house. However, during early morning hours, weekends, and evenings the house will not be occupied by the school uses, thus the level of activity will be lower during the periods when residential neighbors tend to be most sensitive to the activities of other houses in the neighborhood.

(2) Value- As no adverse impacts on livability are anticipated and the structure will remain residential in character, there would be little, if any, reason to expect any adverse impact on the value of neighboring properties.

(3) Appropriate Development of abutting property- All abutting properties are already appropriately developed under the existing zoning and nothing about the propose project would prevent future remodels or reconstructions on such lots.

****

CUP Criterion 2

(b) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the Planning Commission to produce a balance between the conflicting interests.

Discussion; Conclusions of Law: Notwithstanding the above conclusions of law under Criterion 1, the Planning Commission concludes that the proposed use can also be found to comply with CUP Criterion 2 in the event some adverse impact was ultimately be considered significant. Based upon the description of the proposed use in Section IV, the Planning Commission concludes the proposed school program is in the public interest and will provide great benefit to the community by training students with disabilities in independent living skills and other skills that they need to be independent adults outside of school. No mitigation is anticipated to be needed.

The Planning Commission, therefore, concludes that the proposed use can also comply with CUP Criterion 2.

VI

ULTIMATE CONCLUSIONS

Based upon the foregoing, it is concluded that the relevant substantive criteria for conditional use permits in MLDC 10.184 have been satisfied. Accordingly, it is concluded that the application for conditional use permit can be, and the same hereby is, **approved**.

Respectfully submitted on behalf of applicant,

CSA Planning, Ltd.

Jay Harland
Principal

July 9, 2019

MEDFORD
PUBLIC WORKS

LD DATE: 9/4/2019
File Number: CUP-19-044

PUBLIC WORKS DEPARTMENT STAFF REPORT

Life Skills Transition House – Phoenix-Talent School District
2841 Juanipero Way (TL 8902)

Project: Request for a Conditional Use Permit (CUP) for a new educational use in an existing single-family residence.

Location: Located at 2841 Juanipero Way within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W33BD8902).

Applicant: Applicant, Phoenix-Talent School District; Agent, CSA Planning Ltd.; Planner, Steffen Roennfeldt.

NOTE: The items listed here shall be completed and accepted prior to the respective issuances of permits and certificates:

Prior to issue of the first building permit, the following items shall be completed and accepted:

- Submittal and approval of plans for site grading and drainage, and detention, if applicable.
- Completion of all public improvements, if required. The Applicant may provide security for 120% of the improvements prior to issuance of building permits. Construction plans for the improvements shall be approved by the Public Works Engineering Division prior to acceptance of security.
- Items A – D, unless noted otherwise.

Prior to issue of Certificate-of-Occupancy for completed structures, the following items shall be completed and accepted:

- Paving of all on-site parking and vehicle maneuvering areas
- Verification by the design Engineer that the stormwater quality and detention system was constructed per the approved plan, if applicable.
- Completion of all public improvements, if applicable.

CITY OF MEDFORD
EXHIBIT # K
File # CUP-19-044

A. STREETS

1. Dedications

Juanipero Way is classified as a Major Collector street, and in accordance with MLDC Section 10.48, it requires a total right-of-way width of 74-feet. Prior to issuance of any permit for construction, the developer shall dedicate for public right-of-way, sufficient width of land along the entire frontage of this development to comply with the half width of right-of-way, which is 37-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

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

In accordance with MLDC 10.471, **the property owner shall dedicate a 10-foot wide public utility easement** (PUE) adjacent to the right-of-way line along this Developments frontage.

The right-of-way and PUE dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: right-of-way and PUE dedications, 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, all for review and signature acceptance by the City Engineer prior to recordation by the applicant. Releases of interest shall be obtained by holders of trust deeds or mortgages on the areas dedicated.

2. Public Improvements

a. Public Streets

Juanipero Way – All street section improvements, with the exception of a planter strip and sidewalk, have been completed in close conformance with current standards, including pavement, curb and gutter and street lights. However, a 5-foot wide sidewalk with planter strip is required along this developments frontage in accordance with MLDC 10.428. **No additional public improvements are required aside from sidewalk with planter strip and access options conditioned under *Transportation System* below.**

b. Street Lights and Signing

No additional street lights are required.

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. Developer to provide and install new signs as required.

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along this developments frontage.

d. Transportation System

The applicant's findings of no significant impact state that there will be a maximum of 12 students and 5 staff being on-site at any one time. Public Works recommends that these maximums be placed as conditions.

The applicant's findings state that the on-site parking shall only be for staff. Public Works recommends that the parking area be signed as "staff parking only".

The applicant's findings state that students will be dropped off at the Orchard Hill Elementary School bus loop and will walk from there to the facility and that students will also pick up their lunches at the elementary school and bring them back to Transition House. There is no crosswalk at the end of the walkway from the bus loop to Juanipero Way. The nearest legal crosswalk is approximately 225 feet east at the intersection of Murphy Road. There is no sidewalk from Murphy to the proposed Transition House.

It is unclear how the applicant intends for students with disabilities to safely and legally access the Transition House from the elementary school. Public Works recommends that the CUP be conditioned to provide legal ADA access from the drop-off area at Orchard Hill Elementary School to the Transition House. Three options for providing this access are:

- Construct sidewalk from the Transition House to the intersection of Juanipero Way and Murphy Road on the north side of the street including a curb ramp at the intersection.
- Construct curb ramps, crosswalk markings, signage, and a rectangular rapid flashing beacon at the mid-block crossing in front of the Transition House. This option would require submittal of Public Improvements Plans to the Engineering Division for review and approval.
- Construct curb ramps, crosswalk markings, signage, and provide a crossing guard to assist students with crossing mid-block in front of the Transition House.

Driveway access to the site and design requirements shall be in accordance with MLDC 10.550 and 10.746.

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.

Juanipero Way:

The additional right-of-way on Juanipero Way will provide the needed width for a future planter strip and sidewalk. Juanipero Way is a 25 mile per hour facility, which currently carries approximately 2,250 vehicles per day. The planter strip moves pedestrians a safe distance from the edge of the roadway. Juanipero Way will be a primary route for pedestrians traveling to and from this development.

The City assesses System Development Charges (SDCs) to help pay for acquisition of right-of-way and construction of additional Arterial & Collector Street capacity required as a result of new development. Because a mechanism exists in the form of SDC credit for right-of-way dedication and street improvements in accordance with Medford Municipal Code (MMC) 3.815 and other applicable parts of the Code, to fairly compensate the applicant, the conditions of MLDC, Section 10.668 are satisfied.

Dedication of the Public Utility Easement (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

The proposed development is situated within the Medford sewer service area. The Developer shall provide one separate individual service lateral to the site or ensure that the site is served by an individual service lateral. All unused laterals adjacent and stubbed to the development shall be capped at the main.

C. STORM DRAINAGE

1. Drainage Plan

A comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first

building permit application for approval.

The Developer shall provide copies of either a Joint Use Maintenance Agreement or a private stormdrain easement for any stormwater draining onto or from adjacent private property.

A Site/Utility Plan shall be submitted with the building permit application to show the location of existing or proposed stormdrain lateral/s for the site.

All private stormdrain lines shall be located outside of the public right-of-way and/or any public utility easements (PUE).

2. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed development will be submitted with the 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.

3. Erosion Prevention and Sediment Control

All development that disturbs 5,000 square feet or greater shall require an Erosion Prevention and Sediment Control Plan. Developments that disturb one acre and greater shall require a 1200C permit from the Department of Environmental Quality (DEQ). Erosion Prevention and Sediment Control Plans shall be submitted to the Building Department with the project plans for development. All disturbed areas shall be covered with vegetation or properly stabilized prior to certificate of occupancy.

D. 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. Construction and Inspection

The Developer or Developer's contractor shall obtain appropriate right-of-way permits from the Department of Public Works prior to commencing any work within the public right-of-way that is not included within the scope of work described within approved public improvement plans.

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

4. Site Improvements

All on-site parking and vehicle maneuvering areas related to this development shall be paved in accordance with MLDC, Section 10.746, prior to issuance of certificate of occupancy for any structures on the site. Curbs shall be constructed around the perimeter of all parking and maneuvering areas that are adjacent to landscaping or unpaved areas related to this site. Curbs may be deleted or curb cuts provided wherever pavement drains to a water quality facility.

5. System Development Charges (SDC)

Buildings in this development are subject to system development charges (SDCs). All SDC fees shall be paid at the time individual building permits are issued.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL
Life Skills Transition House – Phoenix-Talent School District
2841 Juanipero Way (TL 8902)

CUP-19-044

A. Streets

1. Street Dedications to the Public:
   - Juanipero Way – Dedicate additional right-of-way.
   - Dedicate 10-foot Public Utility Easement (PUE) along the frontage.

2. Improvements:

   Public Streets
   - Juanipero Way – No improvements are required, except sidewalk and as outlined under Transportation System.

   Lighting and Signing
   - No additional street lights are required.
   - Developer to provide and install new signs as required.

   Transportation System
   - Comply with transportation system requirements as outlined above.

   Other
   - No pavement moratorium currently in effect along this frontage to Juanipero Way.

B. Sanitary Sewer:
   - Ensure or construct separate individual sanitary sewer connection.
   - o Cap remaining unused laterals at the main.

C. Storm Drainage:
   - Provide a comprehensive grading and drainage plan.
   - Provide copy of an approved Erosion Control Permit (1200C) from DEQ for this project.

- = City Code Requirement
- o = Discretionary recommendations/comments

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

MEDFORD WATER COMMISSION

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: CUP-19-044

PARCEL ID: 371W33BD TL 8902

PROJECT: Request for a Conditional Use Permit (CUP) for a new educational use in an existing single-family residence located at 2841 Juanipero Way within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W33BD8902); Applicant, Phoenix-Talent School District; Agent, CSA Planning Ltd.; Planner, Steffen Roennfeldt.

DATE: September 4, 2019

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 to this existing home is located approximately mid-lot just west of existing driveway, and shall continue to serve the existing single-family home located at 2841 Juanipero Way.

COMMENTS

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

2. On-site water facility construction is not required.

3. Static water pressure at this site is 48 psi.

4. The nearest Fire Hydrant is located approximately 380-feet west along the north side of Juanipero Way.

5. MWC-metered water service does exist to this property. A ¾" water meter serves the existing dwelling 2841 Juanipero Way. (See Condition 3 above)

6. Access to MWC water lines is available. There is an existing 10-inch water line located in Juanipero Way, and a 10-inch water line is also located in Murphy Road.

CITY OF MEDFORD
EXHIBIT # L

Alameda St
Juanipero Way
2809
2817
2825
2833
2841
2849
2857
2808
2816
2824
2832
2840
2848
2850
864
873
875
872
2901
2903
2909
900
901
2900
2908
2914
907
909
2906
2912
908
913
915
916
2907
2915
2913
6" GV4966
8" GV4965
10" GV4964
6" GV4953
10" CI 1957
10" CI 1960
6" GV5000
10" GV4955
10" Stub
6" GV4954
6" GV4951
4" GV4952
6" CI 1958
2900
N
Feet
0 25 50 100
Scale: 1"= 100'
Water Facility Map
for
City of Medford
Planning Application:
CUP-19-044
September 4, 2019
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
MEDFORD WATER COMMISSION

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 8/28/2019
Meeting Date: 9/4/2019

LD File #: CUP19044

Planner: Steffen Roennfeldt

Applicant: Phoenix-Talent School District

Site Name: N/A

Project Location: 2841 Juanipero Way

ProjectDescription: Request for a Conditional Use Permit (CUP) for a new educational use in an existing single-family residence located at 2841 Juanipero Way within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W33BD8902);

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Comments	Description
Other	1. A change of use permit will be required from the Building Department. 2. The occupant shall remove cooking appliances or meet commercial code requirements.	

Construction General Information/Requirements

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

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

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

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

www.medfordfirerescue.org

CITY OF MEDFORD
EXHIBIT # M
File # CUP-19-044

MEDFORD
BUILDING SAFETY

MEMORANDUM

To: Steffen Roenfeldt, Planning Department

From: Chad Wiltrout, Building Department (541) 774-2363

CC: Phoenix-Talent School District, Applicant; CSA Planning Ltd, Agent

Date: September 4, 2019

Subject: CUP-19-044_Life Skills Transition House_Phoenix-Talent

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Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2014 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

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

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

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.

2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.

3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.

4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

CITY OF MEDFORD
EXHIBIT # N
File # CUP-19-044

MEDFORD
BUILDING SAFETY

Comments:

5. This report is based on limited information provided. It is hard to determine all the necessary changes without a floor plan and knowing all the uses. It appears that this would be a B and R-3 occupancy.

6. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code. Also, follow Chapter 3411 for ADA compliance within the building.

7. Emergency escape and rescue openings in bedrooms per 1029 OSSC. See Chapter 10 for all egress requirements.

8. Per Section 420 must comply with separation use between residential use and training areas. A NFPA 13D sprinkler system is required.

9. Smoke detectors/carbon monoxide alarms per 907 and 908.

MEDFORD
PLANNING

Vicinity Map

File Number:
CUP19-044

Project Name:

Life Skills Transition House

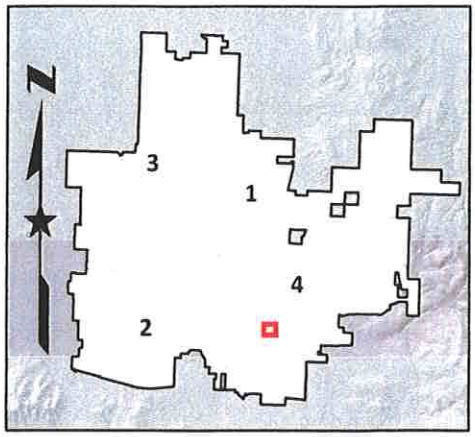
Map/Taxlot:

371W33BD TL 8902

0 125 250 Feet

Legend

- Subject Area
- Zoning Districts
- Tax Lots



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