Planning Commission Agenda November 14, 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

November 14, 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 CUP-19-044 Final Order 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.

20.2 LDS-19-074 / E-19-050 Final Orders for tentative plat approval for Mollie's Place Subdivision, a proposed 8-lot residential subdivision, consisting of two single-family lots and six duplex lots, along with a request for an Exception to construct a half-street with a reduced width. The property is located on a single 1.08-acre parcel located at 1432 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35DA TL 201); Applicant, Reeder, Knouff, Thomas, LLC; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs.

30. Approval or Correction of the Minutes from October 24, 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.**

Continuance Request

50.1 CP-19-004 A legislative amendment to incorporate the Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies section of the Comprehensive Plan; Applicant, City of Medford; Planner, Carla Paladino. **Staff requests this item be continued to the December 12, 2019 Planning Commission meeting.**

50.2 LDS-19-076 Consideration of tentative plat approval for the Medford Center, a proposed commercial pad-lot subdivision in order to separate 11 buildings on their own legal tracts of land. The property is located on a single 24.42-acre parcel located east of Biddle Road between Stevens and E Jackson Street in the C-R (Regional Commercial) zoning district (371W19CD 1000); Applicant, LBG Medford, LLC; Agent, Neathamer Surveying, Inc.; Planner, Steffen Roennfeldt. **The applicant requests this item be continued to the December 12, 2019 Planning Commission meeting.**

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.

Old Business

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 ZC-19-017 Consideration of requests for zone changes of two contiguous parcels located at 611 Meadows Lane: TL 12400 (0.79 acres) is requesting a zone change from SFR-00 (Single-Family Residential, one dwelling unit per lot) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre), and TL 12300 (0.18 acres) is requesting a zone change from SFR-00 to SFR-10 ((Single-Family Residential, ten dwelling units per gross acre) (372W25CB TL 12300 & 12400); Applicant, Johnnie & Sharon Barger; Planner, Dustin Severs.

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 CUP-19-044 APPLICATION FOR A)
CONDITIONAL USE PERMIT SUBMTTED BY PHOENIX-TALENT SCHOOL DISTRICT) **ORDER**

ORDER granting approval of a request for a conditional use permit for *Phoenix-Talent School District,* described as follows:

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).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.184; and,

2. The Medford Planning Commission has duly held a public hearing on the matter of an application for a conditional use permit for *Phoenix-Talent School District,* as described above, with a public hearing a matter of record of the Planning Commission on October 24, 2019.

3. At the public hearing on said application, evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and,

4. At the conclusion of said public hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted a conditional use permit for *Phoenix-Talent School District*, as described above.

THEREFORE LET IT BE HEREBY ORDERED that the application for *Phoenix-Talent School District,* as described above, stands approved in accordance per the Planning Commission Report dated October 24, 2019.

AND LET IT FURTHER BE OF RECORD that the action of the Planning Commission in approving this request for *Phoenix-Talent School District*, as described above, is hereafter supported by the findings referenced in the Planning Commission Report dated October 24, 2018.

Accepted and approved this 14th day of November, 2019.

CITY OF MEDFORD PLANNING COMMISSION

_____
Planning Commission Chair

ATTEST:

_____
Planning Department Representative

MEDFORD
PLANNING

PLANNING COMMISSION 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
Date	October 24, 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 there will be no physical changes beyond basic repairs at the building.

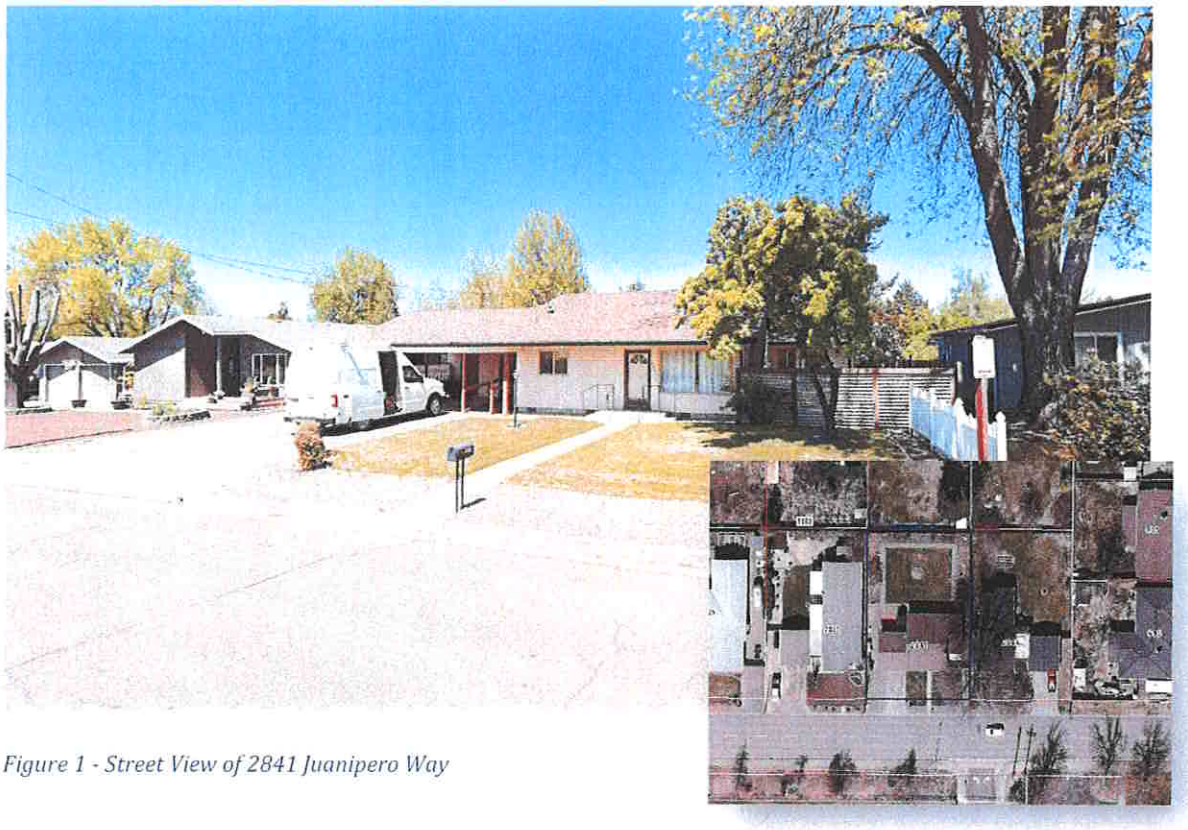


Figure 1 - Street View of 2841 Juanipero Way

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

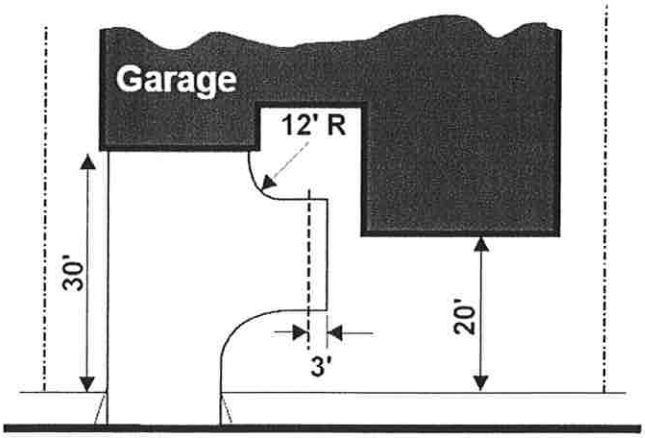
Pursuant to MLDC 10.341(6) shown above, the applicant will be required to gain approval for the issuance of a CUP prior to the residential structure being used as an educational facility. The special standards listed in MLDC 10.815 through 10.817 do not apply to this application.

Parking

With the revised site plan, two regular vehicular spaces and one disabled parking stall are proposed. The accessible space will be located closest to the entrance adjacent to a new concrete walkway. The two additional parking spaces will be located within the existing carport and to the left of the carport. Per current code requirements, all parking and vehicle maneuvering areas are required to be paved. Additional parking spaces will be available within the Orchard Hill Elementary School parking lot.

Four bicycle parking spaces will be provided between the carport and the building.

Driveway



Per the revised Public Works staff report (Exhibit K-1), 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 requires a 10-foot wide landscaping buffer between the public right-of-way and the parking/maneuvering area. Both requirements have been fulfilled as can be seen on the revised site plan (Exhibit B-1).

Transportation System

Per the revised applicant's findings, all students will be bussed directly to the proposed facility in a school-owned van. However, the Public Works Department still requires a safe crossing opportunity from the subject site to Orchard Hill Elementary School. Per the Memorandum received October 4, 2019, the applicant elected to follow the third option listed in the Public Works Report which includes the construction of curb ramps, crosswalk markings, signage, and provide a crossing guard to assist students with crossing mid-block in front of the Transition House. The proposed location of the new striped crosswalk can be seen on the Area Plan included in Exhibit Q.

Legacy Street

On September 27, 2019, staff received a Memorandum from the Public Works Department stating that a Legacy Street definition is supported for this section of roadway per MLDC 10.427(D) as requested by the applicant. In order to meet the context sensitive design for this neighborhood the road shall include a 7-foot planter strip and 5-foot sidewalk along the northerly side of the road. Further, a 10-foot public utility easement shall be included along the frontage of all properties in this neighborhood. No additional right-of-way is required to meet the section requirements. The required improvements are shown on the revised Site Plan (Exhibit B-1).

Committee Comments

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

No other issues were identified by staff.

MEETING OF OCTOBER 24, 2019

On October 23, 2019, staff received a letter from neighbors expressing concern about traffic safety and signage (Exhibit R). Staff advised the Commission that the request for stop signs at the intersection of Juanipero and Murphy are the responsibility of the Traffic Coordinating Committee. Staff also explained that signage is limited to a maximum of one wall sign and one freestanding sign with a maximum size of 20 square feet each. The applicant's agent stated that signage is not anticipated, but would be within the limits of the Code.

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-1, 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 could 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.

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare the final order for approval of CUP-19-044 per the Revised Staff Report dated October 17, 2019, including Exhibits A-1 through R. The Commission found compliance with the criterion at MLDC 10.184(C)(1)(a).

EXHIBITS

A-1 Conditions of Approval, dated September 18, 2019
B-1 Site Plan, revised October 11, 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-1 Criteria Compliance, revised September 27, 2019
J-1 Findings of Fact and Conclusions of Law, revised September 27, 2019
K-1 Public Works Staff Report, revised October 14, 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
O Public Works Memo re: Legacy Street, dated September 27, 2019
P CSA Memo re: Revisions, dated October 4, 2019
Q Area Plan, received October 11, 2019
R **Letter from neighbors, received October 23, 2019**
Vicinity map

MEDFORD PLANNING COMMISSION

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Mark McKechnie, Chair

PLANNING COMMISSION AGENDA: **SEPTEMBER 26, 2019**
OCTOBER 24, 2019

Life Skills Transition House, Phoenix-Talent School District
2841 Juanipero Way, Medford
10/24/2019
CUP - 19 – 044

Residents: Merry Harris, 2825 Juanipero Way, Medford, OR

Merry Harris

Beth Russell, 2825 Juanipero Way

Beth Russell

Rochell Nees, 2837 Juanipero Way

Rochelle Nees

Tony Oronek, 2849 Juanipero Way

1. Traffic on Road, as major collector street – 2,250 cars per day (when counted, summer or winter?)

2. STOP SIGNS all 3 ways at Murphy and Juanipero intersection. This will slow traffic down 24/7, for 365 days benefiting everyone in the community that drives along this section of Juanipero, rather than just focus on the one program or house. If a truck or large vehicle is parked at the curb on Juanipero NorthEast of Murphy, one cannot see the crosswalk corner clearly (cars or pedestrians). STOP SIGNS provide pedestrians at the crosswalk with safer crossing.

3. NO large sign out front of the 2841 House; advise small sign on home only.

4. Keep "NO PARKING" on the north side of the street. This allows better visualization when backing out.

RECEIVED
OCT 23 2019
CITY OF MEDFORD
ENGINEERING

CITY OF MEDFORD
EXHIBIT # R
FILE # CUP-19-044

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

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF MOLLIES PLACE SUBDIVISON)
[LDS-19-074]) ORDER

ORDER granting approval of a request for tentative plat for *Mollie's Place Subdivision,* described as follows:

An 8-lot residential subdivision, consisting of two single-family lots and six duplex lots, along with a request for an Exception to construct a half-street with a reduced width. The property is located on a single 1.08-acre parcel located at 1432 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35DA TL 201).

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 *Mollie's Place Subdivision,* as described above, with the public hearing a matter of record of the Planning Commission on October 24, 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 *Mollie's Place Subdivision,* 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 *Mollie's Place Subdivision,* stands approved per the Planning Commission Report dated October 24, 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 October 24, 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 14th day of November, 2019.

CITY OF MEDFORD PLANNING COMMISSION

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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)
MOLLIE'S PLACE SUBDIVISION [E-19-050]) **ORDER**

ORDER granting approval for a request of an exception for *Mollie's Place Subdivision*, as described below:

To construct a half-street with a reduced width. The property is located on a single 1.08-acre parcel located at 1432 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35DA TL 201).

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 *Mollie's Place Subdivision*, as described above, with the public hearing a matter of record of the Planning Commission on October 24, 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 *Mollie's Place Subdivision*, as described above, stands approved per the Planning Commission Report dated October 24, 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 October 24, 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 14th day of November, 2019.

CITY OF MEDFORD PLANNING COMMISSION

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Planning Commission Chair

ATTEST:

_____
Planning Department Representative

MEDFORD
PLANNING

PLANNING COMMISSION REPORT

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

Project	Mollie's Place Subdivision Applicant: Reeder, Knouff Thomas, LLC. Agent: Scott Sinner Consulting, Inc.
File no.	LDS-19-074 / E-19-050
Date	October 24, 2019

BACKGROUND

Proposal

Consideration of tentative plat approval for Mollie's Place Subdivision, a proposed 8-lot residential subdivision, consisting of two single-family lots and six duplex lots, along with a request for an Exception to construct a half-street with a reduced width. The property is located on a single 1.08-acre parcel located at the easterly terminus of Applegate Lane east of Layla Drive (1432 Orchard Home Drive) in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35DA TL 201).

Vicinity Map

Subject Site Characteristics

Zoning: SFR-6 (Single-Family Residential, six dwelling units per gross acre)

GLUP: UR (Urban Residential)

Overlay(s): None

Use(s): Vacant land

Surrounding Site Characteristics

North Zone: SFR-6
Use(s): single-family residential (South Orchard Estates Subdivision)

South Zone: SFR-6 & SFR-00 (Single-Family Residential, one unit per lot)
Use(s): single-family residential (Cox Estates Subdivision)

East Zone: SFR-6 & SFR-00
Use(s): single-family residential

West Zone: SFR-6
Use(s): single-family residential (Layla Estates Subdivision)

Related Projects

None

Applicable Criteria

MLDC 10.202(E): Land Division Criteria

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

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

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

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

party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;

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

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

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

MLDC 10.186(B) – Exception Criteria

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

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

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

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

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

ISSUES AND ANALYSIS

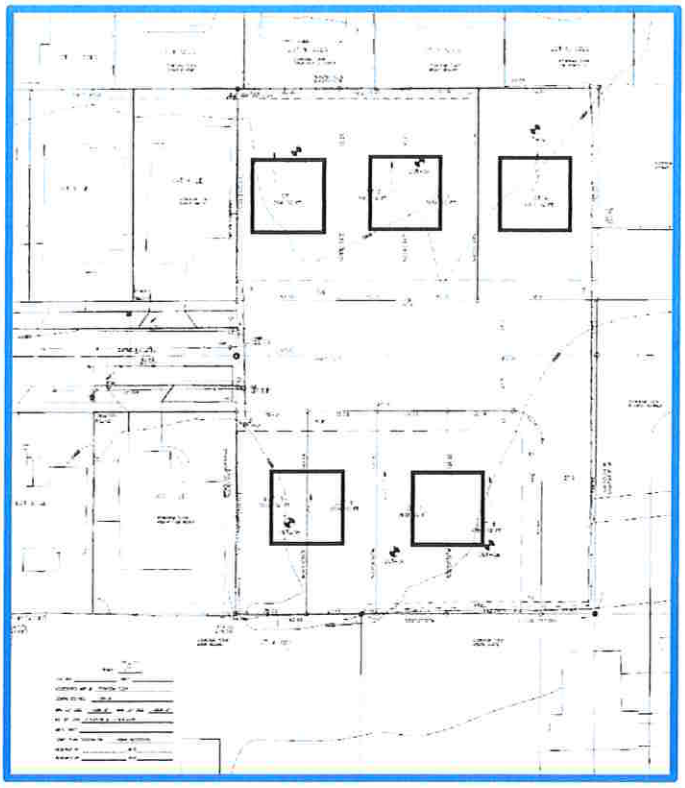
Project Summary

Current site

The subject site consists of a single, vacant 1.08 acre parcel. Applegate Lane, a Minor Residential street running east/ west from Layla Drive, is currently stubbed at the site's westerly boundary.

Proposal

The applicant is proposing to subdivide the property, creating an 8-lot residential subdivision—Mollie's Place Subdivision—consisting of two single-family dwelling lots (Lots 1 and 4) and six duplex lots to be divided by a lot line (Lots 2, 3, 5, 6, 7, and 8). Applegate Lane, currently stubbed at the site's westerly boundary, is proposed to be extended and stubbed at the site's easterly boundary. The tentative plat also shows a north/south Applegate Lane—to be constructed as a half street—proposed to connect to the east/west section and to be stubbed along the site's southerly boundary.



The applicant is also requesting an Exception to construct the north/south section of Applegate Lane as a half-street with a reduced width. As stated in the applicant's findings (Exhibit F), the applicant is proposing not to provide the 8-foot planter strip—in order to maximize the paved section of the half-street— and instead provide a fully-paved half-street, and a curb-tight 5-foot sidewalk. This layout was suggested by Public Works.

Density

Density Table

SFR-6 Minimum /Maximum Density	Allowed	Shown
4.0 to 9.0 dwelling units per gross acre	4 min - 10 max	8 lots

As shown on the Density Table above, based on 1.08 gross acres of land, the creation of eight lots, as identified on the submitted tentative plat, falls within the minimum/maximum range permitted for the SFR-6 zoning district, as per MLDC 10.713.

Development Standards

Detached Single Family Dwellings

Site Development Table (MLDC 10.710)

SFR-6	Lot Area	Minimum Lot Width (Interior)	Minimum Corner Lot Width	Minimum Lot Depth	Minimum Lot Frontage
Required	4,500 to 12,500	50 feet	60 feet	90 feet	30 feet
Shown	Lot 1: 5,264 Lot 4: 6,362	Lot 1: 50 Lot 4: 60	Lot 1: NA Lot 4: NA	Lot 1: 105 Lot 4: 105	Lot 1: 50 Lot 4: 60

Duplex Dwellings

Site Development Table (MLDC 10.713)

SFR-6	Lot Area	Minimum Lot Width (Interior)	Minimum Corner Lot Width	Minimum Lot Depth	Minimum Lot Frontage
Required	3,000 to 6,250	30 feet	35 feet	100 feet	30 feet
Shown	Lot 2: 3,685 Lot 3: 3,684 Lot 5: 3,532 Lot 6: 3,534 Lot 7: 3,535 Lot 8: 4,780	Lot 2: 35 Lot 3: 35 Lot 5: 35 Lot 6: 35 Lot 7: 35 Lot 8: NA	Lot 2: NA Lot 3: NA Lot 5: NA Lot 6: NA Lot 7: NA Lot 8: 47	Lot 2: 105 Lot 3: 105 Lot 5: 101 Lot 6: 101 Lot 7: 101 Lot 8: 101	Lot 2: 35 Lot 3: 35 Lot 5: 35 Lot 6: 35 Lot 7: 35 Lot 8: 47

As shown in the Site Development Tables above, it can be found that the eight proposed lots meet all the dimensional standards for lots in the SFR-6 zoning district in MLDC 10.710 & 10.713.

Exception

> 10.443 **Half Streets.**
> Upon written request by the developer at the time of development permit application, half streets plus eight (8) feet may be approved where essential to the reasonable development of a parcel when in conformity with the other requirements of these regulations, and subject to the approving agency's findings that it will be practical to require dedication of the other half when the adjoining property is developed; the other half of the street shall be platted within the adjacent tract.

Per MLDC 10.443 cited above, the approving authority may approve the construction of half streets plus eight feet when a proposed street aligns the exterior of a plat and it is found that it will be practical to require the dedication of the other half when the adjoining property develops.

The applicant has requested to construct the north/south section of Applegate Lane as a half-street, and has also requested an Exception to be allowed to construct exactly ½ of the street (27.5) without the additional eight feet (eliminating the 8-foot planter strip) required per MLDC 10.443.

The applicant's finings state the following:

> The relief requested to allow the development of the street segment at 27.5' is necessary for the proposed land division application to be consistent with MLDC 10.202(E)(2):
>
> *The approving authority (Planning Commission) shall not approve any tentative plat unless it first finds that, the proposed land division together with the provisions for its design and improvement:*
>
> *(2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;*
>
> The adjoining parcel to the south, TL 600 would not be able to plat lots in accordance with the lot design standards of the MLDC if the street is developed at 27.5' + 8' for a half street. The west edge of the ROW would be 82.5' from the property line without relief, which does not conform to the minimum lot depth of 90'. Granting the requested relief of this exception will allow for a 90' lot depth on TL 600.
>
> Since the approval criteria for a land division requires a plat must not prevent development in accordance with the MLDC standards, the exception is necessary for the land division to be found consistent with the approval criteria, and not granting the requested relief would be a hardship suffered by the owners of the subject parcel.
>
> The proposed plat, with the granting of relief for the MLDC standard identified above will allow this property to develop at urban densities, provide a circulation pattern consistent with the Block Length Ordinance and allows the land division criteria 10.202(E)(2) to be satisfied.

Staff is supportive of the applicant's request for an Exception from complying with the full half-street requirements as outlined in MLDC 10.443. It is staff's view that the applicant's findings effectively demonstrate unique or unusual circumstances apply to the site which do not apply elsewhere in the City, and that the granting of relief can be made in keeping with the intent and purpose of MLDC 10.443.

Street Naming

There is currently an east/west Applegate Lane running east from Layla Drive and stubbed at the westerly boundary of the subject site, as well as a north/south Applegate Lane, serving the Clear Springs Estates Subdivision and stubbed approximately 250 feet south of the subject site. Per the memo received form the City's Address Technician (Exhibit K), the original intent for Applegate Lane was for the two sections to be connected in a curve and be one continuous street; however, the approval of the subject request would create an east/west street connection with Orchard Home Drive, and a separate north/south street, each having the same name. There are currently five residences with an Applegate Lane address (east/west section); the proposed subdivision would add eight additional. In the interest of public safety (i.e., emergency vehicle access), a street name change is necessary.

As a condition of approval, the applicant will be required to obtain approval for a street renaming of the section of Applegate Lane running east/west from Layla Drive and extending through the subject site, consistent with the requirements outlined in MLDC 10.458(A)(1), prior to final plat approval. A Street Name Change application is a Type IV legislative procedure with the City Council serving as the final approving authority.

The applicant objects to this discretionary condition and has submitted a sketch map with a proposed street layout alternative (Exhibit L). The alternative would eliminate the proposed future connection of Applegate Lane to Orchard Home Drive, and shows only its future connection with the existing north/south section of Applegate lane to the south, as originally intended. Rather than showing a curved connection, however, the applicant's sketch map shows the two sections of Applegate Lane

connected by a "knuckle" with a 90 degree turn, allowing the submitted plat to maintain its proposed layout.

The applicant intends to submit supplemental findings concerning the street renaming condition, as well as additional findings for the proposed street layout alternative, prior to the public hearing on October 24, 2019. In addition to the supplemental findings, staff anticipates receiving revised Public Works Department Staff Report and Address Technician comments prior to the public hearing.

Facility Adequacy

Per the agency comments submitted to staff, including the Rogue Valley Sewer Services (Exhibits G-J), it can be found that, with the imposition of the conditions of approval contained in Exhibit A, there are adequate facilities to serve the future development of the site.

Other Agency Comments

Rogue Valley Sewer Services (RVSS) (Exhibit J)

The subject property is within RVSS service area. In their submitted report, RVSS requires that future sewer improvements be designed and constructed in accordance with RVSS standards, that the sewer system must be accepted by RVSS prior to the final plat, and the applicant must pay sewer system development charges to RVSS.

As a condition of approval, the applicant will be required to comply with the conditions of RVSS.

Committee Comments

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

DECISION

At the Public hearing held on October 24, 2019, the Commission voted unanimously to approve the request, while adding four exhibits, striking one condition of approval, and adding one condition of approval.

Following the publication of the staff report, the applicant submitted supplemental findings (Exhibit M), in which an alternative street layout was proposed. The alternative eliminates the proposed future connection of Applegate Lane to Orchard Home Drive, and shows only its future connection with the existing north/south section of Applegate lane to the south, thereby eliminating concerns of adding a second Applegate lane as expressed by staff. Rather than showing a curved connection, however, the applicant's sketch map shows the two sections of Applegate

Lane connected by a "knuckle" with a 90 degree turn, allowing the submitted plat to maintain its proposed layout.

Both Public Works and the City's Address Technician submitted revised reports addressing the proposed alternative street layout, and were supportive of the change.

At the recommendation of staff, the Commission struck condition #1, requiring the applicant to obtain approval for a street name change; and in its place, added a condition #5, requiring that the applicant submit a revised tentative plat showing the alternative street configuration prior to final plat approval.

FINDINGS AND CONCLUSIONS

Tentative Plat

Staff finds the subdivision plat consistent with the Comprehensive Plan and all applicable design standards set forth in Article IV and V. Furthermore, the subdivision will not prevent development of the remainder of the property under the same ownership or of adjoining land; bears a name (Mollie's Place Subdivision), which has been reviewed and approved by the City's Address Technician; the plat includes the creation of a public street (Applegate Lane), which is laid out consistent with existing and planned streets of the adjoining properties; and criteria 5 and 6 are inapplicable.

Exception

Staff finds that the approval of the exception request is in harmony with the general purpose and intent of the SFR-6 zoning district, and will not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources; will not permit the establishment of a use which is not permitted in the SFR-6 zoning district; the applicant's findings effectively demonstrate unique or unusual circumstances apply to the site which do not apply elsewhere in the City, thereby constituting a unique or unusual circumstance which applies to the site which does not apply elsewhere in the City, resulting in a an undue hardship on the owner; and the need for the exception is not the result of an illegal act.

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare a Final Order for approval of LDS-19-074 and E-19-050 per the planning commission report dated October 24, 2019, including Exhibits A through N.

EXHIBITS

A-1	**Conditions of Approval (Revised), drafted October 24, 2019.**
B	Tentative Plat, received August 26, 2019.
C	Conceptual Grading & Drainage Plan, received August 26, 2019.
D	Applicant's Findings of Fact & Conclusions of Law (tentative plat), received August 26, 2019.
E	Applicant's Findings of Fact & Conclusions of Law (tentative plat), received August 26, 2019.
F	Applicant's revised exception request findings, received September 20, 2019.
G-1	**Public Works Staff Report (Revised), received October 24, 2019.**
H	Medford Water Commission memo & associated map, received October 2, 2019.
I	Medford Fire Department Report, received October 2, 2019.
J	Rogue Valley Sewer Services (RVSS) report, received September 27, 2019.
K-1	**Address technician memo (Revised), received October 17, 2019.**
L	Applicant's street layout alternative sketch map, received October 17, 2019.
M	**Applicant's supplemental findings, received October 17, 2019.**
N	**Applicant's revised street layout sketch map, shown at hearing on October 24, 2019.**
	Vicinity map

MEDFORD PLANNING COMMISSION

_____

Mark McKechnie, Chair

PLANNING COMMISSION AGENDA: **OCTOBER 24, 2019**
NOVEMBER 14, 2019

EXHIBIT A-1

Mollie's Place Subdivision
LDS-19-074 / E-19-050
Conditions of Approval
October 24, 2019

CODE REQUIRED CONDITIONS

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

1. Comply with all conditions stipulated by the Medford Public Works Department (Exhibit G)
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit H).
3. Comply with all requirements of the Medford Fire Department (Exhibit I).
4. Comply with all conditions stipulated by the Rogue Valley Sewer Services (RVSS) (Exhibit J).
5. **Submit a revised tentative plat showing the street configuration as illustrated in Exhibit M.**

CITY OF MEDFORD
EXHIBIT # A-1
FILE # LDS-19-074/E-19-050

MEDFORD
PUBLIC WORKS

LD DATE: 10/2/2019
Revised Date: 10/24/2019
File Number: LDS-19-074/E-19-050

PUBLIC WORKS DEPARTMENT STAFF REPORT

Mollie's Place Subdivision (TL 201)
8-Lot Subdivision

Project: Consideration of tentative plat approval for Mollie's Place Subdivision, a proposed 8-lot residential subdivision, consisting of two single-family lots and six duplex lots, along with a request for an Exception to construct a half-street with a reduced width. The property is located on a single 1.08-acre parcel.

Location: Located at 1432 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35DA TL 201).

Applicant: Applicant, Reeder, Knouff Thomas, LLC.; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs.

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

- Approval of Final Plat:
  Right-of-way, construction and/or assurance of the public improvements in accordance with Medford Land Development Code (MLDC), Section 10.666 & 10.667 (Items A, B & C)
- Issuance of first building permit for residential construction:
  Construction of public improvements (Items A through E)
- Issuance of Certificates of Occupancy for individual units:
  Sidewalks (Items A2)

A. STREETS

1. Dedications

Applegate Lane (east/west) is proposed as Minor Residential street with a right-of-way width of 55-feet, consistent with the standard prescribed by Medford Land Development

CITY OF MEDFORD
EXHIBIT # G-1
FILE # LDS-19-074/E-19-050

Code (MLDC) 10.430. The Developer shall also dedicate adequate right-of-way for the portion of the knuckle within the limits of this development at the intersection with the proposed north/south Applegate Lane to City of Medford standards with a minimum right-of-way radius of 45-feet.

Applegate Lane (north/south) is proposed as a Minor Residential street within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage to comply with the half width of right-of-way, which is 27.5-feet plus 8-feet (total width of 35.5-feet) as allowed by MLDC 10.443.

An **exception request** has been submitted to eliminate the 8-foot planter strip and provide the typical paved section (per MLDC 10.443) along Applegate Lane on the west side of the north/south section. This would provide a 27.5-foot dedication. If the exception request is denied, Applegate Lane (north/south) shall be dedicated to Minor Residential Lane standards as noted above.

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

Applegate Lane (east/west) shall be constructed to Minor Residential street standards, in accordance with MLDC 10.430. The Developer shall also construct the portion of the knuckle within the limits of this development at the intersection with

the proposed north/south Applegate Lane to City of Medford standards with a minimum paved section radius of 37-feet.

Applegate Lane (north/south) shall be constructed to Minor Residential street standards, in accordance with MLDC 10.430. The Developer shall improve the west half plus 8-feet east of the centerline as allowed by MLDC 10.443.

An **exception request** has been submitted to eliminate the 8-foot planter strip and provide the typical paved section (per MLDC 10.430) along Applegate Lane on the west side of the north/south section. This will provide all elements of the standard street section, except for the planter strip. If the exception request is denied, Applegate Lane (north/south) shall be constructed to Minor Residential Lane standards, in accordance with MLDC 10.430 as noted above.

b. Street Lights and Signing

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

Street Lighting – Developer Provided & Installed:

A. 1 – Type R-150 LED

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

A. 2 – Dead End Barricades
B. 1 – No Outlet Sign

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

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

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

c. Pavement Moratoriums

There is a no pavement cutting moratorium currently in effect along this developments frontage.

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

d. Soils Report

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

e. Access to Public Street System

Driveways shall comply with MLDC 10.550.

f. Easements

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

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

3. Section 10.668 Analysis

To support a condition of development that an applicant dedicate land for public use or provide a public improvement, the Medford Code requires a nexus and rough

proportionality analysis which is essentially a codification of the constitutional provisions in Nollan and Dolan cases.

10.668 Limitation of Exactions

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

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

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

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, emergency services and pedestrians. Further, these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and storm drains to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

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

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

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

Applegate Lane:

In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square footage of right-of-way per dwelling unit for dedications. The proposed development has 8 dwelling units and will improve approximately 280 lineal feet of roadway which equates to 35 lineal feet per

dwelling unit. Also the development will dedicate approximately 12,650 square feet of right-of-way, which equates to approximately 1,581 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Franklin Place just east of this development on the west side of Kings Highway, north side of Halvorsen Street and consisted of 21 dwelling units. The previous development improved approximately 720 lineal feet of roadway and dedicated approximately 39,600 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 34 lineal feet of road per dwelling unit and approximately 1,885 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 8 new Lots within the City of Medford and increase vehicular traffic by approximately 76 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

This site lies within the Rogue Valley Sewer Service (RVSS) area. Contact RVSS for sanitary sewer connections.

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.

If phased, each phase will be required to have its own stormwater detention and water quality treatment facility. If the Developer desires to do so, a Stormdrain Masterplan may be submitted in lieu of requiring each phase to have separate facilities. 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.

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 proposed plans do not show any phasing.

4. Draft of Final Plat

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

5. Permits

Building Permit applications for vertical construction shall not be accepted by the Building Department until the Final Plat has been recorded, 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: Jodi K Cope/Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Mollie's Place Subdivision (TL 201)
8-Lot Subdivision

LDS-19-074/E-19-050

A. Streets

1. Street Dedications to the Public:
   - Dedicate full width right-of-way (55') on **Applegate Lane** (east/west) including portion of knuckle.
   - Dedicate half width right-of-way plus 8-feet (total width of 35.5') on **Applegate Lane** (north/south), unless otherwise approved with the requested exception.
   - Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets
- Construct **Applegate Lane** (east/west) full width, to Minor Residential street standards, with a portion of a standard knuckle.
- Construct **Applegate Lane** (north south) to Minor Residential street standards, west half plus 8' east including planter strip and sidewalk, unless otherwise approved with the requested exception.

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

Access and Circulation
- Driveways shall comply with MLDC 10.550.

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

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

C. Storm Drainage:
- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Provide 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

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
PUBLIC WORKS

MEMORANDUM

To: Dustin Severs

From: Jennifer Ingram

Date: 10/2/19

Subject: LDS-19-074/E-19-050, APPLEGATE LANE

The original intent for Applegate Lane was for the east-west and the north-south sections to be connected in a curve and be one continuous street. However, if exception (E-19-050) is granted, it would create a separate east-west street, connecting to Orchard Home Drive, and a separate north-south street, each having the same street name. Therefore, a street name change would be required for the east-west section of Applegate Lane. The applicant shall be responsible for causing this change to occur before the final plat is submitted.

Revised 10/17/19: The updated layout and circulation plan for Mollie's Place/LDS-19-074 would eliminate the need to change the name of the east-west segment of Applegate Lane.

CITY OF MEDFORD
EXHIBIT # K-1
FILE # LDS-19-074/E-19-050

Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

October 17, 2019

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

Re: LDS-19-074

Dustin,

I have reviewed the Staff Report for the Mollies Place Subdivision, and I am adamantly opposed to the condition of approval from Public Works Addressing requiring the applicant to complete a street name change for the westerly portion of Applegate Lane prior to final plat.

The Final Plat for Clear Springs Estates was approved in 1996 creating the southerly portion of Applegate Lane

The Final Plat for Layla Estates Subdivision was approved in 2001 creating the westerly portion of Applegate Lane.

Even with the code requirements in effect at the time of approval, the City should not have allowed Layla Estates to use Applegate Lane as a street name, which is 90° to the southerly stub, regardless of the conceptual layout of a sweeping connection for Applegate Lane through the four properties in the path.

I have attached a conceptual street circulation pattern that provides both a connection for the existing segments of Applegate Lane as a continuous street, and provides an extension of Gravenstein Way on the east side of Orchard Home Drive for improved block length.

The attachment demonstrates a conceivable street pattern that will allow for urban development at urban densities on all adjoining properties. This street pattern will facilitate block length in the vicinity and, upon completion of all segments, fire life and safety will be improved with the connection of both segments of Applegate Lane without the need for a street renaming process.

4401 San Juan Drive, Suite G
Medford, Oregon 97504

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

CITY OF MEDFORD
EXHIBIT # M
FILE # LDS-19-074/E-19-050

Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

The conceptual street pattern and lot designs of the adjoining parcels is intended to demonstrate connectivity and circulation and is not submitted for review and approval as these adjoining parcels are not part of the current land use application.

The applicant did not create the naming problem of Applegate Lane and it would be onerous to include a condition of approval for a Type 4 City Council application to remedy the situation.

The applicant has demonstrated a circulation pattern for the area that allows for the connection of Applegate Lane through the property and provides a connectivity solution for improved safety and circulation in the area.

On behalf of the applicant, I request the condition of approval requiring the application receive a street name change application be removed from the conditions of approval for the Mollies Place Subdivision.

Regards,

Scott Sinner, President
Scott Sinner Consulting, Inc.

4401 San Juan Drive, Suite G
Medford, Oregon 97504

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

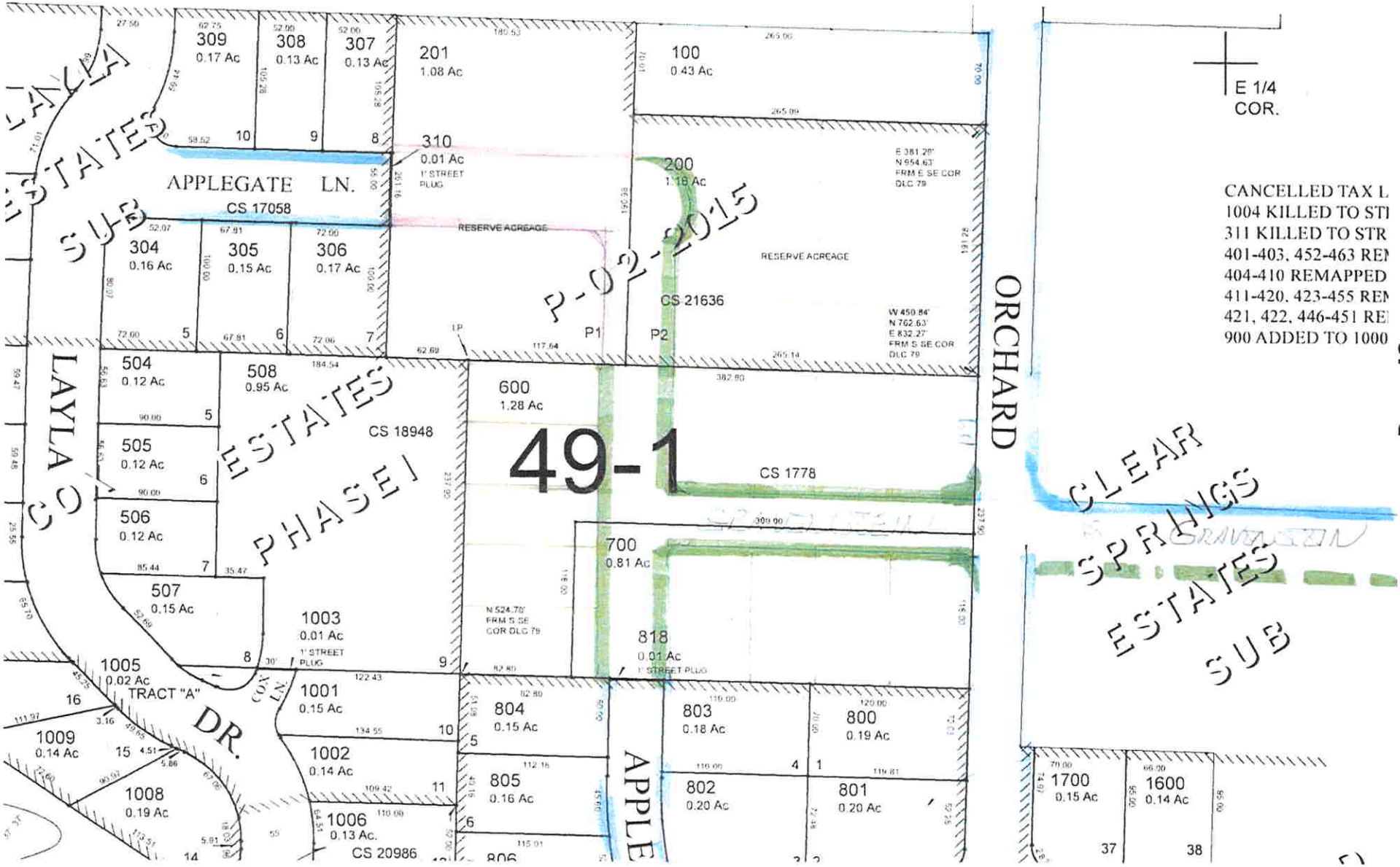
EXISTING ROW

PROPOSED ROW

POSSIBLE LOTS

POSSIBLE STREETS

SEE MAP 37 2W 35AD



CANCELLED TAX L
1004 KILLED TO STI
311 KILLED TO STR
401-403, 452-463 RE
404-410 REMAPPED
411-420, 423-455 RE
421, 422, 446-451 RE
900 ADDED TO 1000

MEDFORD
PUBLIC WORKS

MEMORANDUM

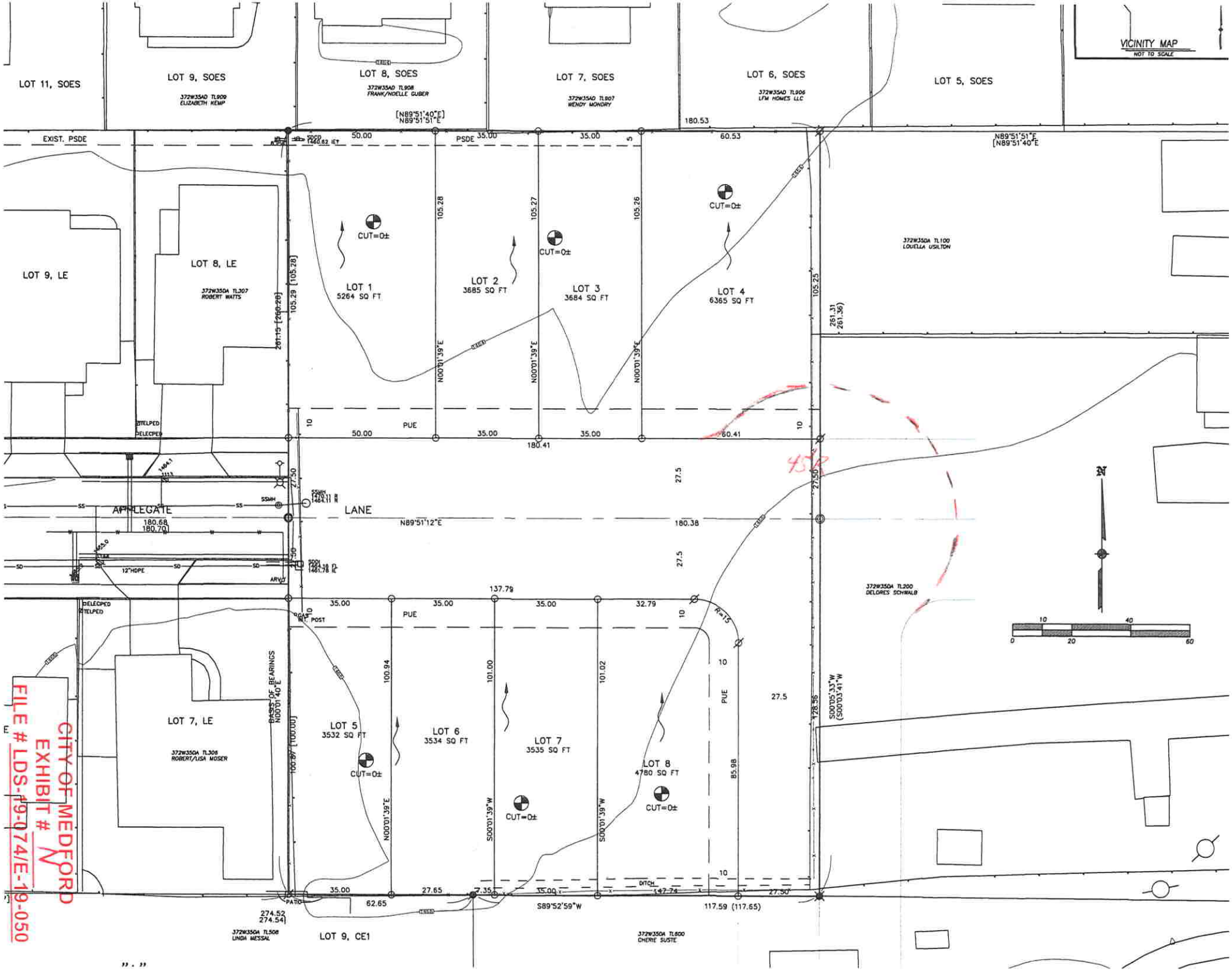
To: Dustin Severs

From: Jennifer Ingram

Date: 10/2/19

Subject: LDS-19-074/E-19-050, APPLEGATE LANE

The original intent for Applegate Lane was for the east-west and the north-south sections to be connected in a curve and be one continuous street. However, if exception (E-19-050) is granted, it would create a separate east-west street, connecting to Orchard Home Drive, and a separate north-south street, each having the same street name. Therefore, a street name change would be required for the east-west section of Applegate Lane. The applicant shall be responsible for causing this change to occur before the final plat is submitted.



CITY OF MEDFORD
EXHIBIT # N
FILE # LDS-19-074/E-19-050

PLANNING COMMISSION MINUTES

MEDFORD
OREGON

October 24, 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
Mark McKechnie, Chair
Joe Foley, Vice Chair
David Culbertson
Bill Mansfield
E.J. McManus
Jared Pulver
Jeff Thomas (arrived at 5:33 p.m.)

Staff Present
Kelly Evans, Assistant Planning Director
Katie Zerkel, Senior Assistant City Attorney
Alex Georgevitch, City Engineer
Terri Richards, Recording Secretary
Dustin Severs, Planner III

Commissioner Absent
David McFadden, Excused Absence

10. Roll Call

20. Consent Calendar / Written Communications (voice vote).
20.1 ZC-19-015 Final Order of a request for a zone change of an approximately .18 acre lot located at 1035 West 10th Street, south of the intersection of West 10th Street and Canon Street from SFR-10 (Single Family Residential, 10 dwellings units per gross acre) to MFR-20 (Multi Family Residential, 20 dwelling units per gross acre) (372W25DB TL 20100). Applicant, Rea Thomson; Agent, Rogue Planning & Development Services; Planner, Liz Conner.

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

Moved by: Vice Chair Foley Seconded by: Commissioner Pulver

Voice Vote: Motion passed, 6-0-0.

30. Approval or Correction of the Minutes from October 10, 2019 hearing
30.1The minutes for October 10, 2019, were approved as submitted.

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

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50. Public Hearings

Katie Zerkel, Senior Assistant City Attorney read the Quasi-Judicial statement.

Continuance Request

50.1 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. **The applicant requests that this item be continued to the Thursday, November 14, 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 November 14th 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 November 14th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued PUD-19-002, per the applicant's request, to the Thursday, November 14, 2019 Planning Commission meeting.

Moved by: Vice Chair Foley Seconded by: Commissioner Pulver

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

Old Business

50.2 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.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Mansfield disclosed that he lives two blocks from the subject property. He does not believe that fact would preclude him from deciding this matter fairly.

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 four neighbors that will be entered into the record as Exhibit R. There were four issues raised. 1) Is a statement. Ms. Evans has no response; 2) a request for stop signs is a matter of the Traffic Coordinating Committee. The Planning Commission has no authority; 3) the north side no parking zone is not proposed to change; and 4) Signage is prescribed in Article 6 of the Medford Land Development Code. The code allows a maximum of 40 square feet of signage with no single sign exceeding 20 square feet. In this case, the applicant could have one freestanding and one wall sign, neither exceeding 20 square feet. The Conditional Use Permit approval criteria can be found in the Medford Land Development Code Section 10.184(C). 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, does the sidewalk just stop and either end? Ms. Evans replied yes.

a. CSA Planning Ltd., Jay Harland, 4497 Brownridge Terrace, Suite 101, Medford, Oregon 97504. Mr. Harland reported that the reason they requested a continuance at the last meeting was to work out design details. Addressing Chair McKechnie's question, the sidewalk does end but there is gravel at each end the height of the sidewalk.

Chair McKechnie asked, what is the street designation? Mr. Harland responded that it is a major collector.

Chair McKechnie asked, will the facility be used primarily during school hours? Mr. Harland stated yes.

Chair McKechnie asked, is the applicant planning to put up a sign? Mr. Harland responded that the applicant did not apply for signage.

Commissioner Pulver is confused with the crosswalk issue. Mr. Harland reported that there was discussion on the best way getting students to the site. It was decided the safest way is to use the bus loop that exists on Orchard Hill Elementary School, drop them off at curb side and crosswalk them over to the site.

Mr. Harland reserved rebuttal time.

b. Beth Russell, 2825 Juanipero Way, Medford, Oregon, 97504. Ms. Russell has concerns regarding signage, will there be a traffic guard when the individuals need to cross and making sure the property to the west is not encroached on. She is in favor of the use for the property.

c. Rachel Meese, lives on the west side of the transitional house. She did not sign-in or give her address before her testimony. Her concern is her bedroom abuts the subject property turnaround. It will be noisy with car doors slamming, the vehicle backup beeps and mowing and blowing at 7:00 a.m. There is no buffer to stop or reduce the noise. She is also concerned with speeding and building up and out on the backside of the house increasing size and volume of people. Chair McKechnie addressed the addition stating that according to the Medford Land Development Code the applicant is not allowed to add square footage to a place if it is more than 20% of the existing facility. If so, it has to come back through a City process. Ms. Meese would have an opportunity to voice her concerns at that time.

Ms. Meese asked, wouldn't this stuff been done before they bought the house to ask those questions and ask the neighbors opinions? Chair McKechnie stated that is not a requirement of the process. It is dependent upon the entity purchasing the property whether they do it in advance or not.

Mr. Harland reported that the concrete driveway will have a bump stop at the back part of the turnaround. The crossing guard will be a requirement. The cars going in and out will be staff cars and they do not beep when backing up it is the vans. Once they use the Orchard Hill loop and have the crossing guard installed there should be no beeping because it is all forward movement.

Chair McKechnie stated the students are going once to get to the facility and once to come back. There is not a lot of back and forth. The crossing guard is either somebody in the facility or at the school that will shepherd them across the street. It operates during school hours from 7:30 or 8:00 a.m. to 3:00 p.m. Mr. Harland responded that is correct. There may be an occasional staff meeting that are after those hours that may go to 5:00 p.m. Chair McKechnie stated there was concern over signage and Mr. Harland has stated the applicant has no intention of signage at this point. Mr. Harland replied that the City code would not allow a sign that blocks people's view of oncoming traffic. If that is a real concern of the Planning Commission the applicant will accept an additional condition of approval that states they are not to do any ground signs except from beyond the PUE.

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 CUP-19-044 per the Revised Staff Report dated October 17, 2019, including Exhibits A-1 through R and utilizing criteria "A" as the approval.

Moved by: Vice Chair Foley Seconded by: Commissioner Pulver

Commissioner Pulver asked, is curbing a requirement of the turnaround paving? Ms. Evans does not know.

Commissioner Pulver asked, is there a traffic safety department that the neighbor could contact regarding speeding? Ms. Evans responded that the stop sign issue is handled by the Traffic

Coordinating Committee. For speeding they could contact the Medford Police Department and request the speed van to check it out.

Commissioner Pulver asked, could the Planning Commission make a stipulation preserving the property boundary to address the citizen's concern? The other issue Commissioner Pulver has is the hours. He does not think the applicant would be concerned if the Commission wanted to place hour parameters to ensure it is operating reasonable hours for residential.

Chair McKechnie asked, does Commissioner Pulver want to offer those as two amendments? Commissioner Pulver is putting them out for discussion.

Commissioner Foley is not concerned with the hours of operation given the use of the building. He is not concerned about the boundary.

Commissioner Mansfield opposes any additional restrictions.

Chair McKechnie thinks once it is operational the hours of operation need to be limited or that the backup space will be a concern.

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

New Business

50.3 LDS-19-074 / E-19-050 Consideration of tentative plat approval for Mollie's Place Subdivision, a proposed 8-lot residential subdivision, consisting of two single-family lots and six duplex lots, along with a request for an Exception to construct a half-street with a reduced width. The property is located on a single 1.08-acre parcel located at 1432 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35DA TL 201); Applicant, Reeder, Knouff Thomas LLC; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Chair McKechnie disclosed that Scott Sinner is his neighbor but it would not affect his decision on this application.

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

Dustin Severs reported that 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 and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Severs reported that staff received three new exhibits since the staff report was published last

week. Staff received the applicant's supplemental findings that will be entered into the record as Exhibit M, a revised memo from the City's address technician that will be entered into the record as Exhibit K-1 and a revised Public Works report entered into the record as Exhibit G-1. These were emailed to the Commissioners and hard copies are at their places. Mr. Severs gave a staff report. Staff would like to strike condition #1 and add condition #5 that that prior to final plat the applicant submit a revised tentative plat showing the street configuration as illustrated in Exhibit M.

Chair McKechnie asked, is it correct that the only access for this property is Applegate Lane? Mr. Severs replied correct. Chair McKechnie asked will the two parcels to the east that front Orchard Home Road that are owned by two different people develop at some point in the future? Mr. Severs responded it is possible. Chair McKechnie asked, what happens if the person that owns the north parcel decides to continue Applegate Lane to Orchard Home? Mr. Severs stated that is possible and at that point there would need to be a street name change. The question is will the City initiate the name change or is it the responsibility of the developer? Mr. Severs assumes it will be the responsibility of the developer. Chair McKechnie asked, is there enough block length to run Applegate Lane to Orchard Home between Gravenstein Way? He likes this plan better because it provides a cross intersection opposed to two small T's but would it be too close? Mr. Severs commented that the applicant addressed that in the findings and deferred the question to the applicant.

The public hearing was opened.

a. Scott Sinner, Scott Sinner Consulting, Inc., 4401 San Juan Drive, Suite G, Medford, Oregon, 97504. Mr. Sinner addressed Chair McKechnie's question stating that there would be approximately 260 feet intersection spacing between Gravenstein. Mr. Sinner submitted a revised plat.

Vice Chair Foley asked, if the other property develops will there be a cul-de-sac off Orchard? Mr. Sinner responded they would have a requirement for a shared access.

Mr. Sinner commented that the duplex lots will be ownership for each side. It is a real benefit and something needed in the City to promote affordability.

Mr. Sinner reserved rebuttal time.

Mr. Severs reported that Mr. Sinner's submitted revised plat would be entered into the record as Exhibit N.

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-19-074 and E-19-050 per the staff report dated

October 17, 2019, including Exhibits A though N; replacing Exhibit G with Exhibit G-1 and Exhibit K with Exhibit K-1; striking condition #1 and adding condition #5 requiring that prior to final plat the applicant submit a revised tentative plat showing the street configuration as illustrated in Exhibit M.

Moved by: Vice Chair Foley Seconded by: Commissioner Pulver

Chair McKechnie commented that Mr. Sinner has done a great job in making this application work.

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, October 18, 2019 and reheard the plans for the 75,000 square foot Regional Caner Center for Asante. They also heard the construction of parochial school with courtyard on the campus of Sacred Heart of Jesus Christ Catholic Church campus. They approved both applications.

60.2 Transportation Commission

Commissioner Pulver reported that the Transportation Commission met yesterday, Wednesday, October 23, 2019. They did not have a quorum. There is an opening on the Transportation Commission. It is a Commission gaining responsibility.

60.3 Planning Department

Kelly Evans, Assistant Planning Director reported that there is a Planning Commission study session scheduled for Monday, October 28, 2019. Discussion will be on Residential Administrative Review and the Liberty Park Plan.

There is business scheduled for Thursday, November 14, 2019 and December 12, 2019.

Last week City Council approved the GLUP amendment on Barnett and Crestbrook, the GLUP amendment for Tower Business Park, initiated an annexation at 3558 Table Rock Road and heard the consolidated performance evaluation report for the Community Block Grant program.

Next week the City Council will hear the Street Vacation at Normil Terrace and Foothills, the Emergency Shelters amendment and the housing opportunity funding recommendation. An RFP was sent in July and had seven respondents. The Housing Advisory Commission has made a funding recommendation for two projects.

Vice Chair Foley asked, how much money has the new fees given the Housing Advisory Commission to work with? Ms. Evans reported it is in the $300 thousand range.

70. Messages and Papers from the Chair. None.

80. City Attorney Remarks. None.

90. Propositions and Remarks from the Commission. None.

100. Adjournment

101. The meeting was adjourned at approximately 6:33 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

Mark McKechnie
Planning Commission Chair

Approved: November 14, 2019

MEDFORD
PLANNING

MEMORANDUM
CONTINUANCE REQUEST

Project	Liberty Park Neighborhood Plan – Comprehensive Plan Amendment	
File no.	CP-19-004	
To	Planning Commission	*for November 14, 2019 hearing*
From	Carla Angeli Paladino, Principal Planner	
Date	November 1, 2019	

Planning staff is requesting a continuance of the above referenced project to December 12, 2019.

The project was originally noticed for public hearing on November 14, 2019. Two study sessions scheduled to discuss the plans with both the Planning Commission and Transportation Commission in October were postponed for various reasons. In order to provide opportunities for both commissions to comment and review the document, new study session dates have been scheduled. Staff would like to understand any final edits or changes to the plan during these study sessions before moving forward with the hearing. This provides a clean record and sequential order to the project. The Planning Commission is scheduled to discuss the project at their November 11, 2019, study session and the Transportation Commission at their December 4, 2019 study session.

A formal continuance request is needed as the project was already noticed to the paper. Your assistance is greatly appreciated.

MEDFORD
PLANNING

STAFF REPORT – CONTINUANCE REQUEST

for a Type III quasi-judicial decision: **Commercial Pad-lot Subdivision**

Project	Medford Center Applicant: LBG Medford LLC; Agent: Neathammer Surveying Inc.	
File no.	LDS-19-076	
To	Planning Commission	*for* 11/14/2019 *hearing*
From	Steffen Roennfeldt, Planner III	
Reviewer	Kelly Evans, Assistant Planning Director	
Date	November 7, 2019	

BACKGROUND

Proposal

Consideration of tentative plat approval for the Medford Center, a proposed commercial pad-lot subdivision in order to separate 11 existing structures on their own legal tracts of land. The property is located on a single 24.42-acre parcel located east of Biddle Road between Stevens and E Jackson Street in the C-R (Regional Commercial) zoning district (371W19CD 1000);

Request

The applicant has requested that the item be continued to December 12, 2019, in order to properly address several items from the Public Works Report.

EXHIBITS

A Continuance request received November 7 2019
Vicinity map

PLANNING COMMISSION COMMISSION AGENDA: NOVEMBER 14, 2019

CITY OF MEDFORD
A
LDS-19-076

Steffen K. Roennfeldt

From: Bob Neathamer <bob@neathamer.com>
Sent: Thursday, November 7, 2019 9:30 AM
To: Steffen K. Roennfeldt
Cc: Doug Beiswenger; Kelly Evans
Subject: The Village Center Subdivision, LDS-19-076

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

Hello Steffen,
On behalf of my client, LBG Medford, LLC, I am hereby requesting the Public Hearing scheduled for the subject application for November 14, 20019, City of Medford Planning Commission meeting, be rescheduled to the December 12, 2019 meeting. The request provides the applicant an opportunity to review and address the city departments, agencies and interested parties reports and comments submitted at the Land Development Committee meeting on October 10, 2019. Please confirm this request, thank you.

Robert V. Neathamer / *President* / Neathamer Surveying, Inc.

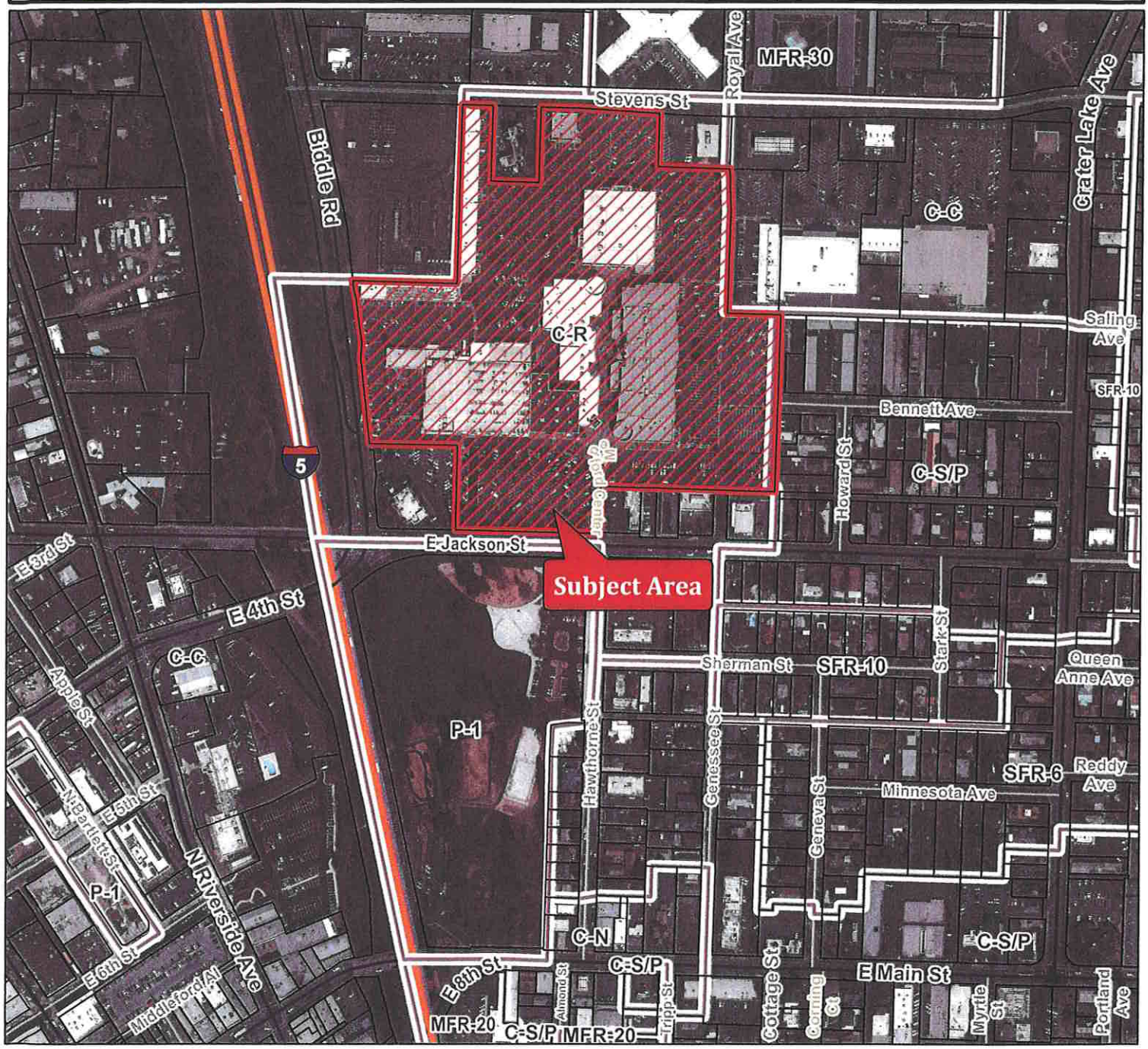
Professional Land Surveyor – Water Right Examiner – NSPS Oregon Director

☎ (541) 732-2869 | 🖷 (541) 732-1382 | ✉ bob@neathamer.com
3126 State St., Suite 203 | Medford, OR 97504 | www.neathamer.com

MEDFORD
PLANNING

Vicinity Map

File Number:
LDS19-076



Project Name:

Village Center

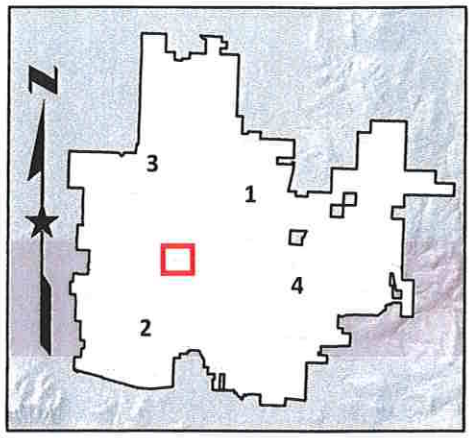
Map/Taxlot:

371W19CD TL 1000

0 320 640 Feet

Legend

- Subject Area
- Tax Lots
- Zoning Districts



09/24/2019

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 11/14/2019 hearing*
From	Steffen Roennfeldt, Planner III	
Reviewer	Kelly Evans, Assistant Planning Director	
Date	November 7, 2019	

BACKGROUND

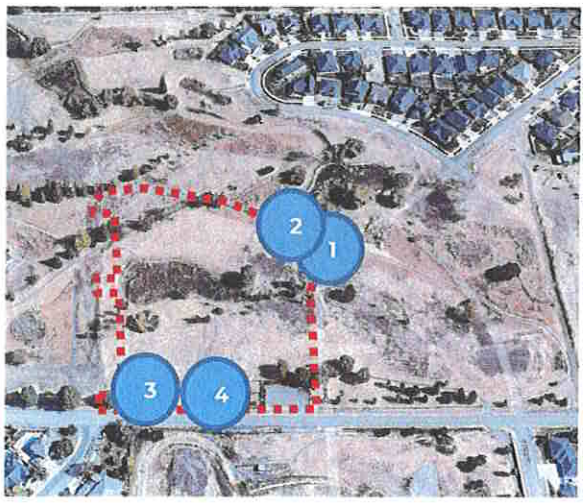
Proposal

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 **110**, 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.

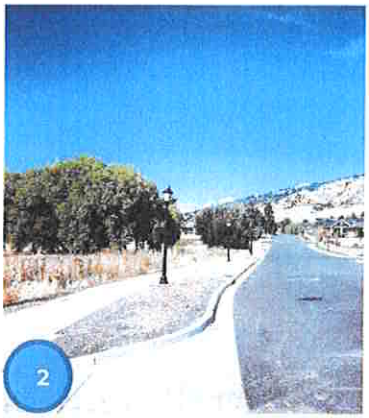
Note: This description is different from the description that was part of earlier notices. The original description was partially incorrect. This is the correct description.

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 that only signatures from owners of vacant lands are required. 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 and a clarification is requested from the Planning Commission

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 interpreted by City staff 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 information on how Section 10.198(A) is interpreted by City staff. 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.

The applicant provided 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.

Upon further review of previous PUD revision application by staff, it was found that several applications were processed in a way that is identical to the applicant's interpretation of this code section. Signature were only required from land owners of vacant land. PUD Revision PUD-17-082 – Mountain Top Village, was one of the examples found by staff where the applicant only provided signature from property owners of vacant land.

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) in a way that signature are required from both vacant land owners and owners of improvements, 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.

What changed between August and now??

Current drawings were received on November 6, 2019 and show some significant changes to what was submitted prior to the Planning Commission meeting on August 22, 2019.

The proposed plans now show a total of 110 residential units (down from 120), a reduction in building height for the mixed-use building (from 3- to 2-stories), a reduction in building height for the apartment buildings (35-feet), an overall reduction in building footprints and an increase in setbacks to adjacent properties along Cedar Links Drive and Farmington Ave.

Dwelling units (two) were added to the second-story of the amenities building which will now be made available to residents within the PUD. A public plaza with a water feature was added to the north of the mixed-use building. Slight architectural changes were included in the updated proposal, as well. Exhibit Z lists all proposed revisions in detail.

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	**110**
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 **110** units.

The apartment units will be located in the second ~~and third floor~~ of Building A **(17 dwelling units)** which is the new mixed-use component of the project. Buildings C, D1 and D2, which are all proposed to be three-story multi-family structures, will house **91 units** which are comprised of one and two-bedroom apartment homes. An additional **2 units** will be on the second floor of the 'Amenities Building' located at the northeasterly corner of the subject site.

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.

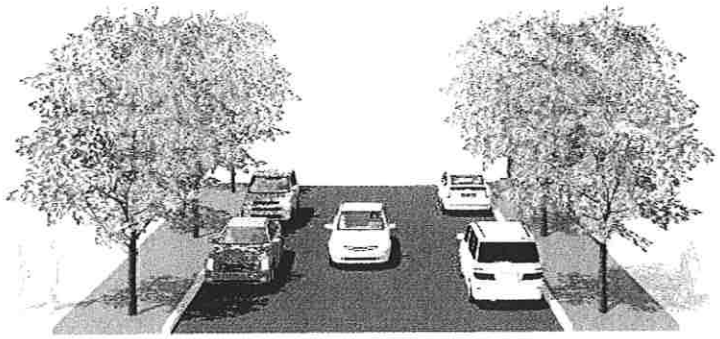
Based on the findings for File No. PUD-16-024 the maximum allowed density (including the 20% PUD Density Bonus) is 560 dwelling units. Approval of this revision would increase the previously approved number of dwelling units from 462 -487 (consisting of 387 single family units and 75 to 100 multi-family units) to **497** dwelling units (387 single-family units and **110** multi-family units). **497** units is equal to approximately **88%** of the maximum density of 560 dwelling units.

A revised set of plans that were submitted to staff on November 6, 2019 showed a reduction of proposed dwelling units from 120 to 110. Units were eliminated with the reduction of the mixed-use building from three to two stories and units were relocated to the proposed three apartment buildings and the 'Amenities Building.'

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 II), 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 V). 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 U.**

Figure 1 - Apartment Building Elevation (Revised)

The three proposed apartment buildings as shown on the revised elevations (Exhibit B-2) 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' or 'amenities building'

containing a leasing office for apartment rentals, a fitness room, **as well as 2 residential units** on the second floor. **Building B is proposed to be 2-stories in height, with a proposed building height of 30'-7 ½".**

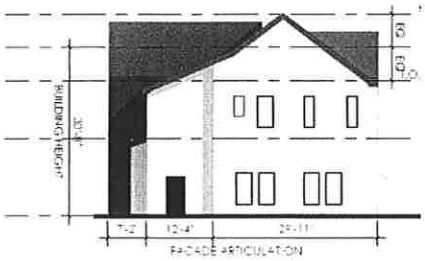


Figure 2 - Building B (Revised)

As a new addition to "the Village" subsection, the application is proposing a **two-story** ~~three-story~~ mixed-use building with a footprint of approximately **15,000** 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 **one** ~~two~~ residential-use story above. The building is planned to be **29.25 feet** ~~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.~~ **A modification to the PUD is not required any more for the proposed height of the mixed-use building, however, the addition of the building itself is still required to be included in the modification request. The applicant did provide staff with renderings showing how the proposed structure would fit into the existing neighborhood (Exhibits B-2).**

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-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. **With the latest revision, the proposed parallel parking spaces on the private street are no longer required in order for the applicant to meet the minimum parking standards.**

Parking Spaces	Required	Proposed
Total Spaces	**110** dwelling units * 1.5 = **165** 13,214 square feet commercial space * min. 4.5/max. 5.4 = min. 60/max. 72 **Min. 225/max. 237**	**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 (Revised)

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.

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%	**20%**
Min. Front Yard Setback	15 feet	**Building A1 & A2 - 25 feet**
Min. Street Side Yard Setback	10 feet	**Building A2 & A3 – 20 feet** **Building B – 20+ feet**
Min. Side Yard Setback	Min. of **14 feet** for Buildings D1 and D2	Building D1 – **17 feet** Building D2 – **20.25 feet**
Min. Rear Yard Setback	Min. of **14 feet** for Buildings D1 and D2	Building D1 & D2 – **14+ feet from centerline of private street** **Building B – 10+ feet from centerline of private street**

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.

In their updated findings, the applicant clarified that the required bicycle parking per MLDC 10.748 will be located in each building and comply with the required amount of 10% of provided automobile parking spaces (24). 116 bike parking spaces are proposed.

Bike parking	Required	Proposed
Multiple Family Residential	1 per unit = **110**	**110**
Commercial	10% of vehicular spaces provided for commercial uses 60 vehicular spaces = 6	**6**
Total	**116**	**116**

Landscaping

The applicant submitted a revised landscape plan (Exhibit B-2, 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. According to the applicant's parking lot landscaping calculations, all requirements per MLDC 10.746(3) are met.

Street Frontage	Required (Trees/Shrubs)	Proposed (Trees/Shrubs)
Cedar Links Drive	13/84	15/84+
Farmington Avenue	15/100	15/100+

Parking Lot Landscaping (MLDC 10.746[3])

	Required	Shown
Area (square feet)	5,000	9,291
Trees	30	32
Shrubs	60	221

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.

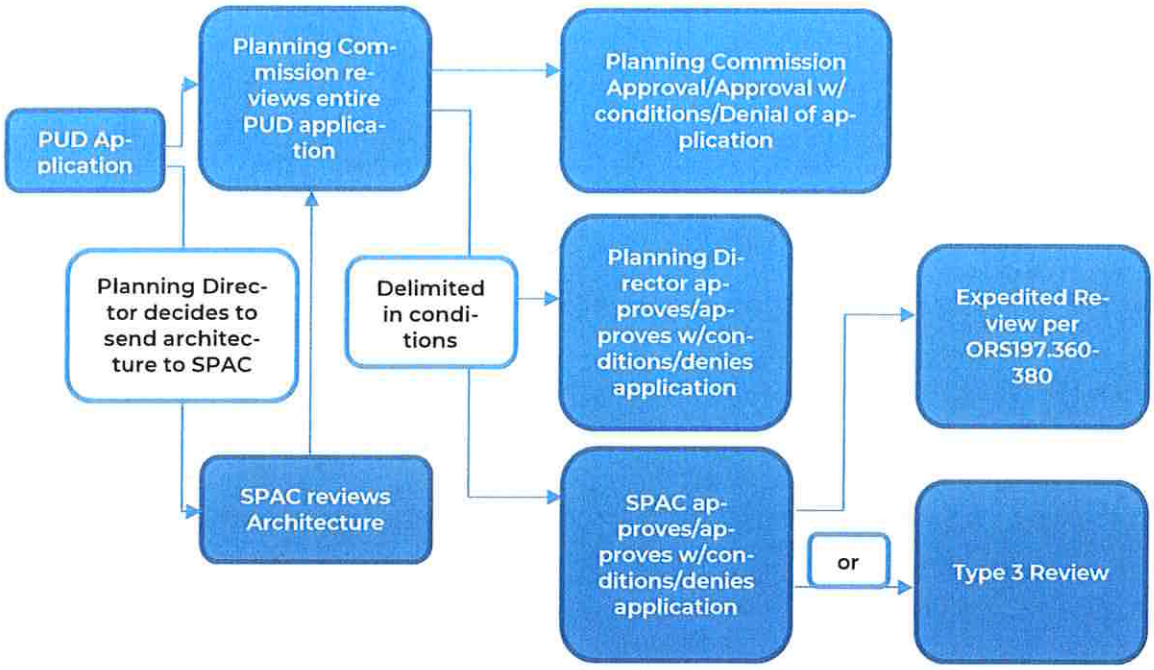
In addition, the Airport also requires the applicant to contact the FAA regarding submittal of a 7460-1 form.

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 below 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 W. 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 X).

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 Z) and recommends the Commission adopt the findings, subject to the following amendments:

- Increase amount of apartment units from 100 to **110**.
- Adding the mixed-use building at the corner of Cedar Links Drive and Farmington Avenue, **including 17 residential units**.

- ~~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, **including two residential units**.
- 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) in regards to property owner consent have not been satisfied, the Commission should deny PUD-19-002 per the staff report dated November 7, 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 November 7, 2019, including Exhibits A-1 through WW including the following revisions:

- **Increase amount of permitted apartment units from 100 to 110.**
- **Adding the mixed-use building at the corner of Cedar Links Drive and Farmington Avenue, including 17 residential units.**
- **Adding the 'common building' including a leasing office, fitness room, and outdoor swimming pool, including two residential units.**
- **Increase the paved with of the Private Street to 28 feet and allowing 17 parallel parking spaces.**

EXHIBITS

A-1 Conditions of Approval, dated November 7, 2019

B-2 Revised Architectural, Civic and Landscaping Plans, received June 14, 2019 and August 13, 2019 & November 6, 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 Original Renderings from PUD-16-024
V Declaration of Covenants, Conditions and Restrictions for Cedar Landing Residential
W Wetland Delineation Report
X Excerpt from Local Wetlands Inventory Map
Y Response Letter from applicant addressing Planning Commission Comments, received September 19, 2019
Z November PUD Revision Narrative, received November 6, 2019
AA E-Mail from Deanna Copeland, received August 19, 2019
BB Letter from Tom and Glenda Capsey, received August 19, 2019
CC Letter from Dino Rossi, received August 21, 2019

DD **Letter from Jim Greathouse, received August 21, 2019**
EE **Letter from Jim Wilson, received August 21, 2019**
FF **Letter from Heather Kile, received August 22, 2019**
GG **Letter from Tim & Kathy Partch, received August 22, 2019**
HH **Photos of Sign, received August 22, 2019**
II **Letter from Richard Conklin, received September 3, 2019**
JJ **Letter from Gary Olson, received September 3, 2019**
KK **Letter from Anna-Maria Sardo, received September 10, 2019**
LL **Letter from Ron & Karen Weathers, received September 16, 2019**
MM **Letter from Tom Michaels, received September 18, 2019**
NN **Letter from James Greathouse, received September 18, 2019**
OO **Letter from David Rabon, received September 18, 2019**
PP **Letter from Kathy Rabon, received September 18, 2019**
QQ **Letter from Elvin & Nancy Hawkins, received September 19, 2019**
RR **Letter from Jim Wilson, received September 19, 2019**
SS **Letter from Dar Wolber, received October 3, 2019**
TT **Letter and Petition Packet from Elvin and Nancy Hawkins, received November 1, 2019 & November 6, 2019**
UU **Letter from Valerie Dann, received November 1, 2019**
VV **Letter from Millie Carlton, received November 6, 2019**
WW **Letter from David & Linda Erickson, received November 6, 2019**
Vicinity map

PLANNING COMMISSION AGENDA: **AUGUST 22, 2019**
SEPTEMBER 26, 2019
OCTOBER 24, 2019
NOVEMBER 14, 2019

EXHIBIT A-1

Cedar Landing Apartments
Conditions of Approval
November 7, 2019

All conditions of the Preliminary PUD plan approval (PUD-05-035 & PUD-16-024), other than those modified by this revision request, are still in effect.

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 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.

3. Comply with the Public Works Staff Report July 29, 2019 (Exhibit H);

4. Comply with the Medford Water Commission Memorandum July 24, 2019 (Exhibit I);

5. Comply with the Medford Fire Department Report dated July 15, 2019 (Exhibit J);

6. Comply with the Jackson County Roads Letter dated July 16, 2019 (Exhibit L);

7. 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;

8. Comply with the E-Mail from Oregon Department of Fish & Wildlife received July 22, 2019 (Exhibit O);

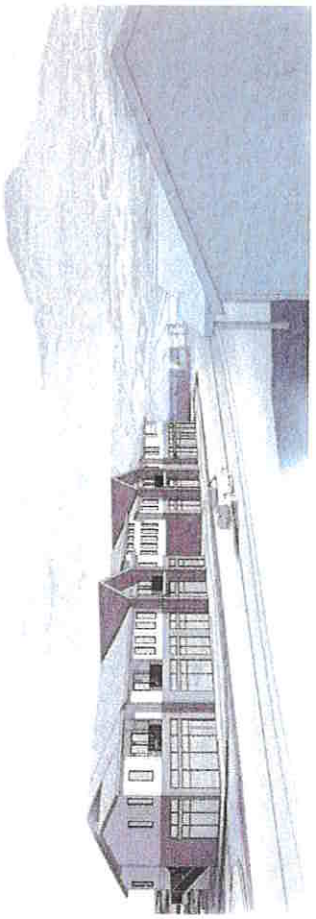
9. Contact the Department of State Lands regarding the State Removal/Fill permit (Exhibit P).

10. 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.

RECEIVED
NOV 0 6 2019
PLANNING DEPT.

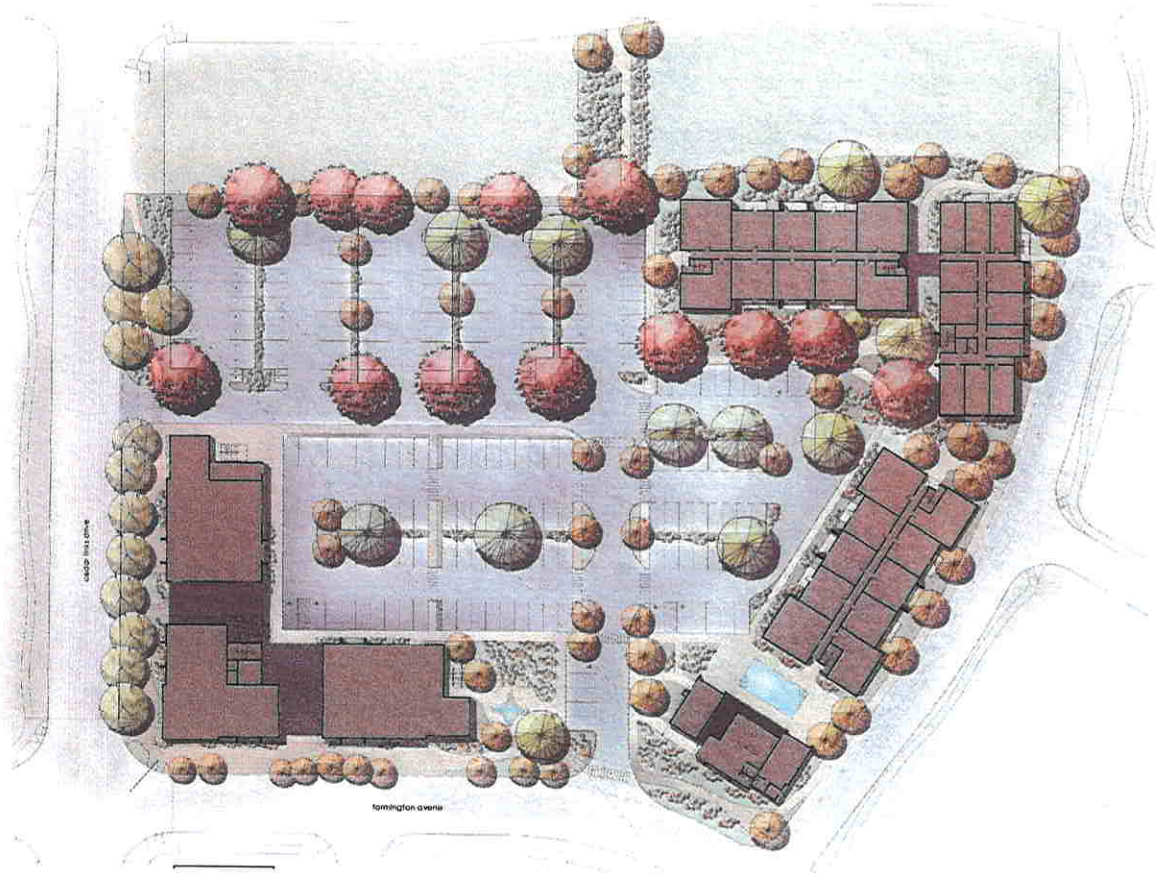


CEDAR LINKS

MEDFORD, OREGON

/kōblə/CREATIVE

CITY OF MEDFORD
EXHIBIT # B-2
File # PUD-19-002



SHEET INDEX

A00	COVER SHEET
A01	PROJECT INFORMATION
C1	CONCEPTUAL GRADING & DRAINAGE PLAN
C2	CONCEPTUAL UTILITY PLAN
L1	LANDSCAPE SITE PLAN
L2.1	PLANTING PLAN
L2.2	PLANTING PLAN
L2.3	PLANTING DETAILS
A7.0	MATERIALS BOARD
A7.1	MATERIALS BOARD
A1.1	ARCHITECTURAL SITE PLAN
A2.1	OVERALL FLOOR PLAN - LEVEL 1
A2.2	OVERALL FLOOR PLAN - LEVEL 2
A2.3	OVERALL FLOOR PLAN - LEVEL 3
A3.1	OVERALL ROOF PLAN
A5.0	OVERALL EXTERIOR ELEVATIONS
A6.0	ADJACENT NEIGHBOR DIAGRAM
A6.1	ADJACENT NEIGHBOR DIAGRAM

Grand total: 18

PROJECT TEAM

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VICINITY MAP

/kōblə/CREATIVE

CEDAR LINKS
MEDFORD, OREGON

PROJECT INFORMATION
PUD REVISION SET
NOVEMBER 14, 2019

A01

0 100 200 Feet

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. WALKER
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	3.5.19	Inserted modified Site Plan	EHW
2	3.18.19	Inserted modified Site Plan	EHW
3	8.4.19	Inserted modified Site Plan	EHW
4	9.19.19	Inserted modified Site Plan	EHW
5	11.1.19	Inserted modified Site Plan	EHW

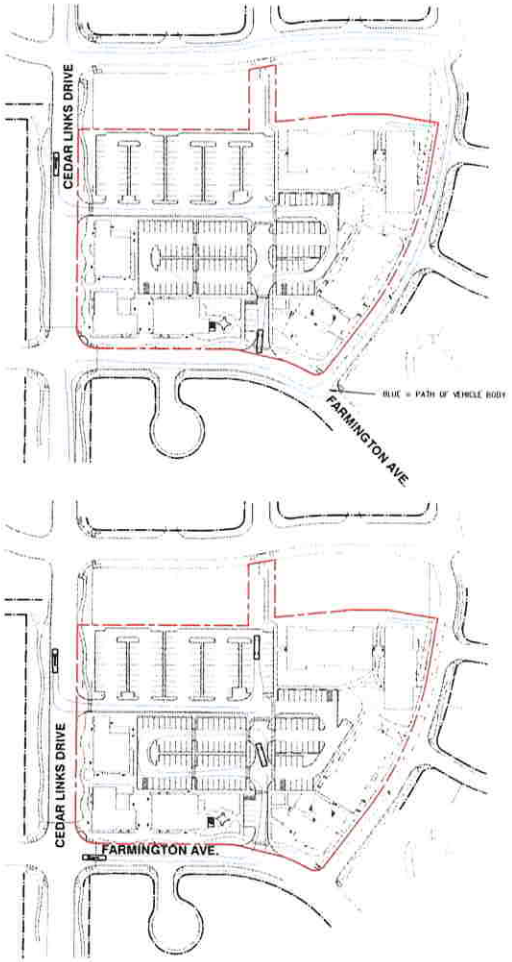
Designed By: EHW | Drawn By: EHW | Submitted and Date Revised

APPROVED BY | DATE

IF THIS LINE IS NOT 1 INCH SCALE IS NOT AS SHOWN

Sheet No.
1 of 2

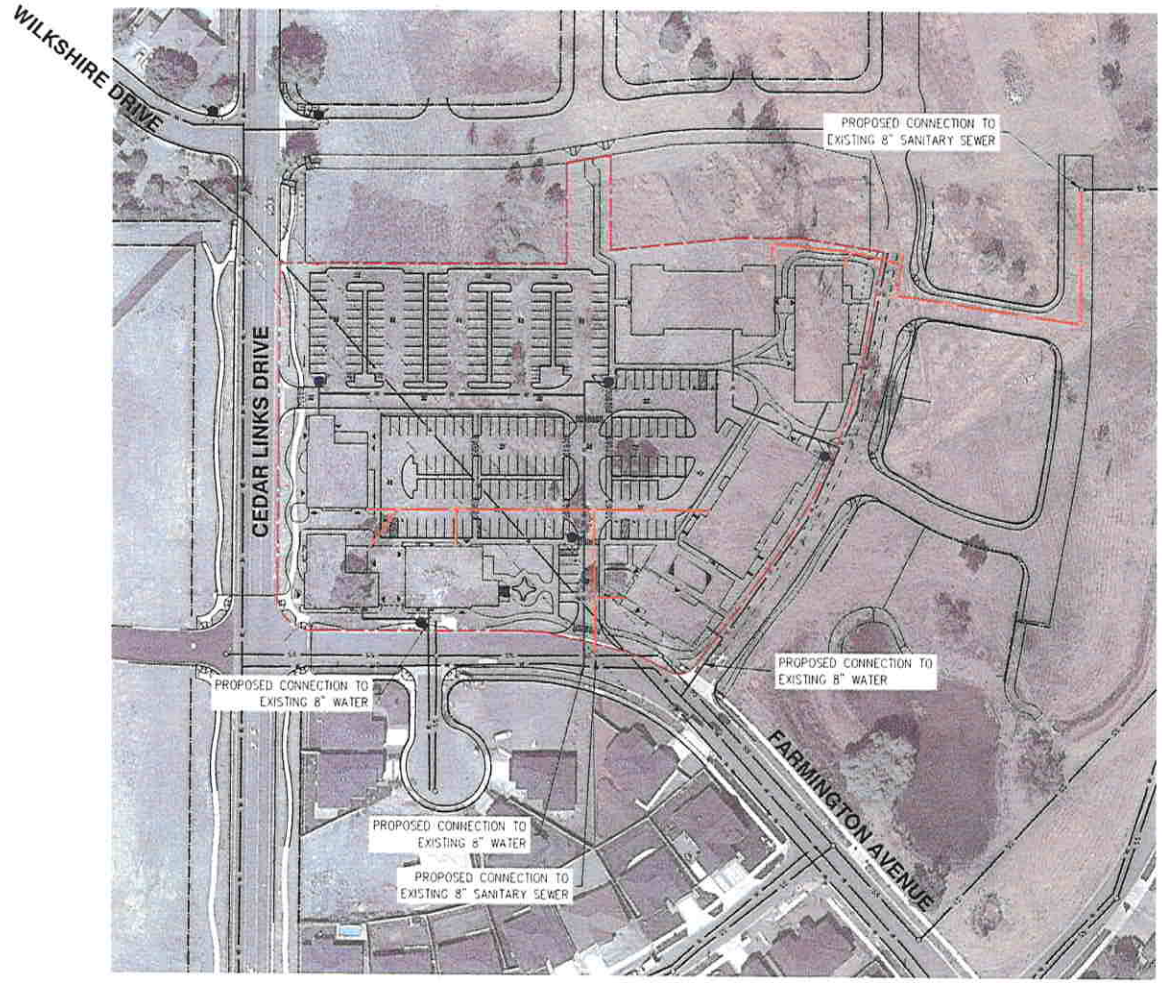
Drawing
C1



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
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	DATE	DESCRIPTION	BY
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2	2.16.19	Inserted modified Site Plan	EHM
3	8.4.19	Inserted modified Site Plan	EHM
4	9.15.19	Inserted modified Site Plan	EHM
5	11.1.19	Inserted modified Site Plan	EHM

APPROVED BY | DATE

IF THIS LINE IS NOT 1 INCH SCALE IS NOT AS SHOWN

Sheet No.
2 of 2

Drawing
C2

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CALIPER	VERY LOW	LOW	MEDIUM	HIGH
	CA	11	CARPINUS CAROLINIANA / AMERICAN HORNBEAM	24" BOX	2" MIN			X	
	CI	19	CUPRESSUS ARIZONICA 'BLUE ICE' / ARIZONA CYPRESS	10 GAL			X		
	PC	13	PISTACIA CHINENSIS / CHINESE PISTACHE	36" BOX	2" MIN		X		
	QS	15	QUERCUS FRAINETTO 'SCHMIDT' / FOREST GREEN OAK	24" BOX	2" MIN				
	QC	62	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	25	ACER CIRCINATUM 'PACIFIC FIRE' / VINE MAPLE	10GAL				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		
	DW	9	DASYLIRION WHEELERI / GREY DESERT SPOON	5GAL			X		
	FP	6	FALLUGIA PARADOXA / APACHE PLUME	5GAL		X	X		
	LG	222	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	25	OSMANTHUS DELAVAYI / DELAVAYI OSMANTHUS	5GAL		X	X	X	
	OR	279	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	38	SCROPHULARIA MACRANTHA / RED BIRDS IN A TREE	1GAL					

GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME	CONT	COMMENTS	SPACING	VERY LOW	LOW	MEDIUM	HIGH
	AT	116	ACHILLEA X 'TERRA COTTA' / HYBRID YARROW	4IN		18" o.c.		X		
	BB	1,651	BOUTELOUA GRACILIS 'BLONDE AMBITION' / BLUE GRAMA	1GAL		30" o.c.		X		
	CG	24	CEANOTHUS GLORIOSUS / POINT REYES CREEPER	1GAL		48" o.c.		X		
	CD2	636	COTONEASTER DAMMERI / BEARBERRY COTONEASTER	1GAL		36" o.c.	X	X	X	
	DM	206	DISTYLIUM MYRICOIDES	1GAL		36" o.c.		X	X	
	FI	343	FESTUCA IDAHOENSIS / IDAHO FESCUE	1GAL		30" o.c.	X	X		
	FM	283	FESTUCA MAIREI / ATLAS FESCUE	1GAL		48" o.c.		X		
	HB	128	HESPERALOE PARVIFLORA 'BRAKELIGHTS' TM / BRAKELIGHTS RED YUCCA	1GAL		18" o.c.	X			
	MR	391	MAHONIA REPENS / CREEPING MAHONIA	1GAL		36" o.c.		X	X	
	PM	426	POLYSTICHUM MUNITUM / WESTERN SWORD FERN	1GAL		36" o.c.			X	
	RC	17	RUBUS CALYCINOIDES / GREEN CARPET RASPBERRY	4IN		24" o.c.		X	X	
	SS	170	SCHIZACHYRIUM SCOPARIUM 'THE BLUES' / THE BLUES LITTLE BLUESTEM	1GAL		30" 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

/kōble/CREATIVE

BASE LANDSCAPE ARCHITECTURE

PLANTING SCHEDULE

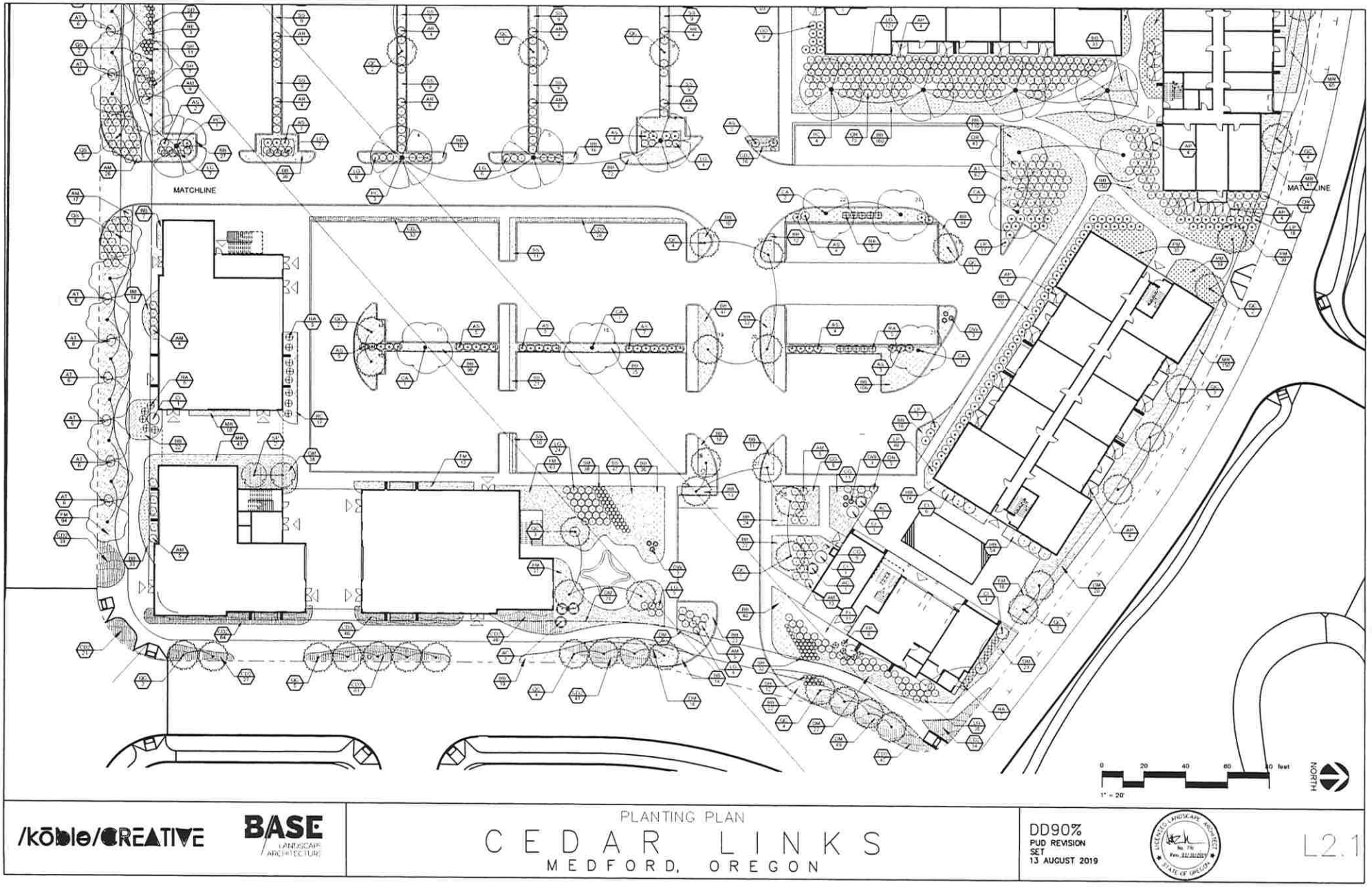
CEDAR LINKS

MEDFORD, OREGON

DD90%
PUD REVISION
SET
13 AUGUST 2019

OREGON LANDSCAPE ARCHITECT No. 776 Exp. 12/31/2019 STATE OF OREGON

L2.0



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BASE LANDSCAPE ARCHITECTURE

PLANTING PLAN

CEDAR LINKS

MEDFORD, OREGON

DD90%
PUD REVISION
SET
13 AUGUST 2019

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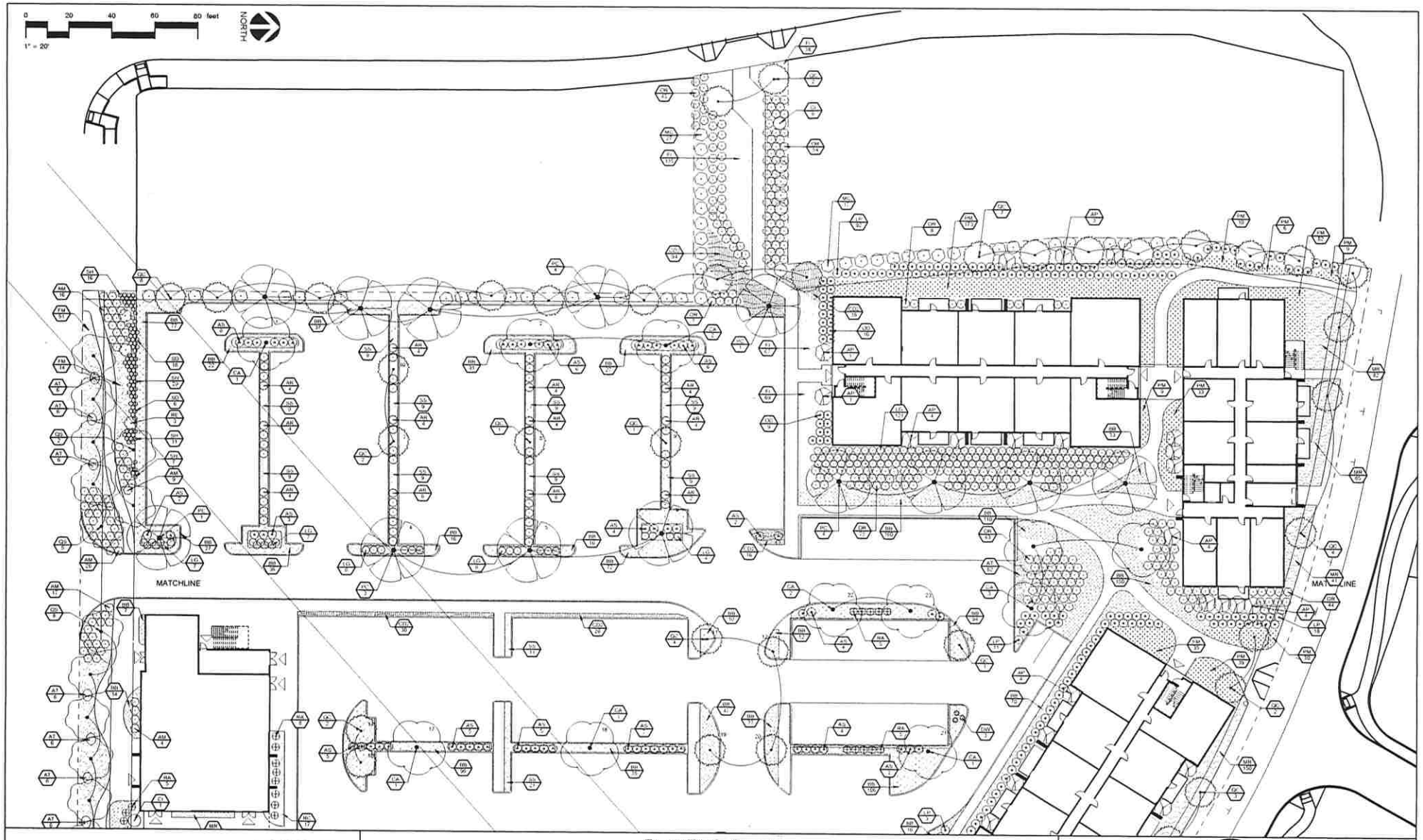

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BASE LANDSCAPE ARCHITECTURE

PLANTING PLAN

CEDAR LINKS

MEDFORD, OREGON

DD90%
PUD REVISION
SET
13 AUGUST 2019

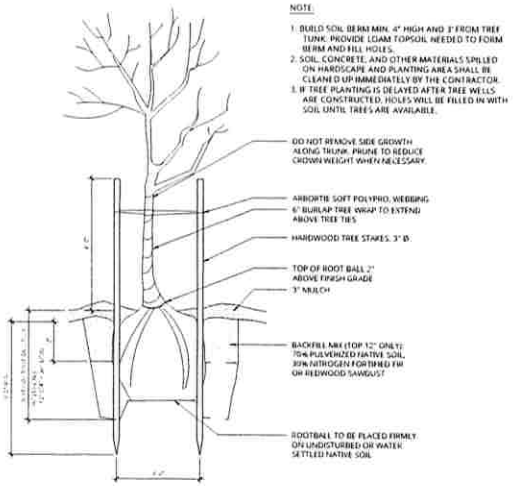
L2.2

PLANTING NOTES

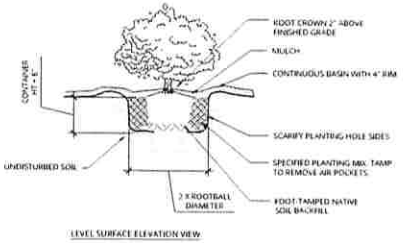
1. PLANT MATERIAL IS TO BE HEALTHY SPECIMENS FREE FROM DISEASE OR DAMAGE; AND IS TO BE MAINTAINED IN EXCELLENT CONDITION WHILE ON THE JOBSITE. LANDSCAPE ARCHITECT SHALL INSPECT PLANT MATERIAL UPON ARRIVAL TO JOBSITE AND WILL REJECT PLANT MATERIAL THAT DOES NOT MEET THE STANDARDS DESCRIBED WITHIN THE 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

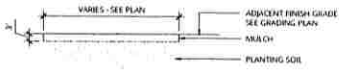
1. REMOVAL, STORING, AND AMENDING SOILS FOR PLANTER AREAS: CONTRACTOR SHALL REMOVE ALL DEBRIS FROM PLANTER AREAS AND EXCAVATE TO A DEPTH OF 36 INCHES. SLOPE SIDES OF EXCAVATIONS AT 1:1 SLOPE OR SHORE EDGES TO PREVENT UNDERMINING OF VEHICLE LOAD AREAS. PROVIDE A SLOPED PROFILE TRANSITION BETWEEN SOIL TYPES AND STRUCTURAL FILL. DISPOSE OF DEBRIS AND SUBSOIL.
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.



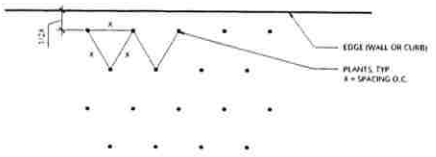
2 TREE IN PLANTING AREA
3/4" = 1'-0"



3 SHRUB
3/4" = 1'-0"



4 MULCH IN PLANTING AREA
3/4" = 1'-0"



1 GROUNDCOVER
1/4" = 1'-0"

PLANTING DETAILS

CEDAR LINKS

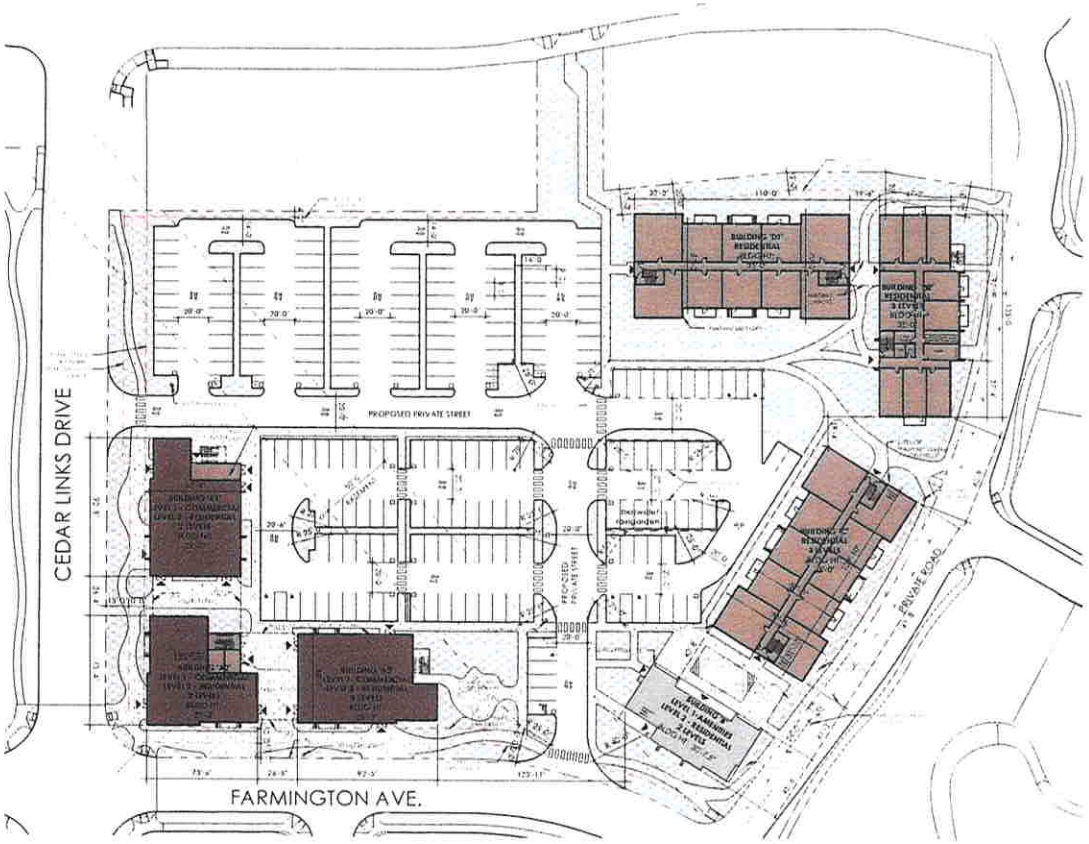
MEDFORD, OREGON

DD90%
PUD REVISION
SET
13 AUGUST 2019

L2.3

/kōble/CREATIVE

BASE LANDSCAPE ARCHITECTURE



1 / SITE PLAN

SITE

SITE DENSITY	20%	40% previous PUD
building coverage		
BUILDING AREA		
BLDG. A1	4,000 SF	
BLDG. A2	4,992 SF	
BLDG. A3	4,991 SF	
BLDG. B	3,452 SF	
BLDG. C	8,970 SF	
BLDG. D1	8,969 SF	
BLDG. D2	6,756 SF	
	42,751 SF	20.3%
LANDSCAPING / IMPERVIOUS AREA		
HARDSCAPE	34,128 SF	
	34,128 SF	16.2%
LANDSCAPING / PERVIOUS AREA		
LANDSCAPE	167,247 SF	
	167,247 SF	79.5%
SITE AREA		
ROAD/PAVING	83,249 SF	
	83,249 SF	39.5%
TOTAL SITE AREA	211,624 SF 4.85 ACRES +/-	100.0%

PARKING

Required Vehicle Parking = 216 Stalls
Commercial = 13,214/1000 (4) = 53 stalls
Residential = 110 (1.5) = 163 stalls

Provided Vehicle Parking Breakdown = 240 Stalls
STANDARD 163
PARALLEL 17
COMPACT 48 (20%)
MOTORCYCLE 12 (5%)

REQUIRED AND PROVIDED BIKE PARKING = 116 SPACES
Residential = 1 per unit = 110 bike spaces
Commercial = 10% of required vehicle parking = 13,214/1000 (4) = 53 bike spaces

Bike Parking Breakdown
Building A = 71 spaces
Building B = 3 spaces
Building C = 30 spaces
Building D = 47 spaces

BUILDING

OVERALL BUILDING AREA

BLDG. A1	4,468 SF	3,173 SF amenity
BLDG. A2	3,884 SF	
BLDG. A3	4,884 SF	
BLDG. A	17,953 SF	13,214 SF commercial
BLDG. A SERVICE	1,084 SF	15,750 SF previous PUD
BLDG. A STAIR	249 SF	
BLDG. B	6,217 SF	
BLDG. C	24,882 SF	96,006 SF residential
BLDG. D1	26,696 SF	
BLDG. D2	20,155 SF	
	112,292 SF	

BLDG. HEIGHT MAX. 35'-0" (building 'C' and 'D') | 40' previous PUD

UNIT INFO 110 total dwelling units | 100 previous PUD

LEGEND

- AMENITIES
- RESIDENTIAL
- COMMERCIAL
- C COMPACT PARKING STALL
- M MOTORCYCLE PARKING STALL
- L LOADING PARKING STALL

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CEDAR LINKS
MEDFORD, OREGON

ARCHITECTURAL SITE PLAN
PUD REVISION SET
NOVEMBER 14, 2019

A1.1

1 / OVERALL - LEVEL 1
SCALE: 1" = 20'-0"

AREA CALCS

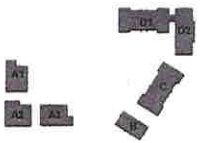
LEVEL 1

BLDG. 'A1'	4,446 SF
BLDG. 'A2'	3,884 SF
BLDG. 'A3'	4,884 SF
BLDG. 'A' SERVICE	583 SF
BLDG. 'A' SERVICE	501 SF
BLDG. 'A' STAIR	249 SF
BLDG. 'B'	3,173 SF
BLDG. 'C'	8,956 SF
BLDG. 'D1'	8,846 SF
BLDG. 'D2'	6,739 SF
	42,266 SF

LEGEND

- AMENITIES
- RESIDENTIAL
- COMMERCIAL
- C COMPACT PARKING STALL
- M MOTORCYCLE PARKING STALL
- L LOADING PARKING STALL

SITE MAP



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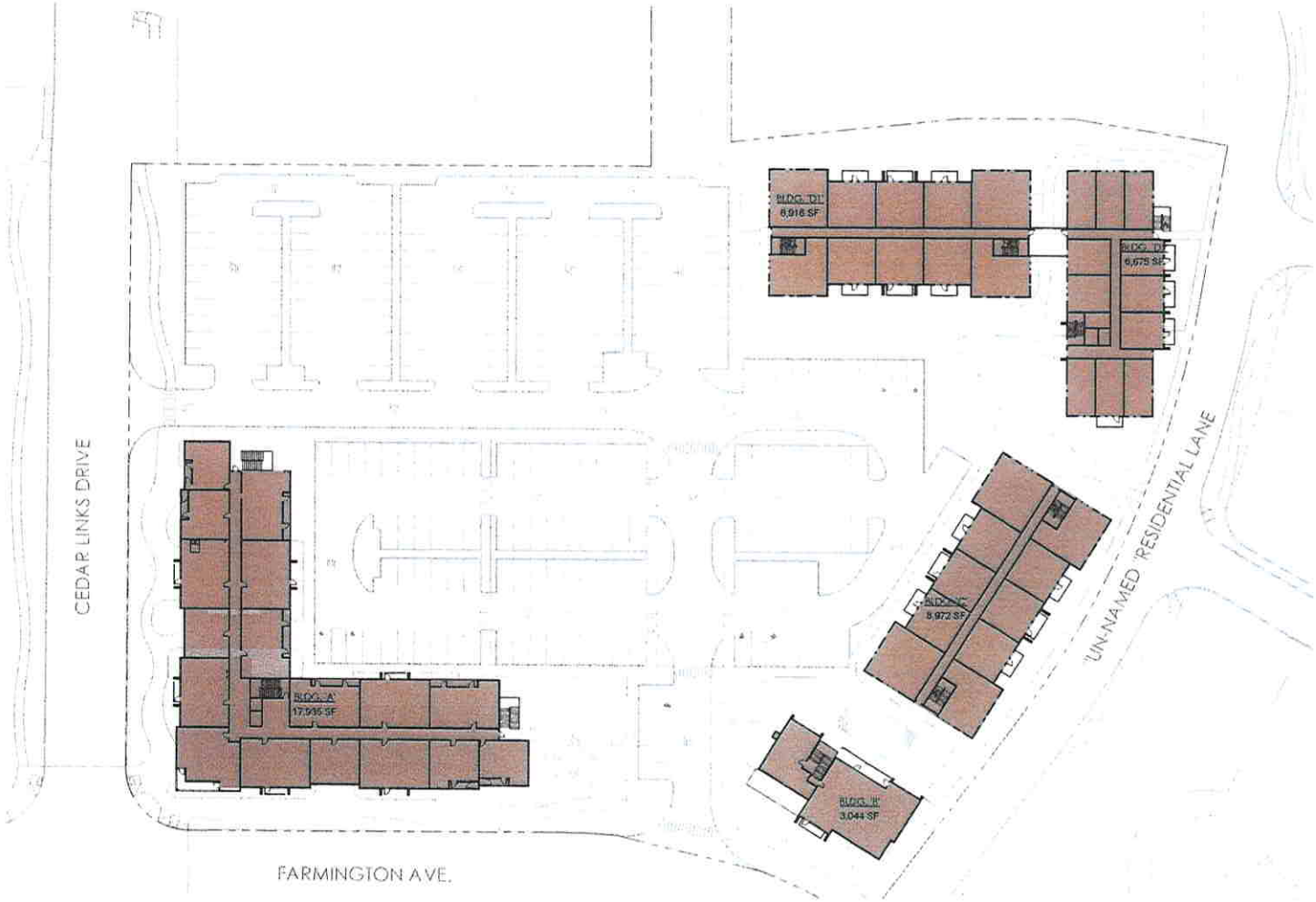
CEDAR LINKS
MEDFORD, OREGON

OVERALL FLOOR PLAN - LEVEL 1
PUD REVISION SET
NOVEMBER 14, 2019

A2.1



1 / OVERALL - LEVEL 2
scale: 1" = 30'-0"

AREA CALCS

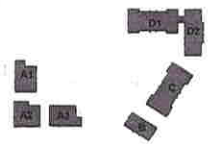
LEVEL 2

BLDG. 'A'	17,935 SF
BLDG. 'B'	3,044 SF
BLDG. 'C'	8,972 SF
BLDG. 'D1'	8,916 SF
BLDG. 'D2'	6,675 SF
	45,542 SF

LEGEND

- AMENITIES
- RESIDENTIAL
- COMMERCIAL
- C COMPACT PARKING STALL
- M MOTORCYCLE PARKING STALL
- L LOADING PARKING STALL

SITE MAP



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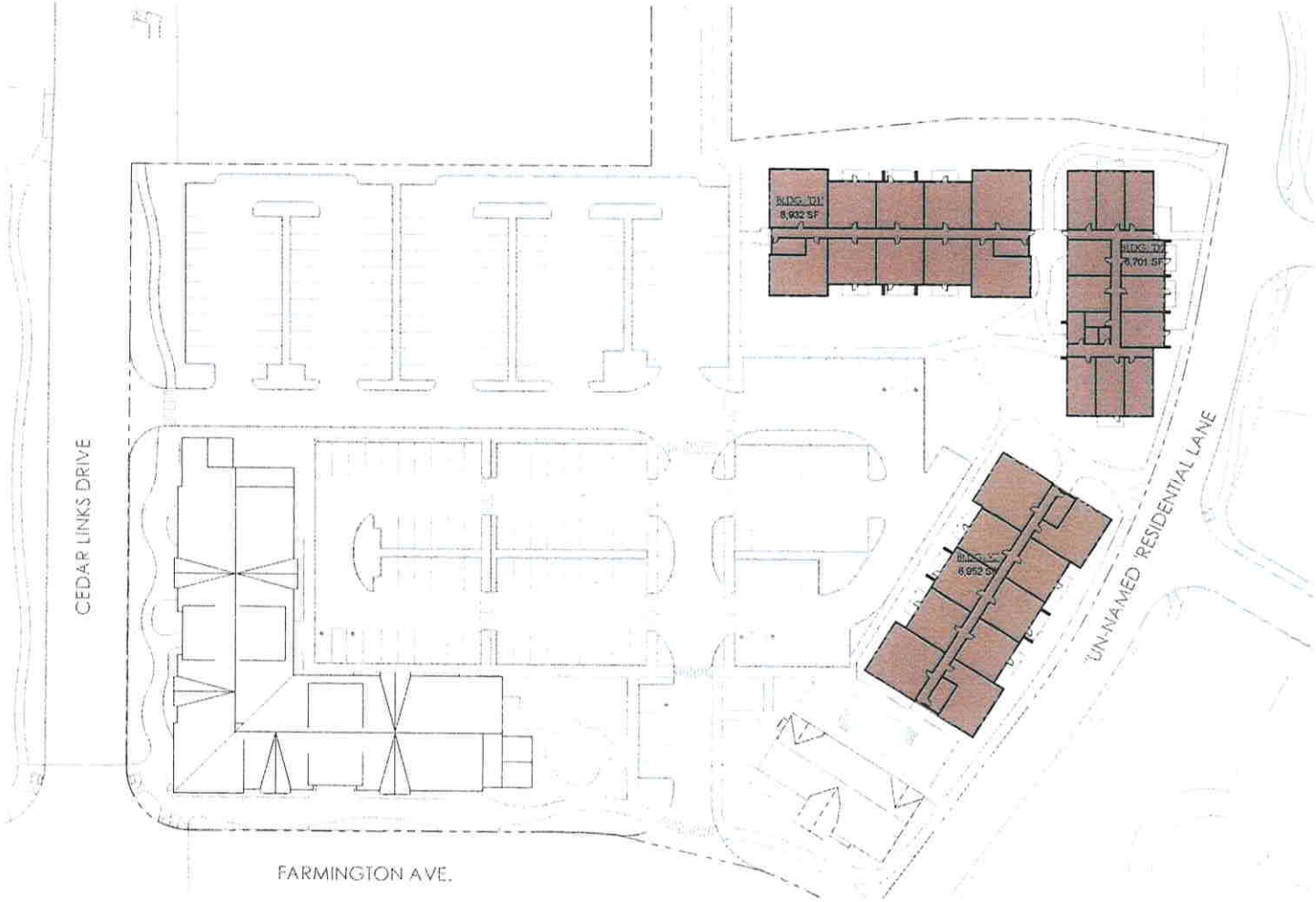
CEDAR LINKS
MEDFORD, OREGON

OVERALL FLOOR PLAN - LEVEL 2
PUD REVISION SET
NOVEMBER 14, 2019

A2.2



1 / OVERALL - LEVEL 3

AREA CALCS

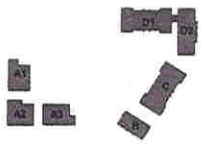
LEVEL 3

BLDG. 'C'	8,952 SF
BLDG. 'D1'	8,932 SF
BLDG. 'D2'	6,701 SF
	24,585 SF

LEGEND

- AMENITIES
- RESIDENTIAL
- COMMERCIAL
- C COMPACT PARKING STALL
- M MOTORCYCLE PARKING STALL
- L LOADING PARKING STALL

SITE MAP



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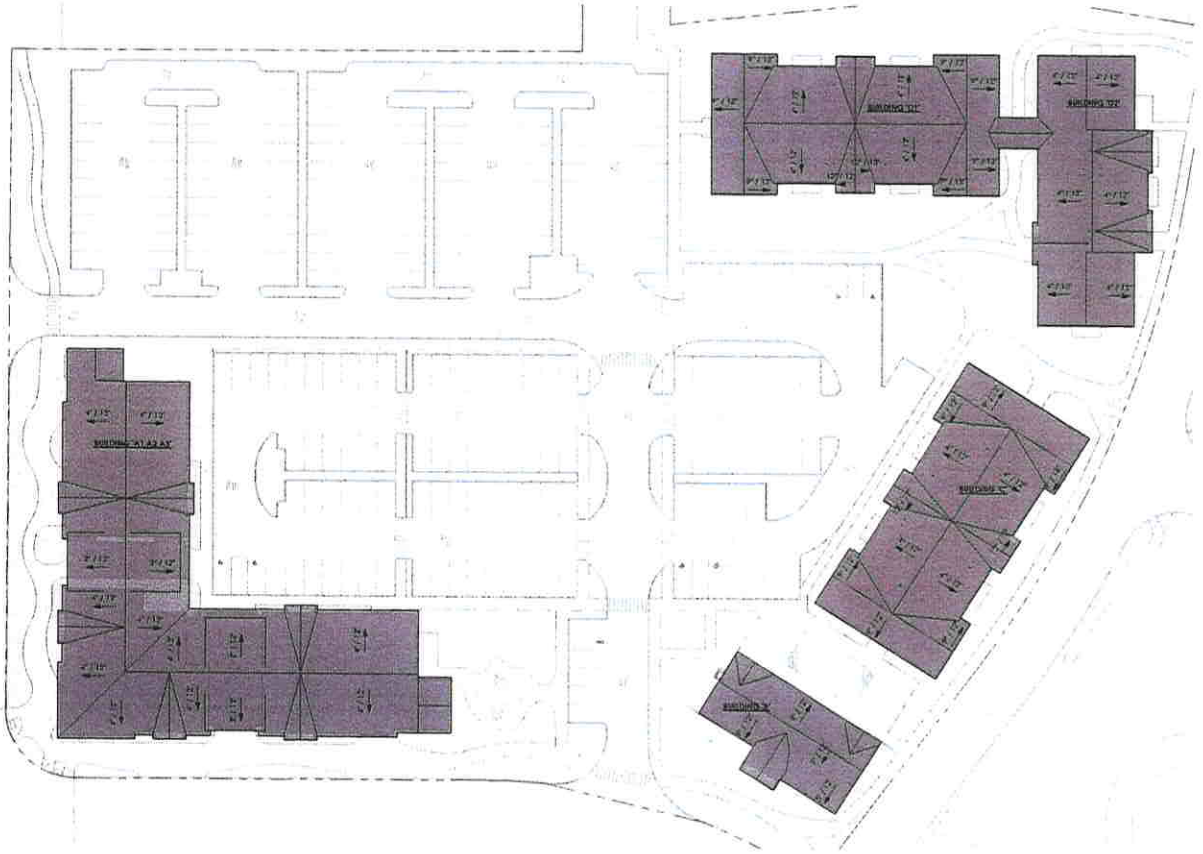
CEDAR LINKS
MEDFORD, OREGON

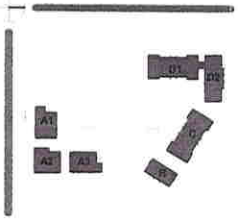
OVERALL FLOOR PLAN - LEVEL 3
PUD REVISION SET
NOVEMBER 14, 2019

A2.3



1/ ROOF PLAN
scale: 1" = 20'-0"

SITE MAP



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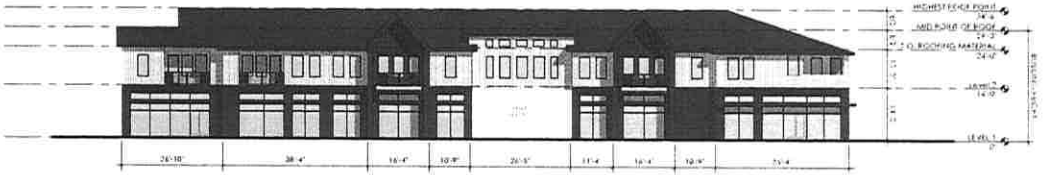
CEDAR LINKS
MEDFORD, OREGON

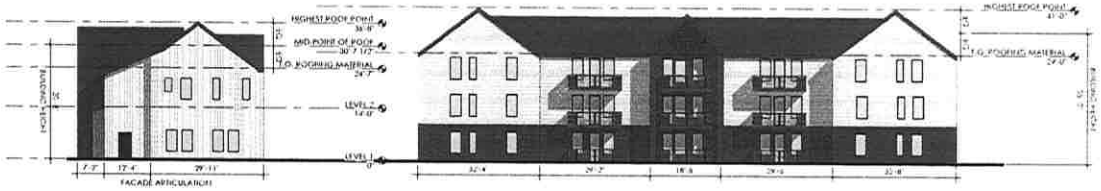
OVERALL ROOF PLAN
PUD REVISION SET
NOVEMBER 14, 2019

A3.1



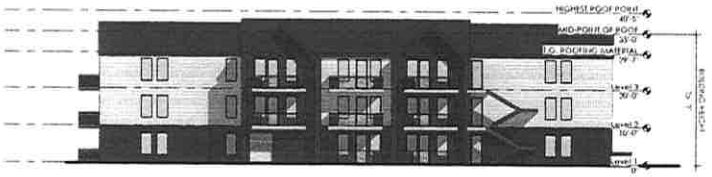
1/ BUILDING 'A' - CEDAR LINKS DRIVE

2/ BUILDING 'A' - FARMINGTON AVENUE

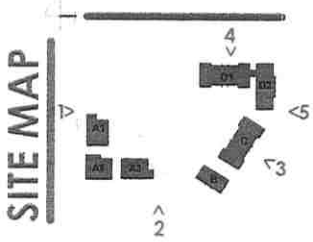


3/ BUILDING 'B AND C' - NORTH ELEVATION

4/ BUILDING 'D' - WEST ELEVATION



5/ BUILDING 'D' - NORTH ELEVATION



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CEDAR LINKS

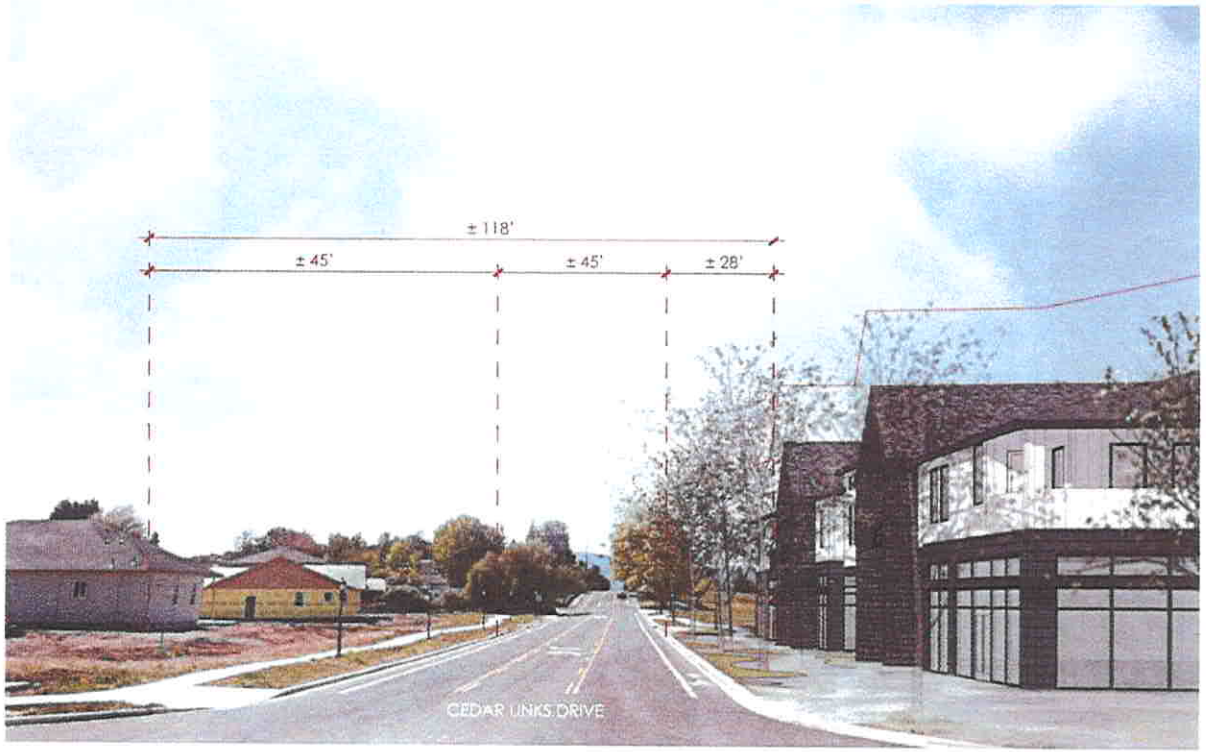
MEDFORD, OREGON

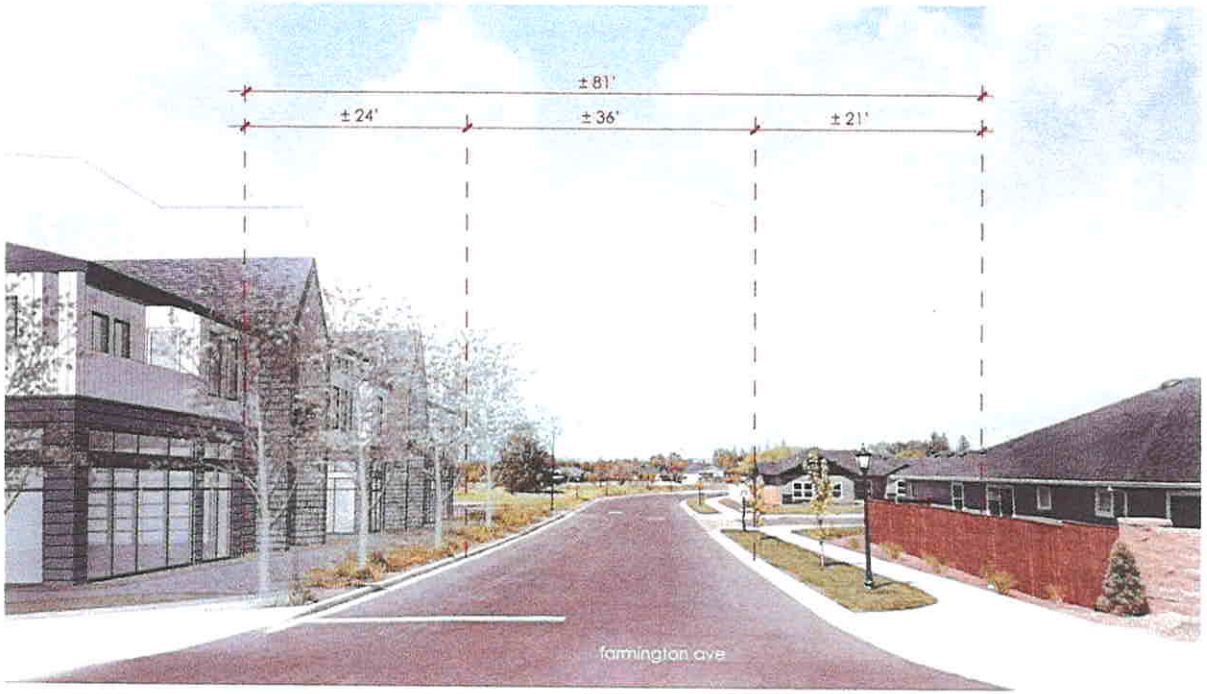
OVERALL EXTERIOR ELEVATIONS

PUD REVISION SET

NOVEMBER 14, 2019

A5.0


± 118'
± 45'
± 45'
± 28'
CEDAR LINKS DRIVE



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CEDAR LINKS
MEDFORD, OREGON

ADJACENT NEIGHBOR DIAGRAM
PUD REVISION I SET
NOVEMBER 14, 2019

A6.1

June 4, 2019 (revised June 12, 2019)
Page 39

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FILE # PUD-19-002

1 of 2

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371W16BD
MEDFORD

S.E.1/4 N.W.1/4 SEC.16 T.37S. R.1W. W.M.
JACKSON COUNTY
1" = 100'

FOR ASSESSMENT AND TAXATION ONLY

CITY OF MEDFORD
EXHIBIT # C
FILE # PUD-19-002

2 of 2

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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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File # PUD-19-002

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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EXHIBIT # E
FILE # PUD-19-002

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**

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.

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(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.

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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

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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

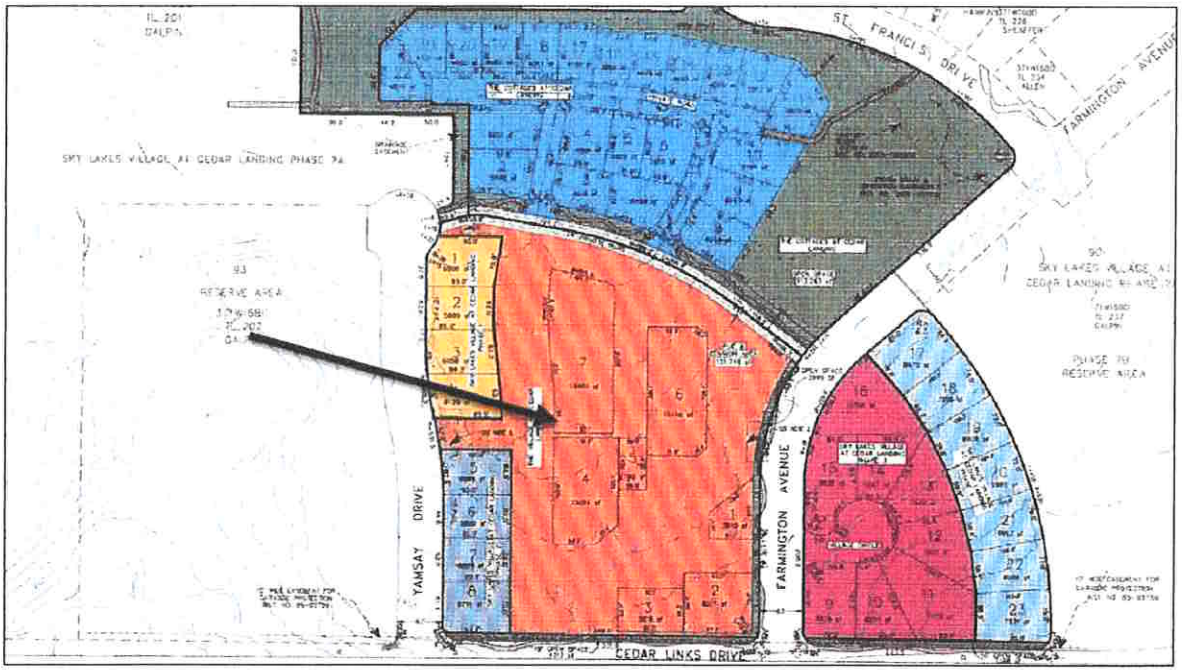
July 2, 2019

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

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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

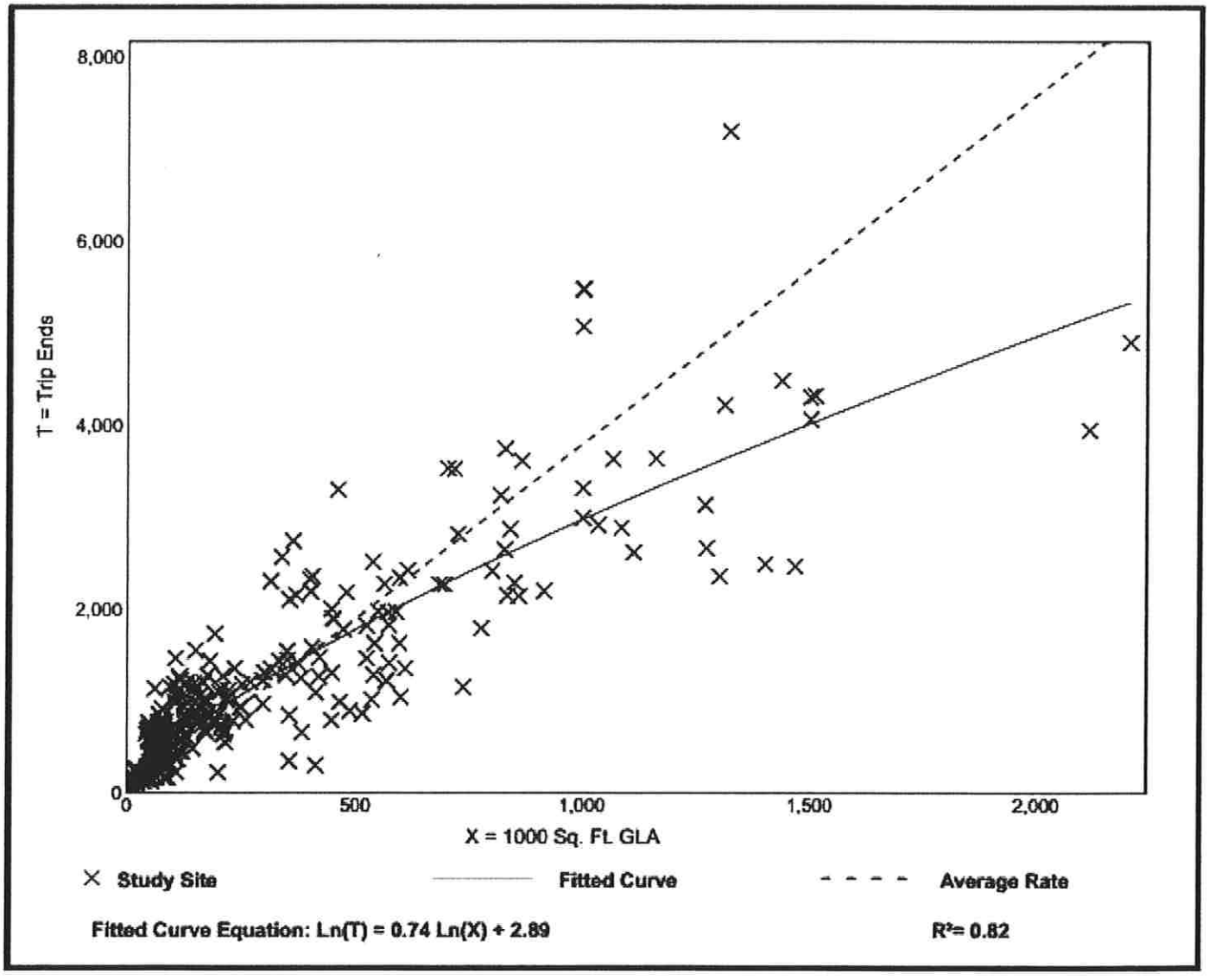
Shopping Center
(820)

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



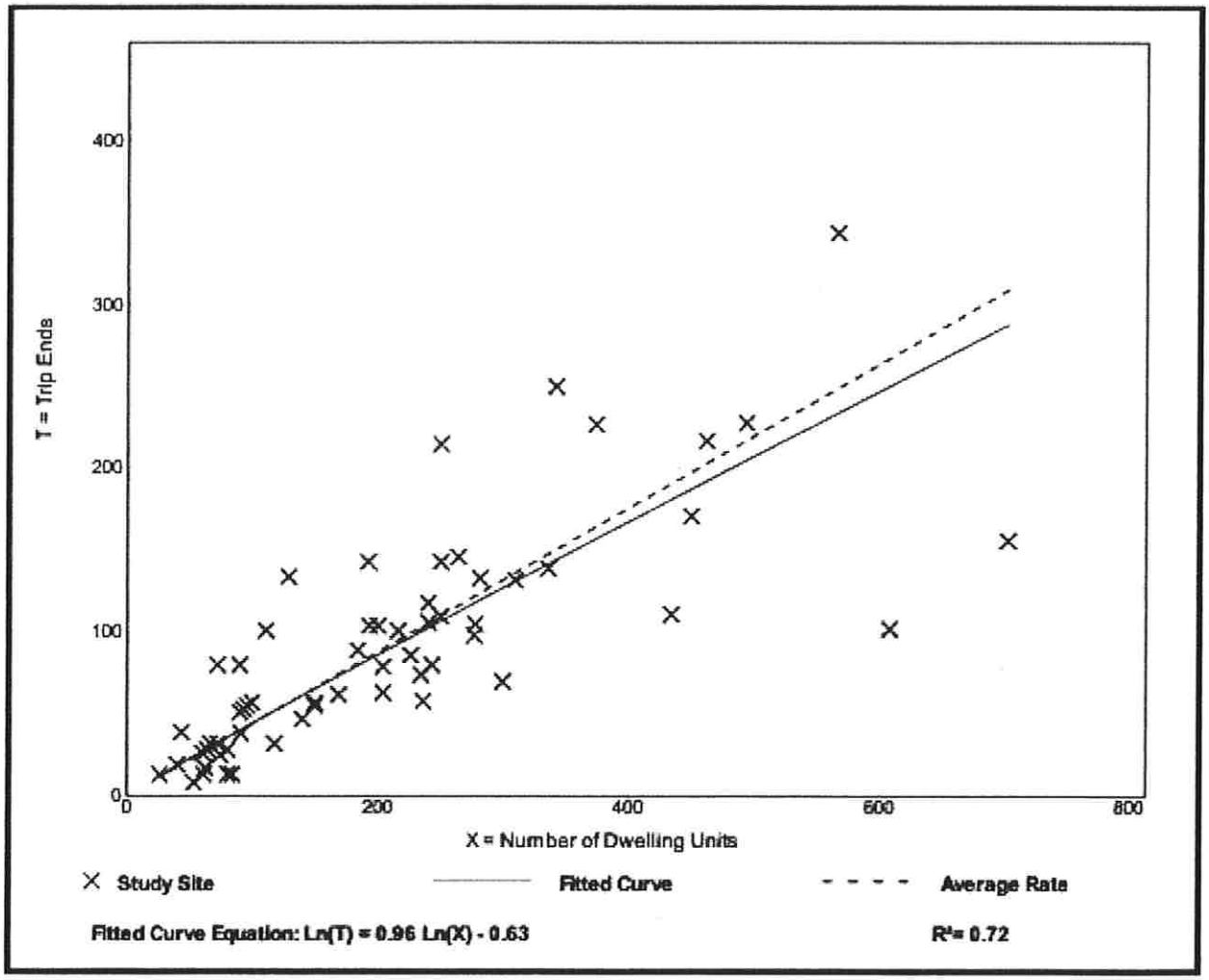
Multifamily Housing (Mid-Rise)
(221)

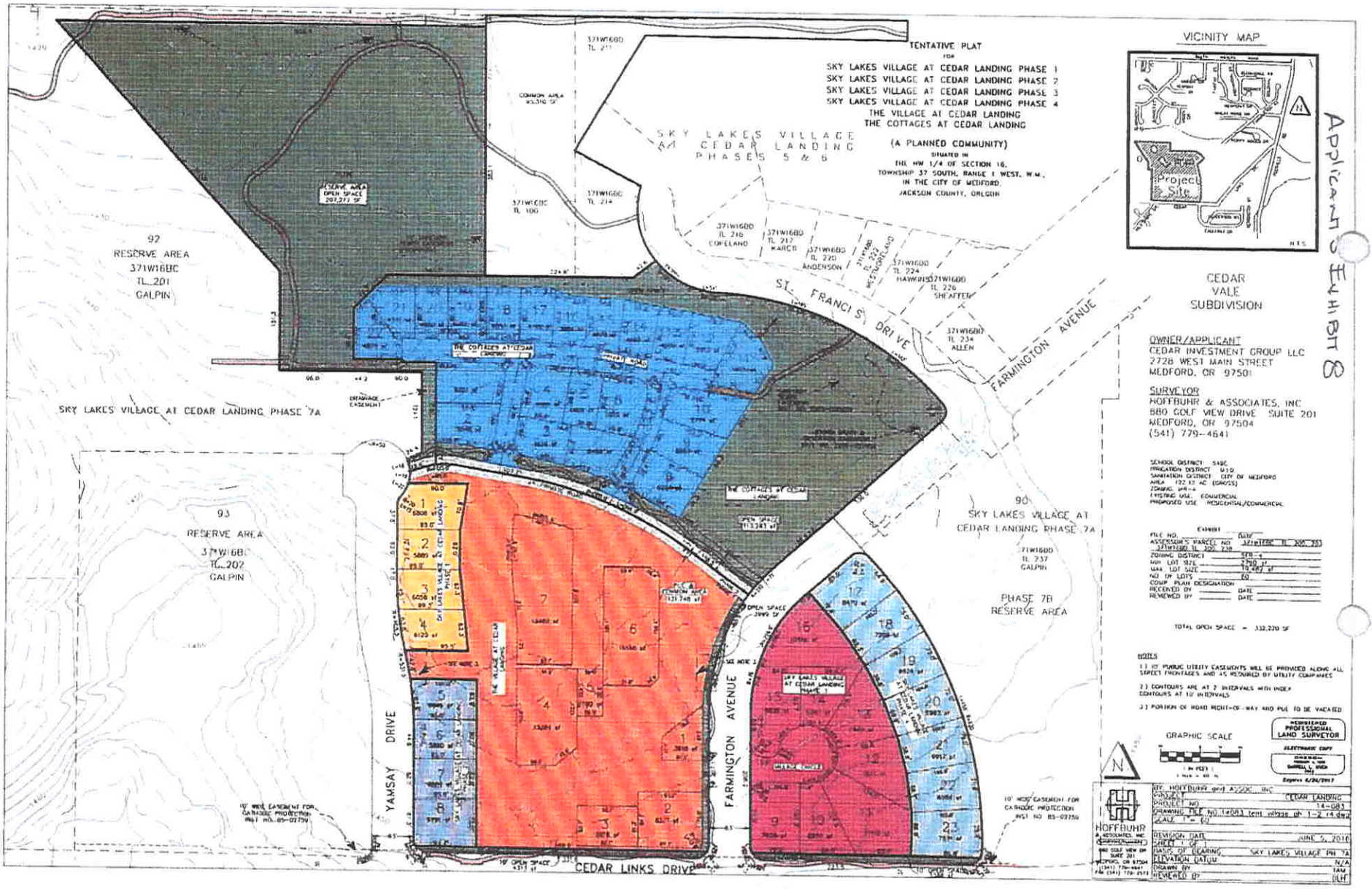
Vehicle Trip Ends vs: **Dwelling Units**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: **General Urban/Suburban**
Number of Studies: 60
Avg. Num. of Dwelling Units: 208
Directional Distribution: 61% entering, 39% exiting

Vehicle Trip Generation per Dwelling Unit

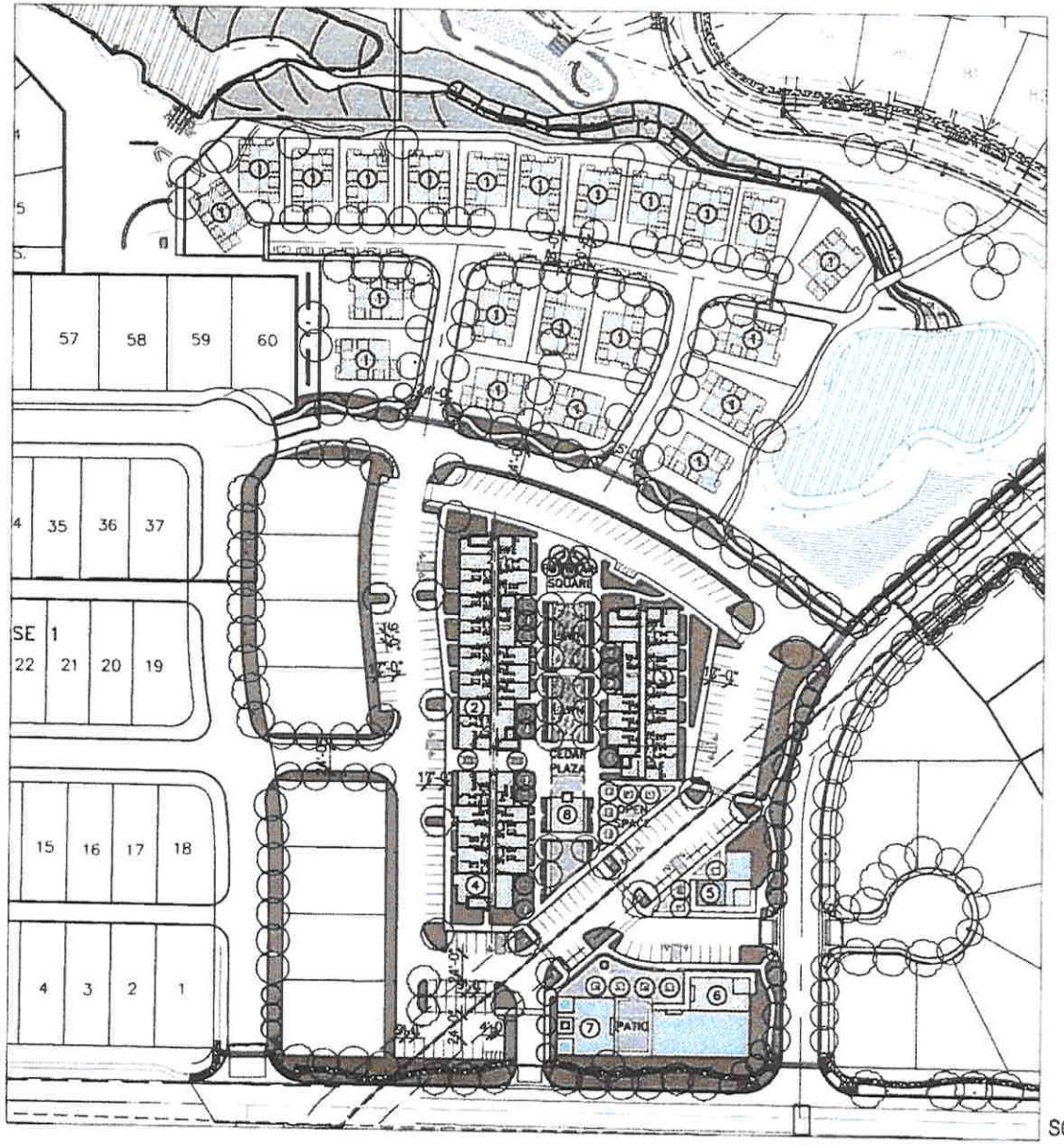
Average Rate	Range of Rates	Standard Deviation
0.44	0.15 - 1.11	0.19

Data Plot and Equation





Applicant's Exhibit 8



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

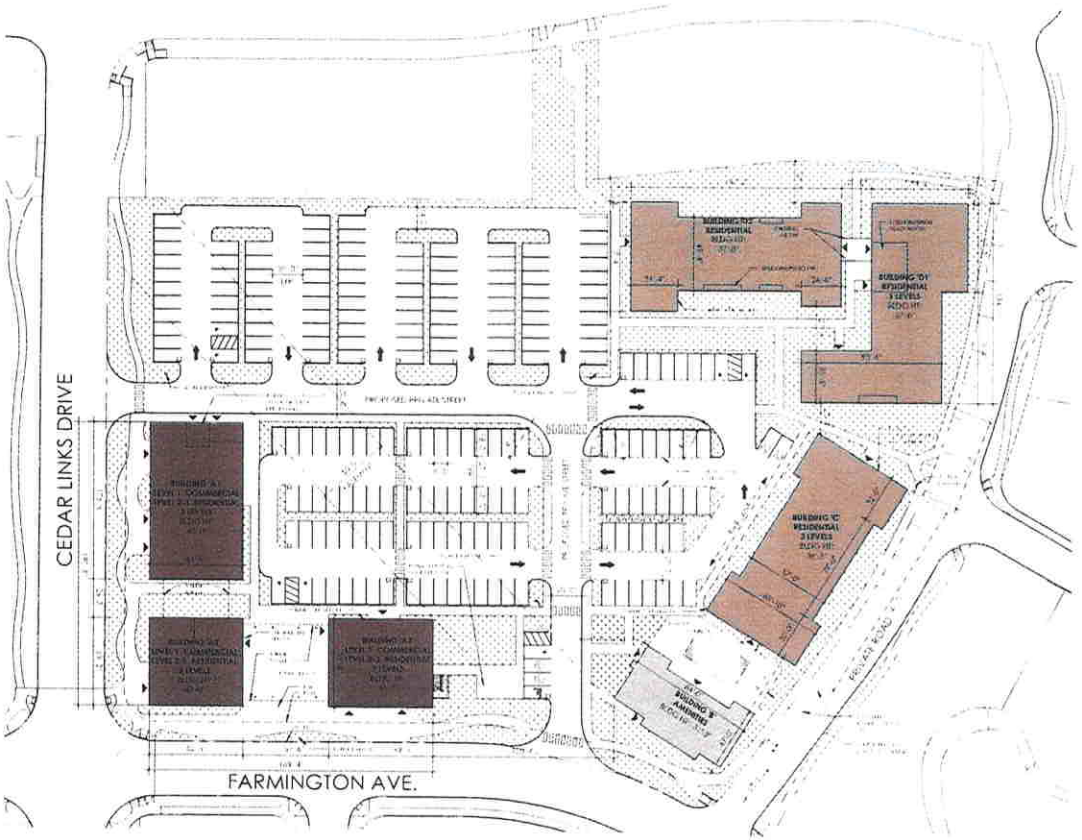
2 UNIT COUNT & SQUARE FOOTAGE STIPULATION
(COMBINATION OF UNITS AND COMMERCIAL NOT TO EXCEED DEMAND FOR 199 SPACES AT FOLLOWING RATES)
MULTI-FAMILY PARKING RATE: 1.4 SPACES PER UNIT
NC/CSP COMMERCIAL RATE: 4.5 SPACES PER 1,000 SF
NC/CSP COMMERCIAL FOR COFFEE SHOP, RESTAURANT OR BAKERY TYPE USE: 9 SPACES PER 1,000 SF

3 MFD/CONDOMINIUM: 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

APPLICANT'S EXHIBIT 11



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

/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.

CITY OF MEDFORD
RECEIVED
File #
PUD-19-002

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.

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

EXHIBIT # I
FILE # 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.

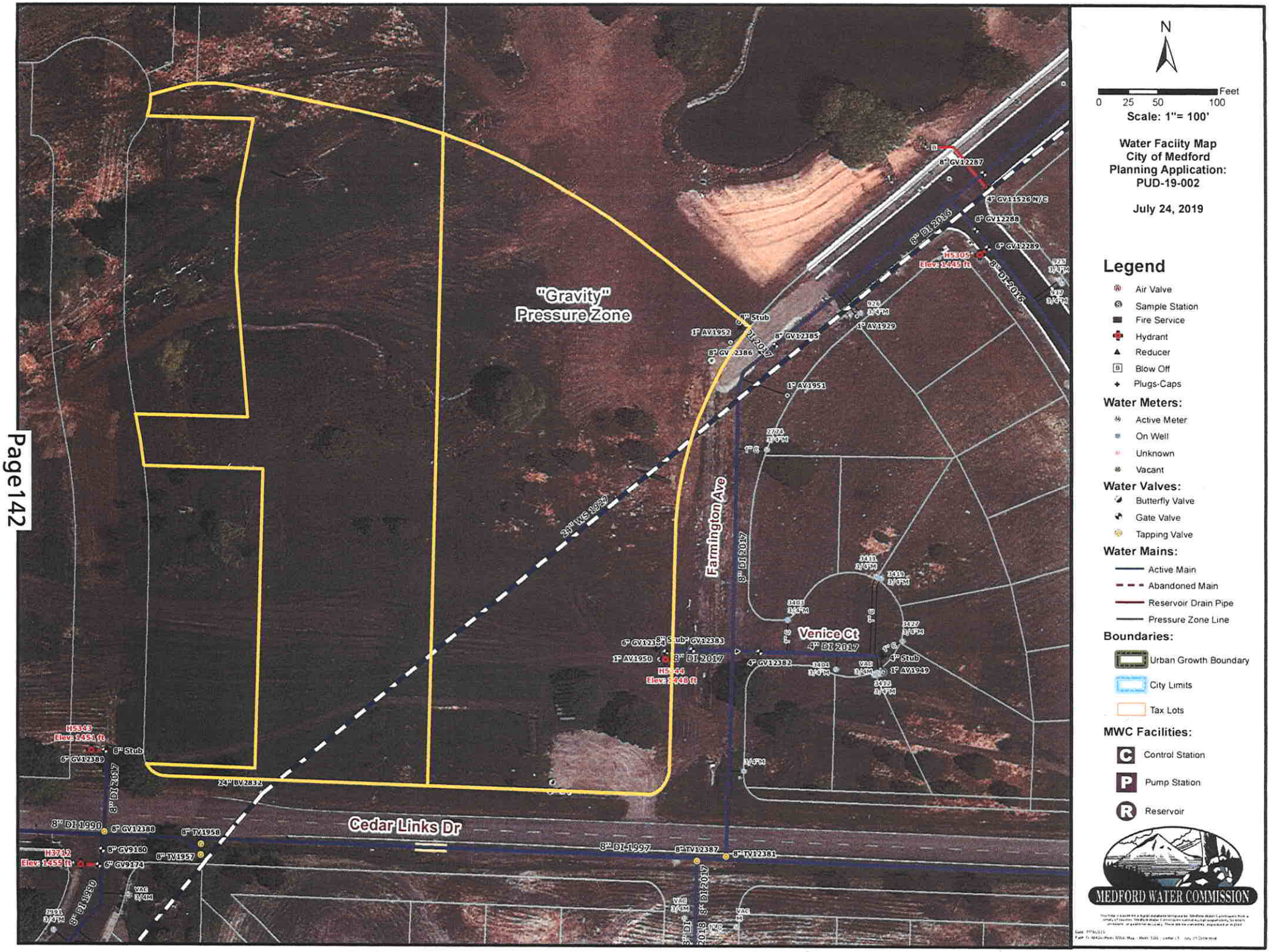
2. On-site water facility construction is required. (See Condition 3 and 4 above)

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.



N

0 25 50 100 Feet

Scale: 1"= 100'

Water Facility 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).

CITY OF MEDFORD
EXHIBIT # 3
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. 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
EXHIBIT # 2
File # 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

SOUTHERNOREGON 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 4 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

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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

Pet 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

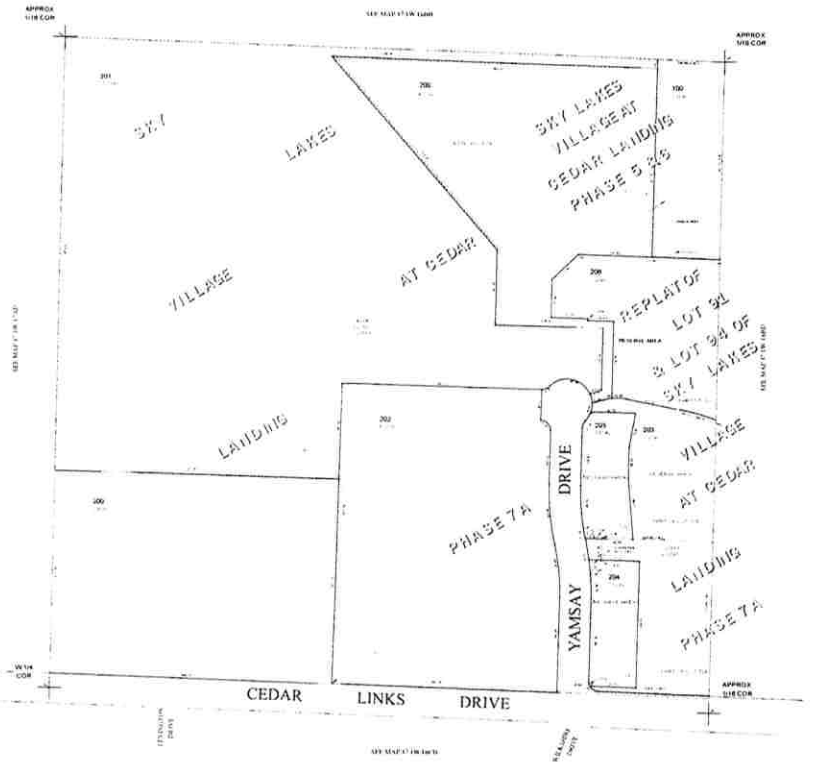
koble creative

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
1" = 100'
371W16BD
MEDFORD
ST. AUGUSTINE DRIVE
ST. FRANCIS
FARMINGTON AVENUE
STRASBURG STREET
CALLAWAY DRIVE
CEDAR LINKS DRIVE
CEDAR VALE SUB.
49-1
SKY LAKES VILLAGE AT CEDAR LANDING PHASE 7A
SKY LAKES VILLAGE AT CEDAR LANDING PHASE 7B
SKY LAKES VILLAGE AT CEDAR LANDING PHASE 3
REPLAT OF LOT 94 & LOT 94 OF SKY LAKES VILLAGE AT CEDAR LANDING PHASE 7A
SKY LAKES VILLAGE AT CEDAR LANDING PHASE 4
COMMON AREA
APPROX 1/4 COR
CENTER OF SECTION
371W16BD
MEDFORD

S.W.1/4 N.W.1/4 SEC.16 T.37S. R.1W. W.M.
JACKSON COUNTY
1" = 100'

371W16BC
MEDFORD



371W16BC
MEDFORD

Page161

PLANNED UNIT DEVELOPMENT: PRELIMINARY PLAN – Type III

NEIGHBORHOOD MEETING CERTIFICATE OF MAILING FORM

I, TERRY AMUNDSON 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 41f4 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

30

371W16CB12700
ADDINGTON RONALD W
2768 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16BB14700
ALFTINE CHRISTOPHER D/ANNE
2853 JANTZER CT
MEDFORD, OR 97504

371W16BD234
ALLEN FAMILY TRUST ET AL
2811 FARMINGTON AVE
MEDFORD, OR 97504

371W16BB12600
ANDERSON CHARLES H/REBECCA
2876 BAILEY AVE
MEDFORD, OR 97504

371W16CB1000
ANDERSON KURT A/SAUNDRA N
3073 WESTMINSTER DR
MEDFORD, OR 97504

371W16BD220
ANDERSON VALERIE J
1050 ST FRANCIS DR
MEDFORD, OR 97504

371W16BB13200
ANHORN MICHAEL J/BEVERLY J
2867 BAILEY AVE
MEDFORD, OR 97504

371W16D6300
ARTALE THOMAS J/CAROLINE
1090 CALLAWAY DR
MEDFORD, OR 97504

371W16BD251
AUSTIN MAURICE L JR/KATHY L
985 CALLAWAY DR
MEDFORD, OR 97504

371W17AD11300
BAKER MICHAEL D
2941 ROSEWOOD ST
MEDFORD, OR 97504

371W16CD4000
BAKKER ANTHONY W/SARA M
1894 ORANGEWOOD DR
MEDFORD, OR 97504

371W16BD247
BARNETT CHRISTIAN/JENNIFER
949 CALLAWAY DR
MEDFORD, OR 97504

371W16CD100
BARRUS TAMARA J
3227 SYCAMORE WAY
MEDFORD, OR 97504

371W16BD209
BEATON TREESA L
519 ST AUGUSTINE DR
MEDFORD, OR 97504

371W16CB5500
BELL EDWARD THOMAS TRUSTEE
3101 WESTMINSTER DR
MEDFORD, OR 97504

371W16CA1100
BENADE STEPHANIE
1071 CALLAWAY DR
MEDFORD, OR 97504

371W16D4500
BERGER DIANE
3229 SYCAMORE WAY
MEDFORD, OR 97504

371W17AD10400
BERNARD LARRY PAUL/SHERRY L
2968 ROSEWOOD ST
MEDFORD, OR 97504

371W16CD600
BERRY JOAN R TRUSTEE ET AL
3184 SYCAMORE WAY
MEDFORD, OR 97504

371W16CB500
BOLIN RYAN
2991 LEXINGTON DR
MEDFORD, OR 97504

371W16CB9800
BROBERG PAUL W ET AL
2849 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16D3300
BROCKAMP DARREL J/BOTEILHO
3134 NORMIL TER
MEDFORD, OR 97504

371W16CB12900
BROPHY PATSY JO TRUSTEE
2788 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16BD226
BROWER SETH J/MELISSA M
1020 ST FRANCIS DR
MEDFORD, OR 97504

371W16CC145
BUCHANAN BRENT A/ERIN L
3102 SYCAMORE WAY
MEDFORD, OR 97504

371W16CB9600
BUI THONG TIEN
2952 AMBLEGREEN DR
MEDFORD, OR 97504

371W16CA2000
BYRD SCOTT P/STACY C
3339 HENDERSON WAY
MEDFORD, OR 97504

371W16CB10300
CAIRD MICHAEL/SHARON LEE
2842 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16D4000
CANTWELL TERRY GENE ET AL
3335 SYCAMORE 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

371W16BD259
GELLERT DIETER & ERIKA LIVI
950 CALLAWAY DR
MEDFORD, OR 97504

371W16BA12200
GOLTZ DANIEL E TRUSTEE ET A
2874 ARDEN CIR
MEDFORD, OR 97504

371W16BB14400
GRIFFITHS DEE A TRUSTEE ET
2864 JANTZER CT
MEDFORD, OR 97504

371W16CB10400
GROTH MARIAN J
2852 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16CB9900
HALE BYRUM LYNN/KARYN JEAN
2839 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16CB11800
HANLEY STEVE ET AL
2775 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16BD224
HAWKINS ELVIN/NANCY
1030 ST FRANCIS DR
MEDFORD, OR 97504

371W16BB14300
HELMLING ALBERT E/THERESE E
2874 JANTZER CT
MEDFORD, OR 97504

371W16BD261
GAUTAM KAMALA
974 CALLAWAY DR
MEDFORD, OR 97504

371W16CB900
GILDER EARL E/EDITH P
3093 WESTMINSTER DR
MEDFORD, OR 97504

371W16CA2600
GORDON KATHRYN M TRUSTEE ET
1030 CALLAWAY DR
MEDFORD, OR 97504

371W16BB13100
GRIMM MICHAEL V TRUST ET AL
2855 BAILEY AVE
MEDFORD, OR 97504

371W16CA1700
GROVE BERNARD D/SANDRA L
3303 HENDERSON WAY
MEDFORD, OR 97504

371W17AD11500
HALVORSEN GEORGE R TRUSTEE
2925 ROSEWOOD ST
MEDFORD, OR 97504

371W16D4300
HARDING BONNIE L/HARDING JO
3279 SYCAMORE WAY
MEDFORD, OR 97504

371W17AD11600
HAYES LEO E/BARBARA H
2917 ROSEWOOD ST
MEDFORD, OR 97504

371W16CC138
GELLER KEVIN/BRINDA
3089 SYCAMORE WAY
MEDFORD, OR 97504

371W16CB600
GLEDHILL FREDERICK TRUSTEE
3074 CEDAR LINKS DR
MEDFORD, OR 97504

371W16BD225
GREGORY MICHAEL L
544 ST AUGUSTINE DR
MEDFORD, OR 97504

371W17AD13200
GROOM RYAN/LAURA
2953 WAVERLY WAY
MEDFORD, OR 97504

371W16CB5400
GUSTAFSON MARK A/VALERIE L
3111 WESTMINSTER DR
MEDFORD, OR 97504

371W16CB10000
HAMILTON GRETCHEN C
2829 KERRISDALE RIDGE DR
MEDFORD, OR 97504

371W16CB8100
HARRIS DAVID E/TISHA R
2930 CANDLIS POINT CT
MEDFORD, OR 97504

371W16CD300
HELMAN MATTHEW/JESSICA
3211 SYCAMORE WAY
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 2

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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  - 9-foot ceilings;
  - Internal common area;
  - Internal bicycle parking

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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.

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"I"
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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.

"I"
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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"
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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.:

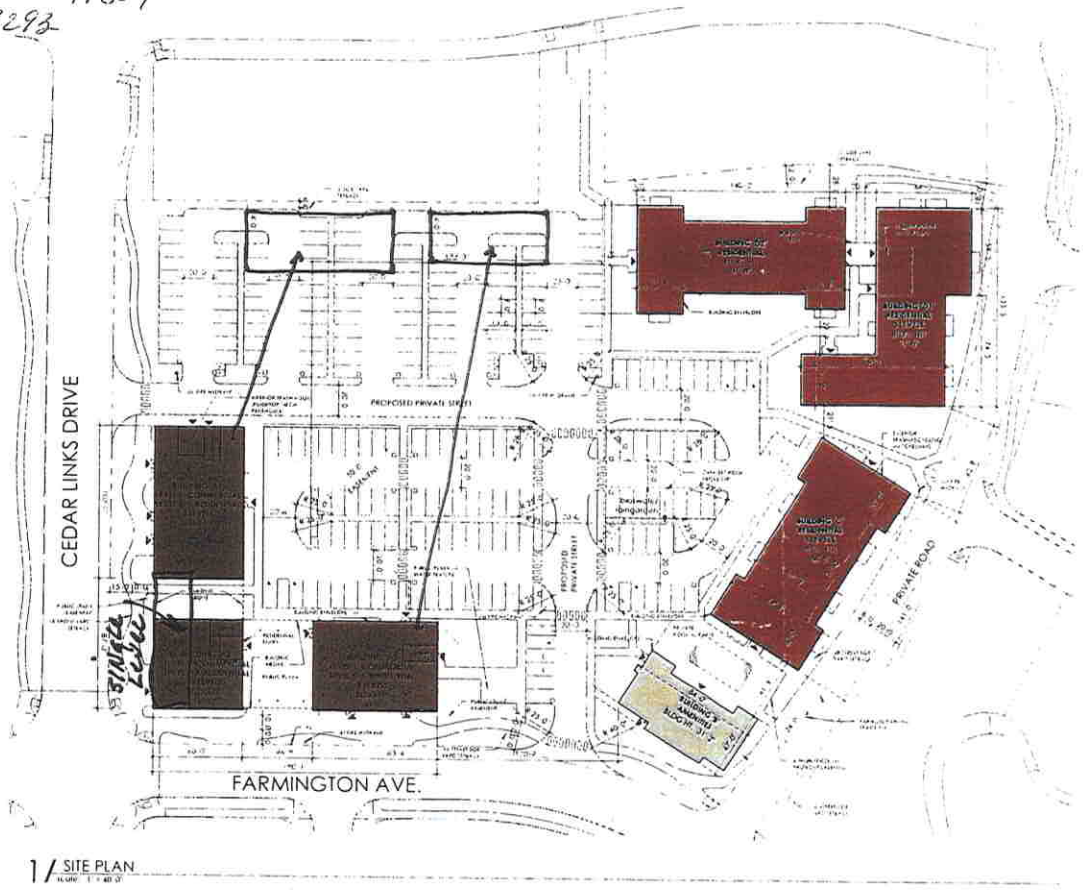
   a. The first floor, or base, will be articulated with a different material (TBD) that defines the public interface of the building, integrating the building bases with the site and landscape work.

   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"
6 of 6

Rick Conklin
3404 Venice Ct
Medford, Oregon
97504
(541) 840-3293



1 / SITE PLAN

SITE

SITE DENSITY 21% 40%
Building coverage — 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 #7 — 40' previous PUD
ALL OTHER BUILDINGS ARE LESS THAN 3? IN HIGH

LEGEND

AMENITIES
RESIDENTIAL
COMMERCIAL

RECEIVED
AUG 15 2019
PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # 7
FILE # PUD-19-002

/kōblə/CREATIVE

CEDAR LINKS
MEDFORD, OREGON

ARCHITECTURAL SITE PLAN
MINOR REVIEW SUBMITTAL
REV. AUGUST 13, 2019

A02

99

CITY OF MEDFORD
EXHIBIT # 4
File # PUD-19-002

CEDAR LANDING
01.22.2016

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"

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 MORGANSS
$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 # 10
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:

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:

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:

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:

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:

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 37IW16BD 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
67 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 # W
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 delincation 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

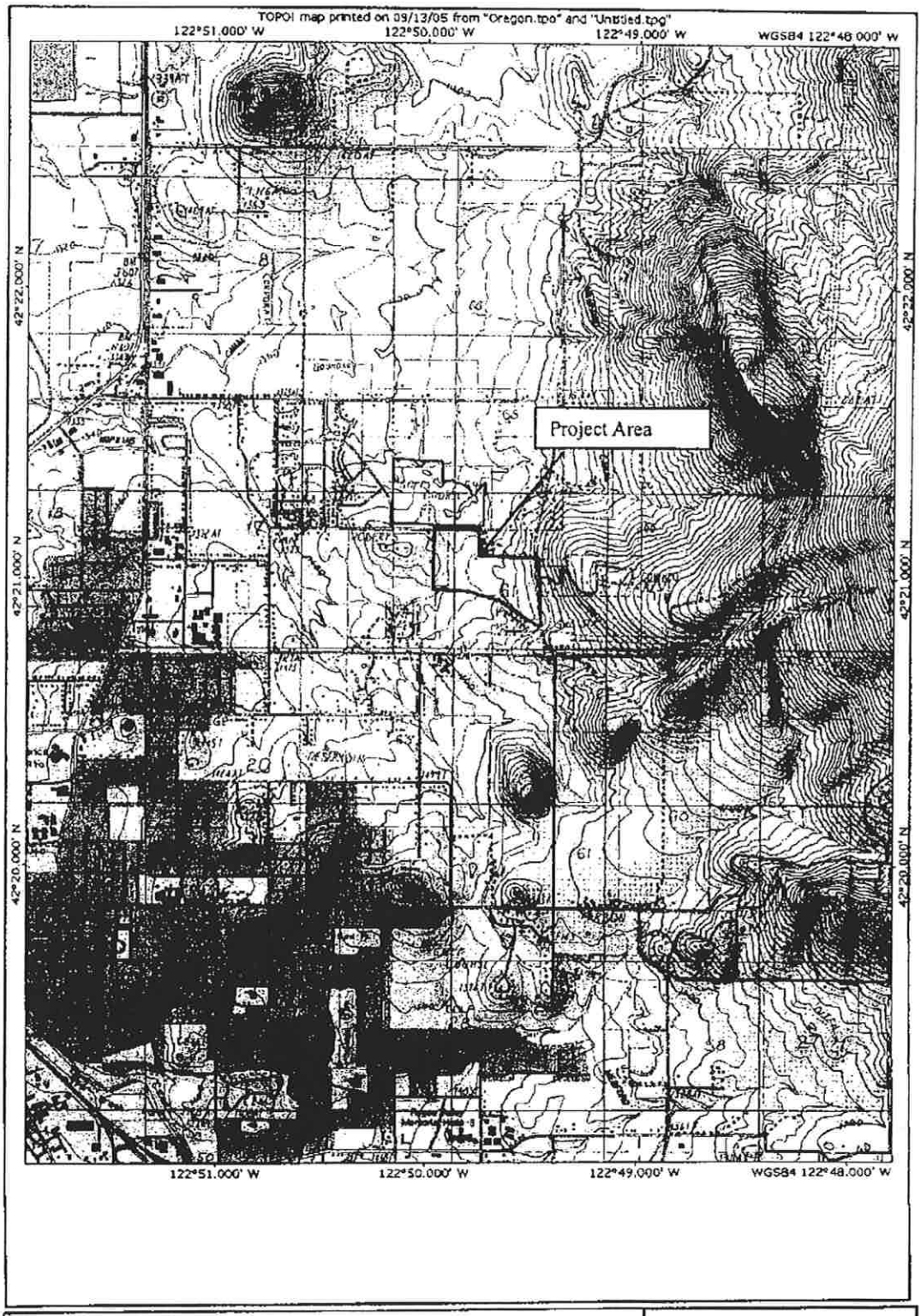

FIGURE 1. SITE VICINITY MAP
Cedar Landing
S & A # 2292

Schott & Associates
P.O. Box 589
Aurora, OR 97002
503.678.6007

FIGURE 2. TAX MAP

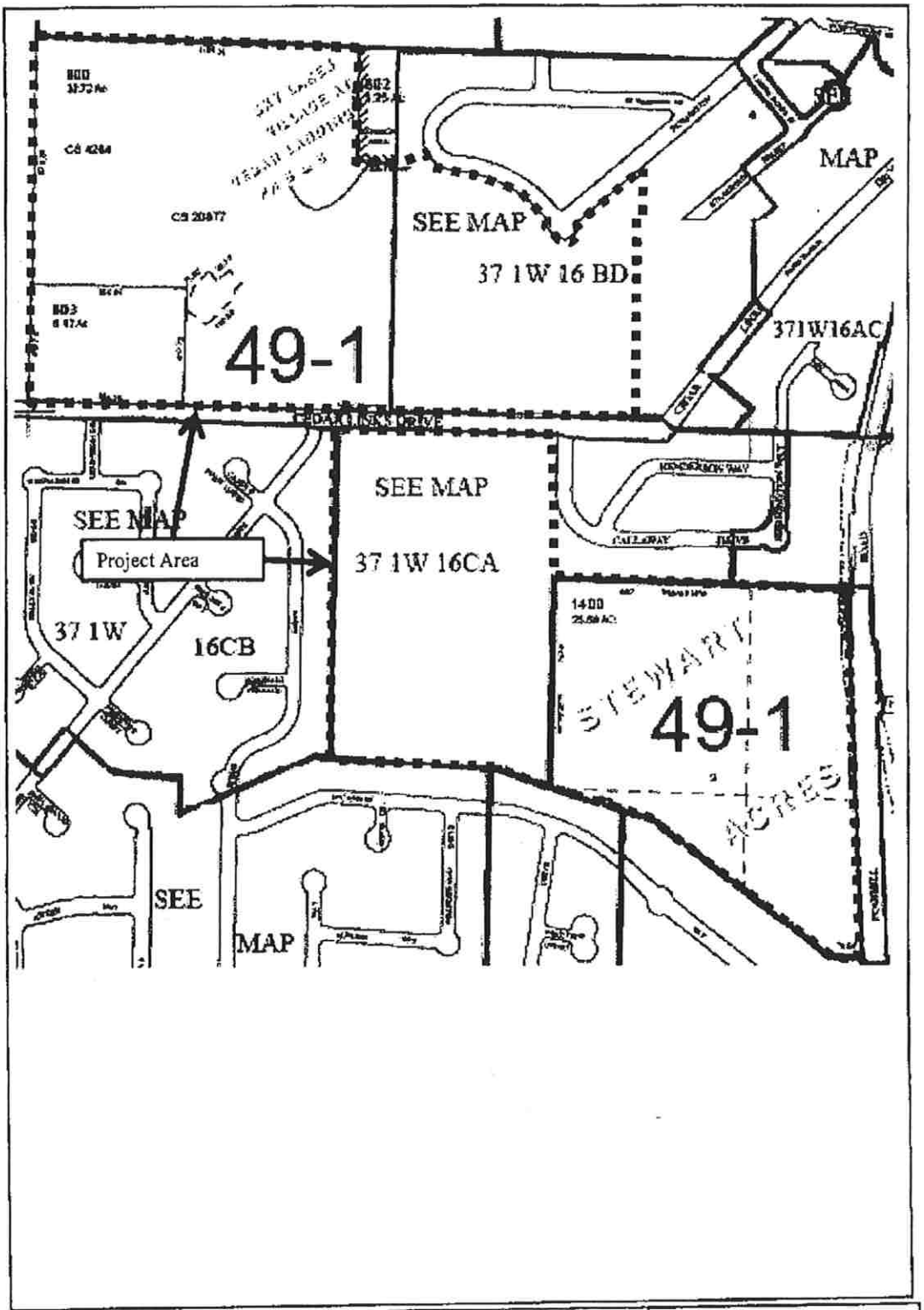

FIGURE 2. TAX MAP(T37S, R1W, SEC 16)
Cedar Landing
S & A # 2292

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503.678.6007

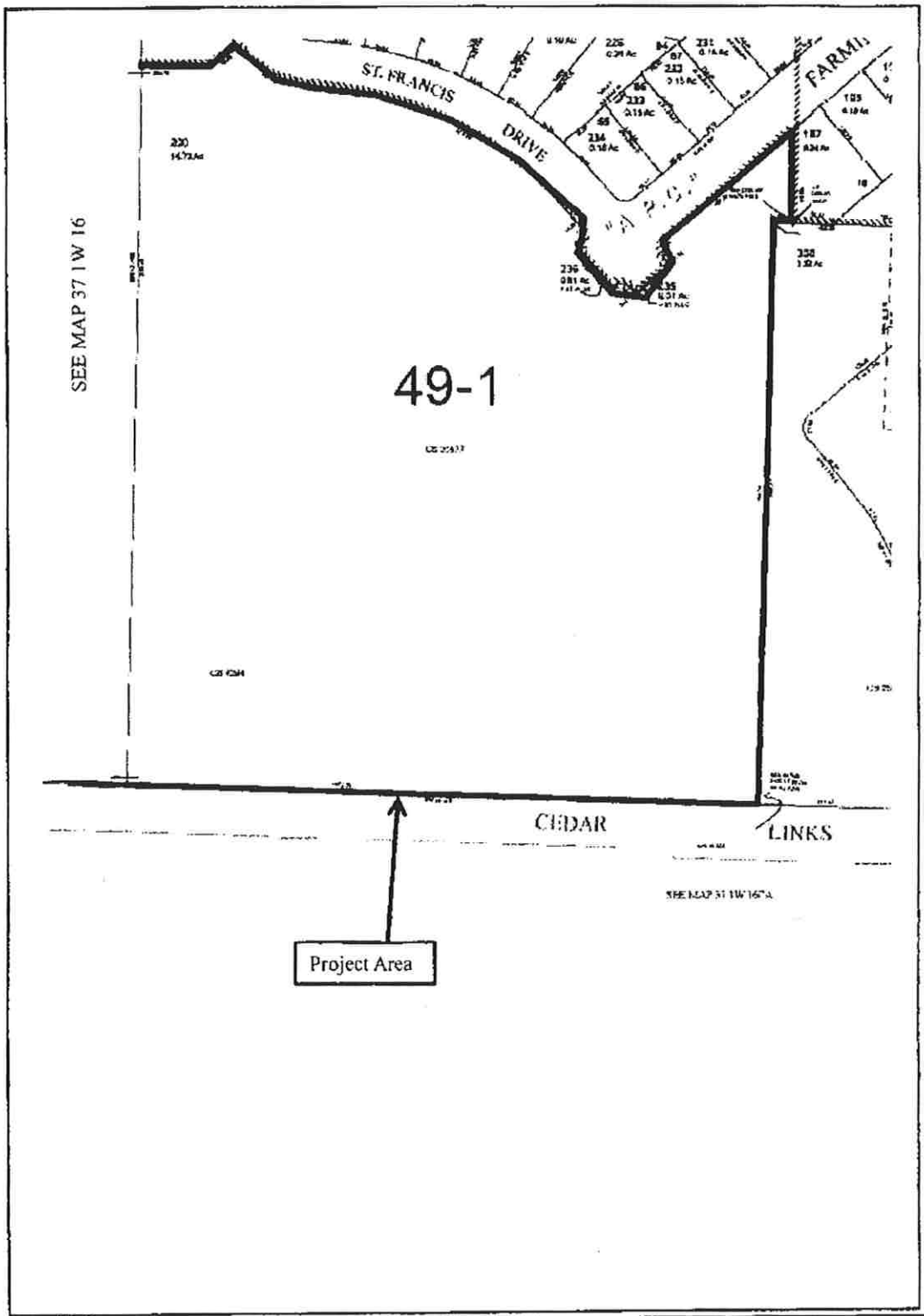

FIGURE 2. TAX MAP(T37S, R1W, SEC 16BD)
Cedar Landing
S & A # 2292

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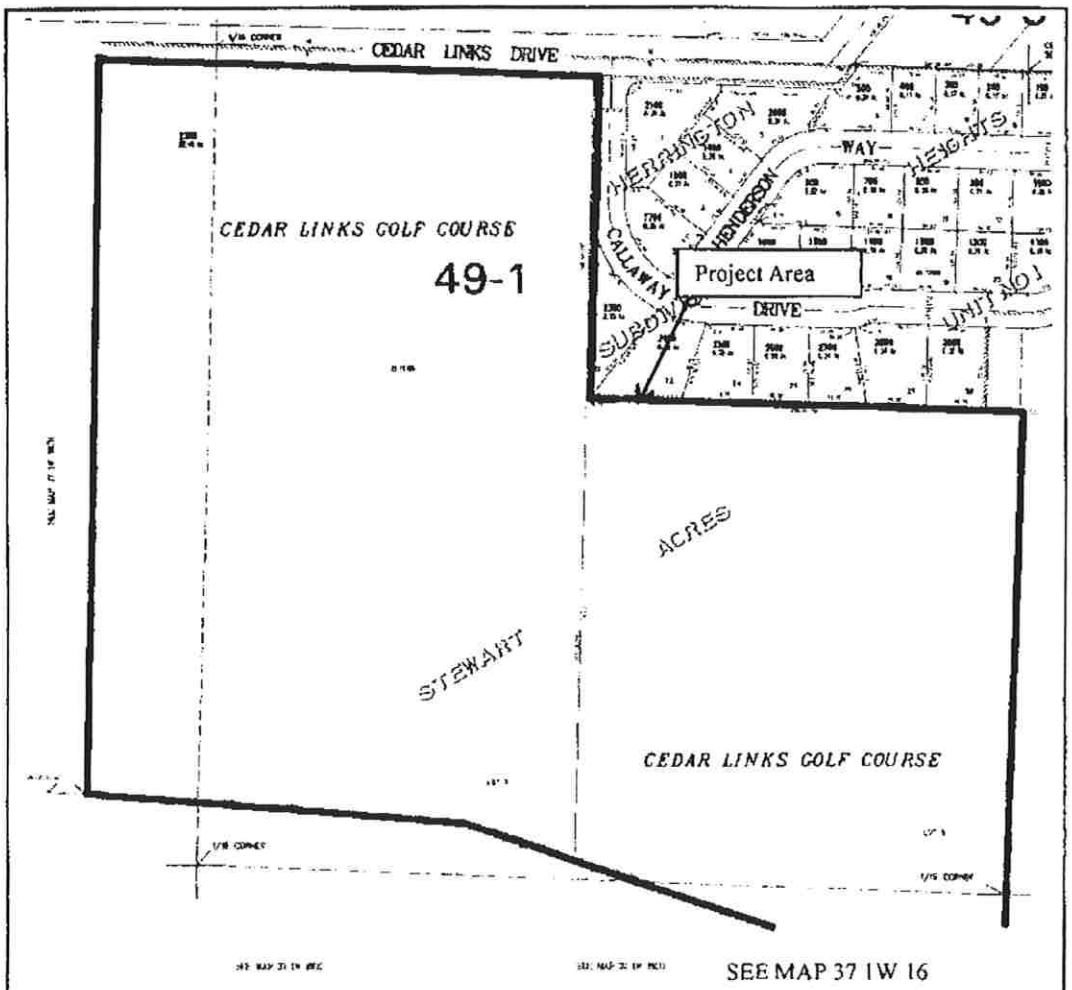

FIGURE 2. TAX MAP(T37S, R1W, SEC 16CA)
Cedar Landing
S & A # 2292

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FIGURE 3. LWI MAP

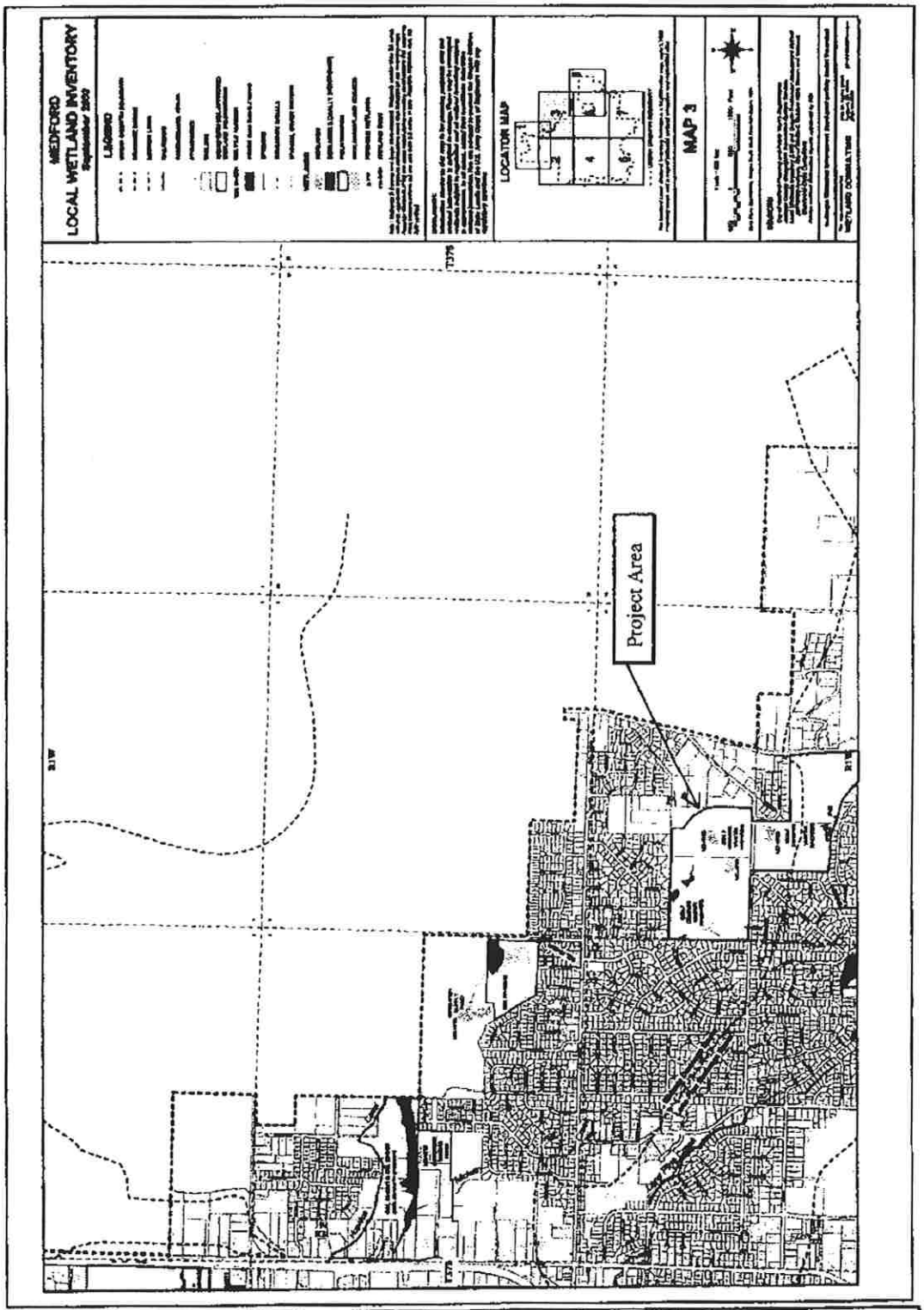

FIGURE 3. LOCAL WETLAND INVENTORY
Cedar Landing
S & A # 2292

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FIGURE 4. SOIL SURVEY MAP

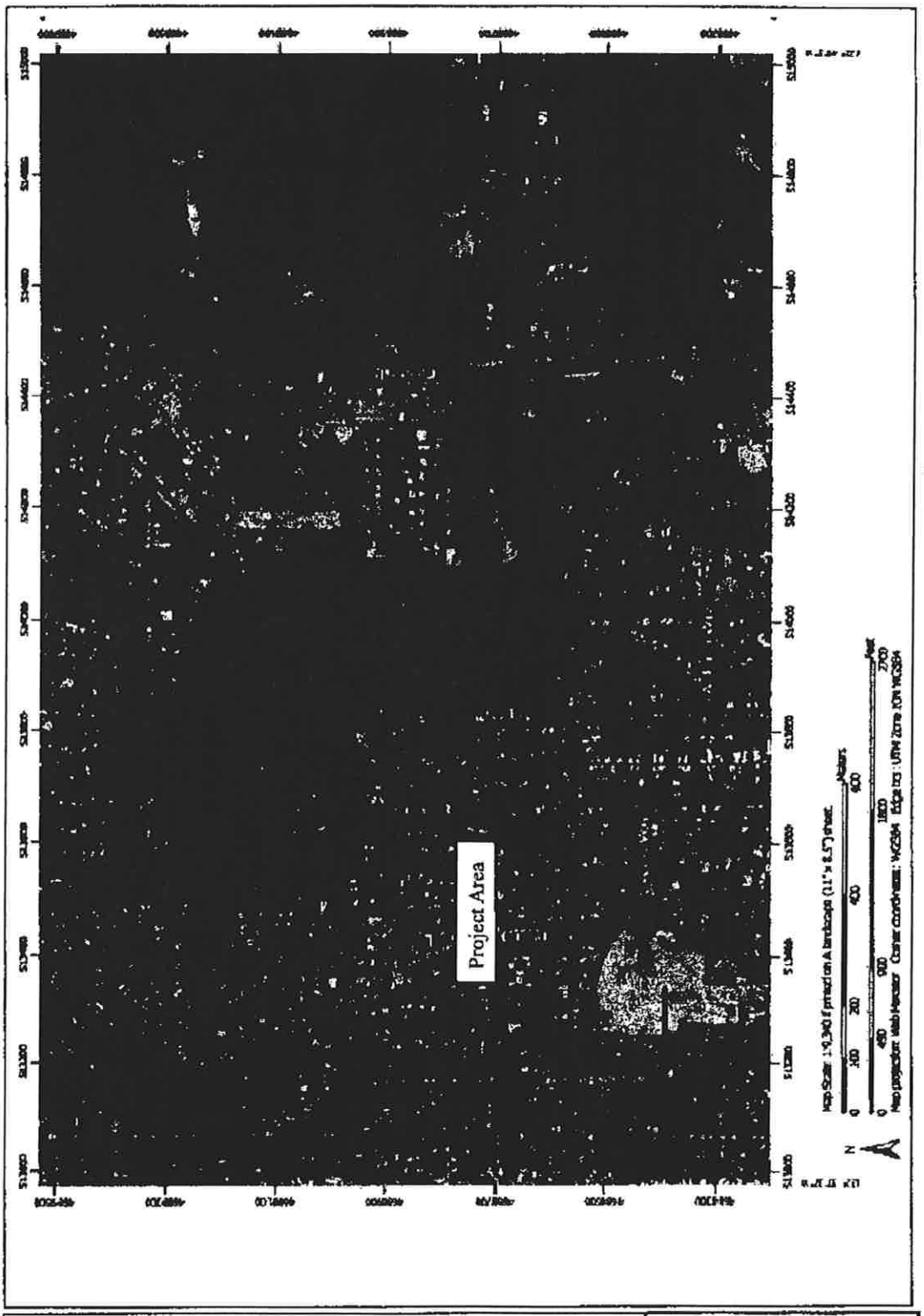

FIGURE 4. SOIL MAP
Cedar Landing
S & A # 2292

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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
	Aquepts	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
	Aquepts	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	50	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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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.
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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-TIE.DWG PROJ.: 13-55 PLOT DATE: 9/25/14

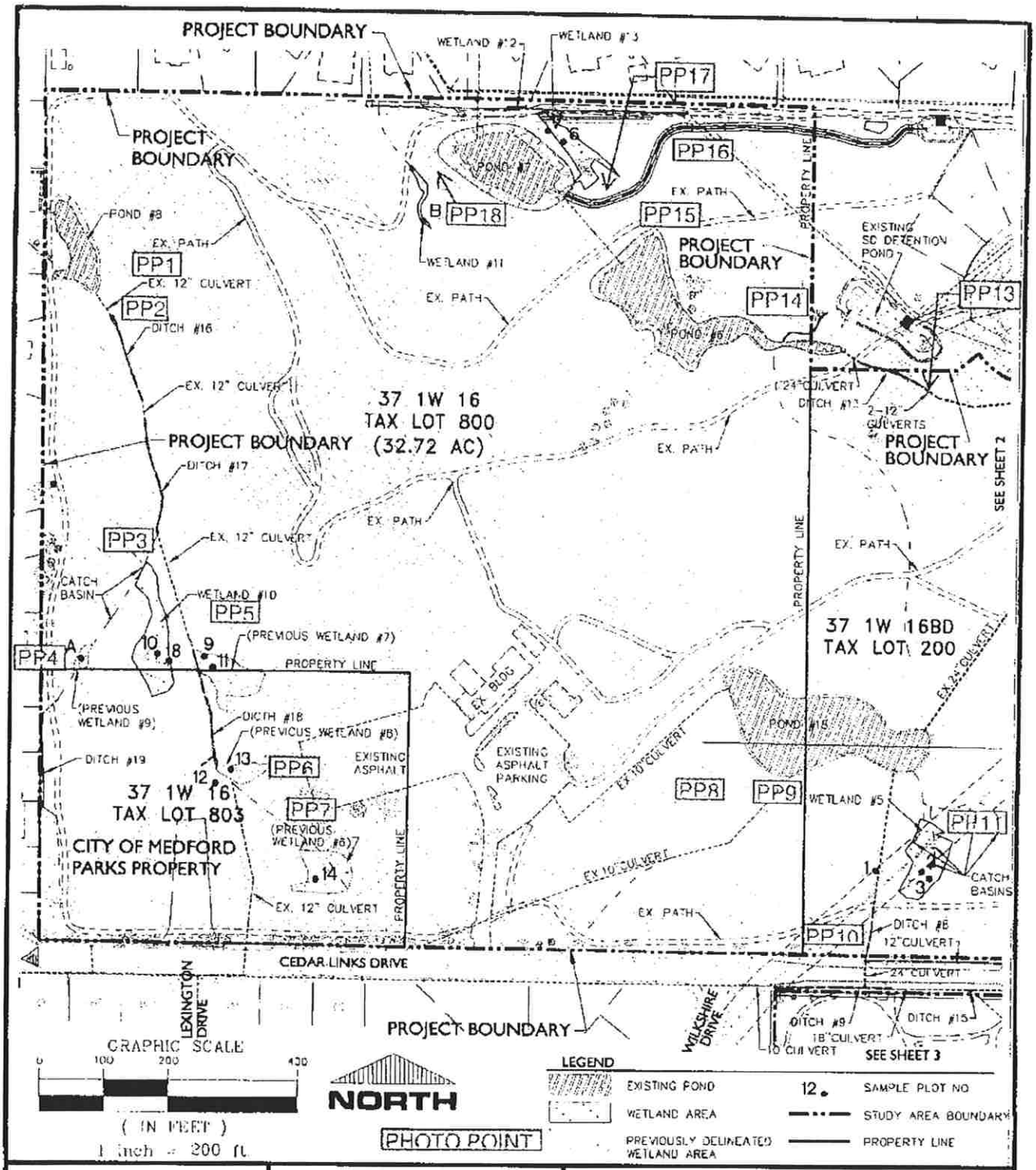

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Figure 5. Wetland Map
SCHOTT AND ASSOCIATES

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"

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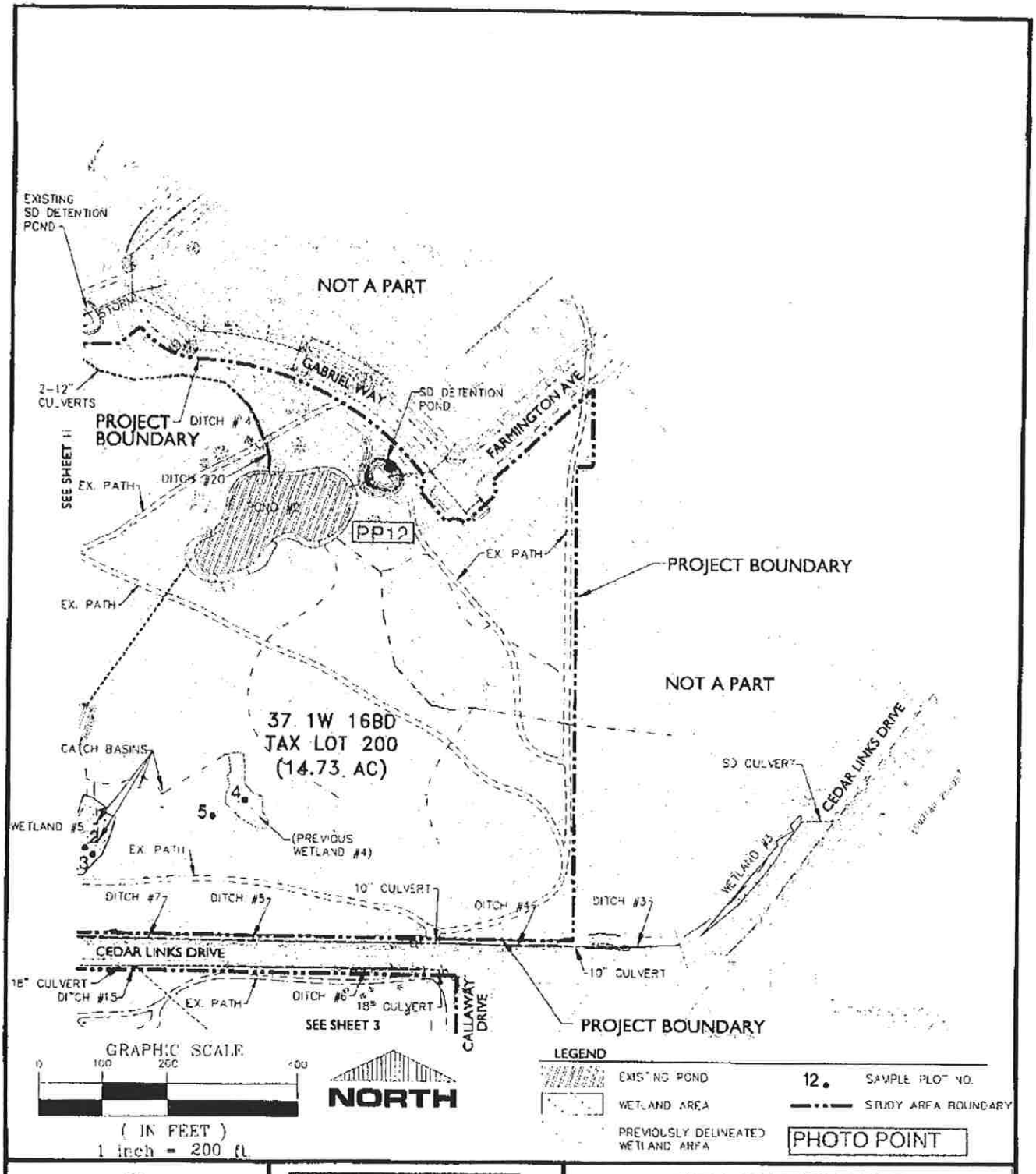

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Figure 5. Wetland Map
SCHOTT AND ASSOCIATES

21018 NE HWY 99E
AURORA, OR 97002
MARTIN SCHOTT
PH (503) 676-6007

CITY OF MEDFORD

CEDAR LANDING P.U.D.

EXISTING CONDITIONS MAP

EXHIBIT "B-2"

NAME: WET-EXCOND2.DWG PROJ. 13-55 PLOT DATE: 8/26/15

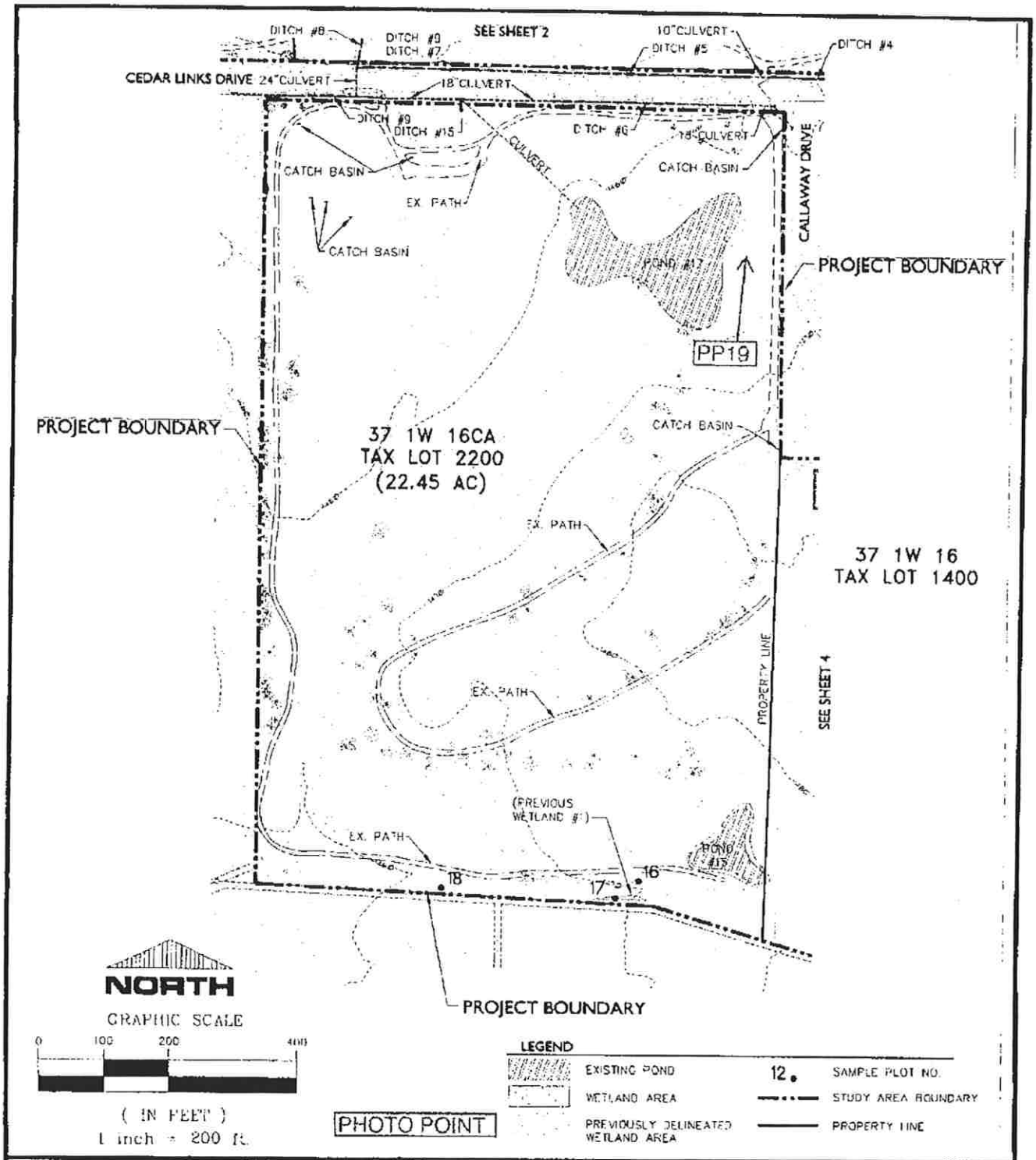

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Figure 5. Wetland Map

SCHOTT AND ASSOCIATES

21018 NE HWY 99E
AURORA, OR 97002
MARTIN SCHOTT
PH (503) 678-6007

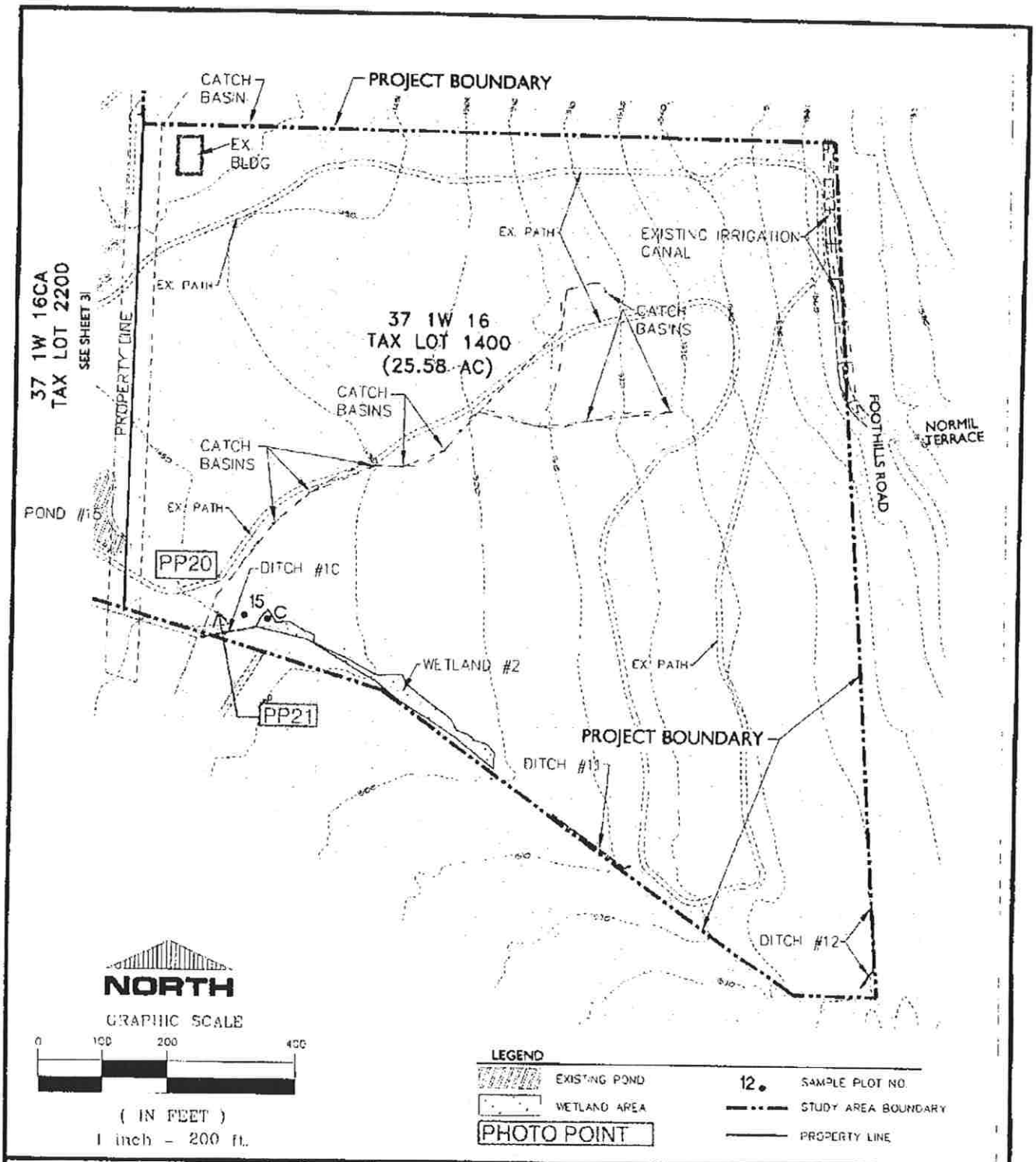
CITY OF MEDFORD

CEDAR LANDING P.U.D.

EXISTING CONDITIONS MAP

EXHIBIT "B-3"

NAME: WET-EXCOND3.DWG PROJ.: 13-55 PLOT DATE: 9/25/14

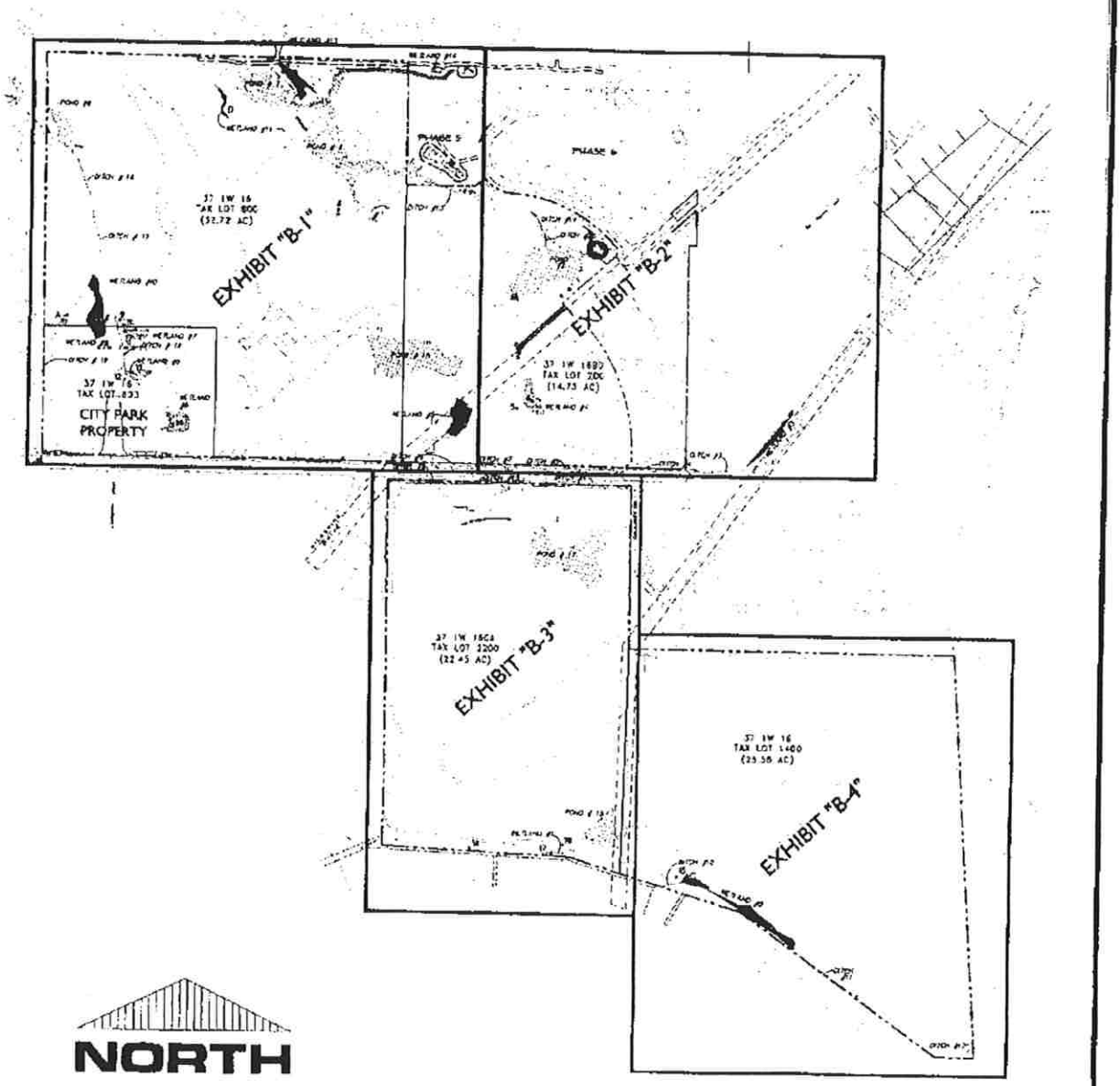


CONSTRUCTION ENGINEERING CONSULTANTS INC.
P.O. BOX 1724 • MEDFORD, OREGON 97501
PH. (541) 779-5266 FAX (541) 779-3130

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-4"

NAME: WET-EXCOND4.DWG PROJ: 13-55 PLOT DATE: 9/25/14



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 1721 - MEDFORD, OREGON 97501
PH. (541) 770-5069 FAX (541) 779-0130

Figure 5. Wetland Map

SCHOTT AND ASSOCIATES

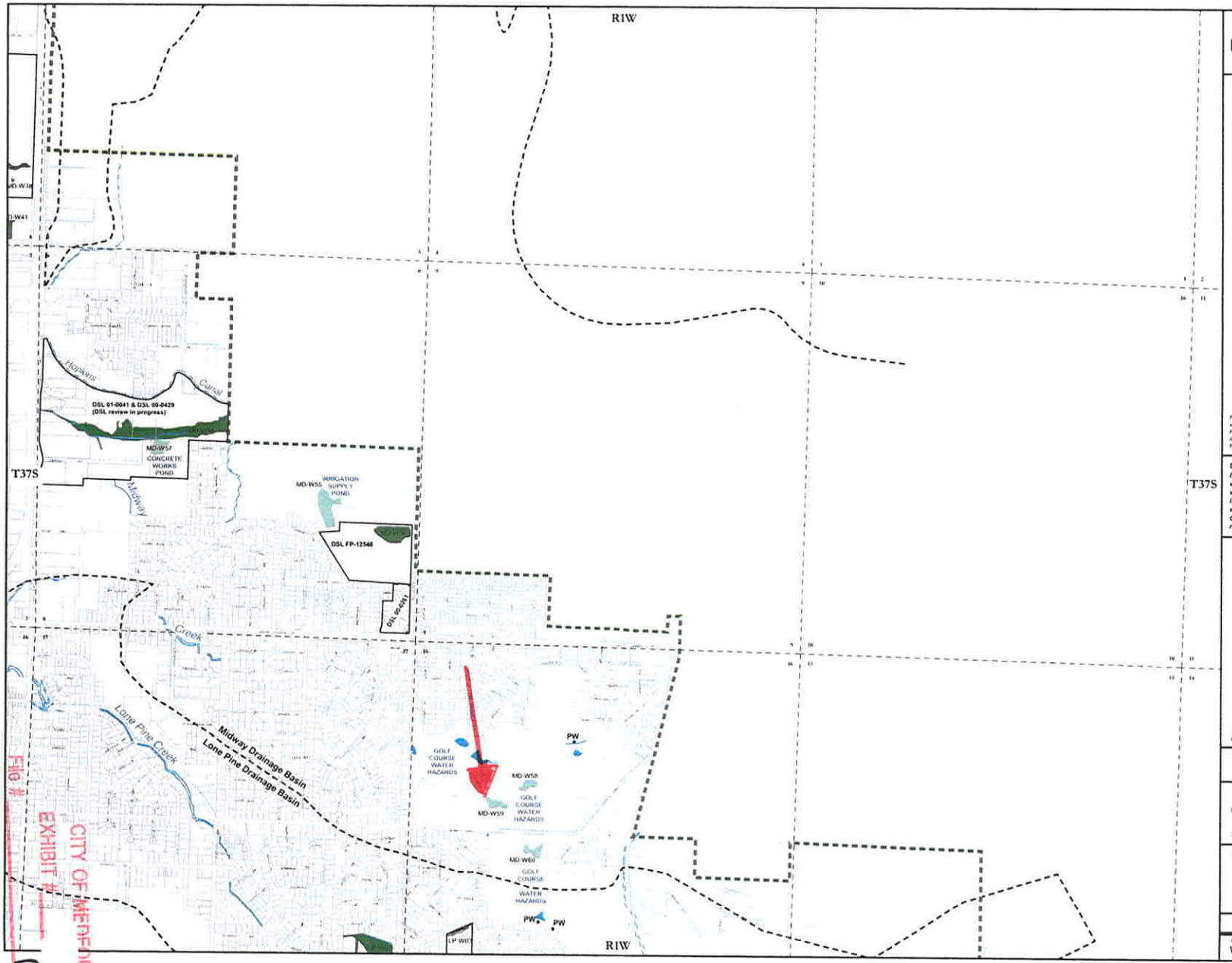
21018 NE HWY 99E
AURORA, OR 97002
MARTIN SCHOTT
PH (503) 678-6007

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

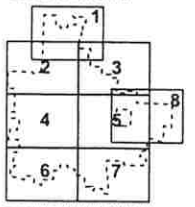
- WETLANDS
- WETLANDS (LOCALLY SIGNIFICANT)
- FIELD VERIFIED
- WETLAND/UPLAND MOSAICS
- PW POSSIBLE WETLANDS
- SW-W01 WETLAND CODE

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

30 Minute Coordinates, Oregon South, North American Datum 1983

SOURCES:

City of Medford Planning and Public Works Departments
Jackson County Geographic Information System 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
jsheick@pacifier.com

Page 248
File #
CITY OF MEDFORD
EXHIBIT #
PW-12.002

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 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 # Y
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.

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NOV 0 6 2019
PLANNING DEPT.

koble creative, architecture llc

14 November, 2019

RE: Cedar Landing PUD Revision (site located within previous PUD 016-024)

On August 13, 2019, Koble Creative submitted drawings for Cedar Landing PUD to be reviewed as Type III Revision to the previous PUD approval. In addition, Koble Creative reached out to the adjacent neighbors with efforts to develop a fruitful relationship that would guide appropriate design revisions to encourage a symbiotic community. In follow up to the August 22nd Planning Commission meeting and a meeting with key concerned neighbors on September 26th, the following items have been added or revised to the previously submitted drawings, to address comments and concerns from neighbors and commissioners.

TABLE OF CONTENTS

01 Increased tree counts along Cedar Links Drive and Farmington Avenue

02 Added landscape area summary for parking areas

03 Reduced overall building footprint; Increased building setbacks and landscape buffer.

04 Further defined public plaza, water feature and meandering pathways.

05 Clarified indoor long-term bicycle parking locations

06 Reduced the proposed quantity of residential units from 120 to 110 units.

07 Reduced residential building heights to meet code allowed height, and reduced mixed-use building to 2-stories.

08 Modified facades to increase articulation along all street frontages.

09 Providing a 3,000 SF Community Center to be available to the surrounding neighborhood.

10 Summary Narrative

CITY OF MEDFORD
EXHIBIT # 2
PUD-19-002

01 Increased tree counts along Cedar Links Drive and Farmington Avenue

Tree Count Summary:

- 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

02 Added landscape area summary for parking areas.

Landscape Area Summary:

- Added Parking lot landscape calculations table to sheet L2.0
- Minor adjustments to interior planting bed layouts and pathways

03 Reduced overall building footprint; Increased building setbacks and landscape buffer.

In an effort to minimize the associated impacts to the neighboring community, the proposed design greatly reduced the building foot print to cover only 20% of the site. This reduction of building footprint is 50% less square feet than the previously approved PUD. Thus, allowing increased landscape buffer to adjacent neighbors.

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) provides additional landscaping opportunities to buffer the adjacent neighbors.

See calculations on attached sheet A1.1.

04 Public plaza, water feature and meandering pathways.

The proposed design embraces opportunities to maximize a positive pedestrian experience throughout the site. Three public plazas adorn the site- one plaza includes a water feature at the entrance into the site. Seating areas and shade trees accompany the public plaza. Additionally, the use of meandering pathways and enhanced landscaping provoke user-friendly wayfinding for building entrances and desired vistas.

See attached sheet A1.1.

05 Clarified indoor long-term bike parking.

To meet Medford's municipal code section 10.748 requirements, the proposed project provides long term bicycle storage areas. These amenities will be located in each building and comply with 10% of the commercial requirements for automobiles and one space per residential unit. This project accommodates enough long-term storage for 116 bicycles.

See attached sheet A1.1.

06 Reduced the total amount of residential units.

The total quantity of residential units was reduced to address neighborhood concerns and better conform with the previously approved PUD. The proposed design contains 110 one- and two-bedroom apartments.

07 Building Height Narrative

Based upon initial discussions with City staff and adjacent neighbors, and our review of the prior PUD approvals, building heights were reduced. 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.

The overall height for Building "A" was reduced from 3-stories to 2-stories and is now proposed to be only 29'-3" in height, a reduction of 10'-9" from the previously requested height of 40' for that building.

Each of the residential buildings now meet the allowable building height of 35'. 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.

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.

See dimensions on attached revision drawing A5.0.

08 Modified facades to increase articulation along all street frontages.

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 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.

See dimensions on attached revision drawing A5.0.

09 Providing a 3,000 SF Community Center to be available to the surrounding neighborhood.

In addition to the community benefit of the commercial hub that the development will provide, and in an effort to integrate the proposed project into the neighborhood, a 3,000 square foot community center will be available for public use by residents within the neighboring PUD community. This civic component will consist of comfortable gathering spaces and kitchen for small events, a fitness facility and pool.

10 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 intersections to serve the local community needs.

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.

Steffen K. Roennfeldt

From: Deanna Copeland <deannacopeland@live.com>
Sent: Monday, August 19, 2019 1:58 PM
To: Steffen K. Roennfeldt
Subject: Fw: Cedar Landing Revision

<EXTERNAL EMAIL>

From: Deanna Copeland
Sent: Monday, August 19, 2019 1:55 PM
To: Steffen K. Roennfeldt <Steffen.Roennfeldt@cityofmedford.org>
Subject: Cedar Landing Revision

This is about the proposed apartments at the corner of Cedar Links Dr. and Farmington Ave.

Please refer to the compliance data as stated in the "Approval Criteria for Peliminary PUD"

Note item 2c in this compliance data. "the project will not materially impair the function, safety, or efficiency of the circulation system of the development". Sounds like a fancy way of saying traffic impact. I don't care what the traffic department study came up with to cram this future traffic nightmare down our throats. Please refer to the way they allowed the REI/Trader Joes traffic to be laid out. I don't want to face a situation like this every time I make a trip out of my neighborhood.

I have lived at my address, 1070 St. Francis Dr., for 4 years. This proposed 120 unit facility is less than a half a mile from my house. I use this intersection every time I go anywhere. I know this traffic like the back of my hand.

The project will put a burden on what little off street parking there is. There is no parking on both sides often times as it is now. It is maxed out without adding 120 additional cars and people.

There is a dangerous blind curve on Farmington as it nears Cedar Links. It is just a matter of time before there is head on collision. It is also very dangerous for pedestrians. You can't have your car door open. I could go on and on. This curve was not taken into account when they got the brainstorm to build a place for 120 people on it.

So we will be left with a mess. The traffic department can happily move onto another one. Come back in a year and look at what navigating the intersection of Cedar Links and Springbrook will have turned into after adding 120 people in high density housing to the neighborhood. I don't care if it is a round about, stop sign or stop light. That many cars, city buses, school buses, pedestrians, dump trucks with trailers, you name it, will be left to endure the consequences of what this planning commission has given a green light.

How can you agree that this project does not impair the function, safety or efficiency of traffic? 120 cars will drown us.

CITY OF MEDFORD
File # PUD-19-002

Deanna Copeland
1070 St. Francis Dr.
Medford, OR

RECEIVED
AUG 19 2019
PLANNING DEPT.

Project: Cedar Links Apartments
Application & Agent: Koble Creative Architecture
File no. PUD-19-002
To: Medford Planning Commission
From: Tom and Glenda Capsey
Date: August 17, 2019

We supported the 2016 PUD site design for the 'Village' by Kistler + Small + White Architects which was agreed to be the design concept to be followed (applicants exhibit K1 attached). This site design was well thought out and allowed for privacy of both tenants and single-family homeowners. After the numerous "minor revisions" proposed by Kolbe Creative Architecture, the design no longer conforms with the original design concept or intent of the KSW detail plan.

The revisions to the site design and parking layout have significant impacts on the surrounding single-family neighborhood context. The originally proposed site design (applicant's exhibit K1-7 and 11, attached) incorporated larger landscape buffers, a parking design more appropriately scaled to the surrounding area, a two story commercial building with the second story restricted to office or storage area, and a landscaped central courtyard with open space that would benefit new and existing residents and homeowners.

In the latest proposed site design, (pg. 186 attached) this has all been replaced by large groups of parking modules visible from Cedar Links Drive with no meaningful landscaped space. The tall, 40', apartments and mixed use building(commercial on the first floor, apartments on second and third floors) have been pushed to the perimeter of the site, creating privacy concerns for the existing single-family homes to the east (Farmington Ave), south on Cedar Links Drive, as well as the proposed single-family 'Cottage' development to the north.

We feel that the latest design is a step backwards and the proposed modifications do not "enhance the development as a whole resulting in a more creative and desirable project" per MLDC §10.190(D)(2)(b). The applicant is requesting variances for structure height, among others, and has not adequately demonstrated how the impacts of such increases will be mitigated. The original, centrally located, site design by KSW addresses this concern with greater setbacks from the site's immediate neighbors and public rights-of-way.

We urge the Commission to **not grant approval** for the proposed PUD as designed, as it will have detrimental impacts on the surrounding single-family homes and context of the neighborhood as a whole.

T Capsey
Glenda Capsey

CITY OF MEDFORD
EXHIBIT # 13B
File # PUD-19-002

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

PUD-16-002

CITY OF MEDFORD
EXHIBIT # K
FILE # PUD-16-024
1 of 7

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

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 12"
3 of 7

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

kistler + small + white

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

"12"
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.

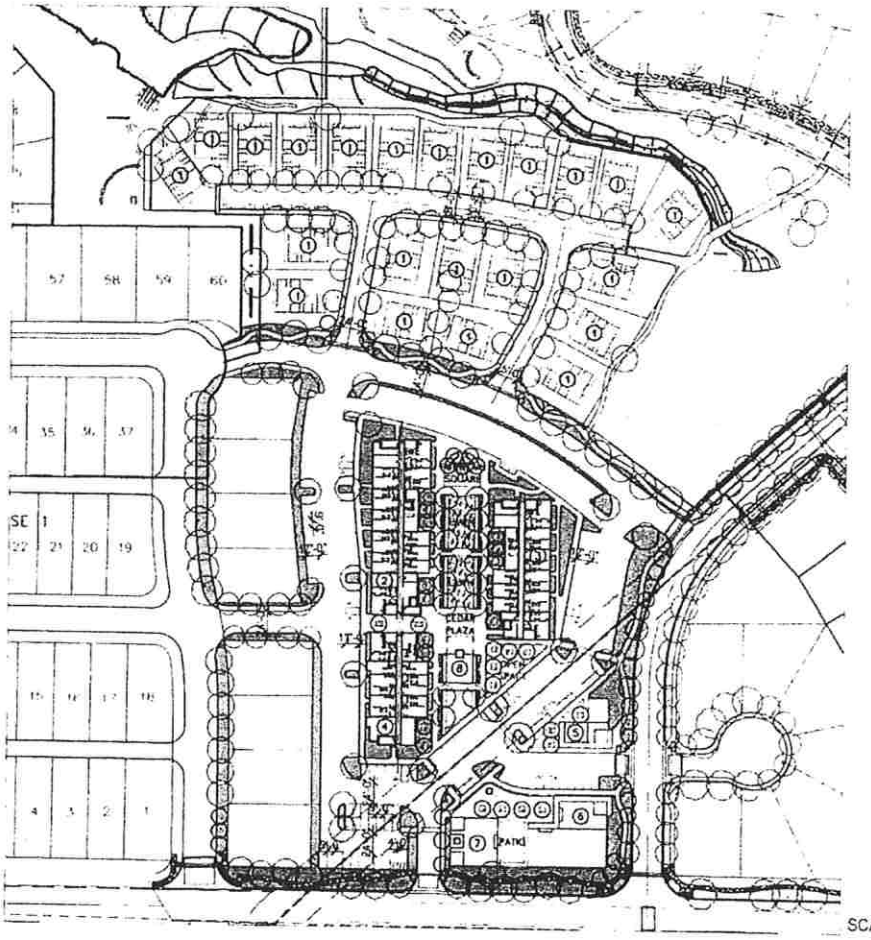
CSA Planning, Ltd

Michael Savage
Associate

cc. File: Cedar Investment Group, LLC

"K"
7 of 7

Applicant's Exhibit 11



SCALE 1" = 100'

DETAIL PLAN FOR *THE COTTAGES* AND *THE VILLAGE*

KEY NOTES:
1 SFD (72 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

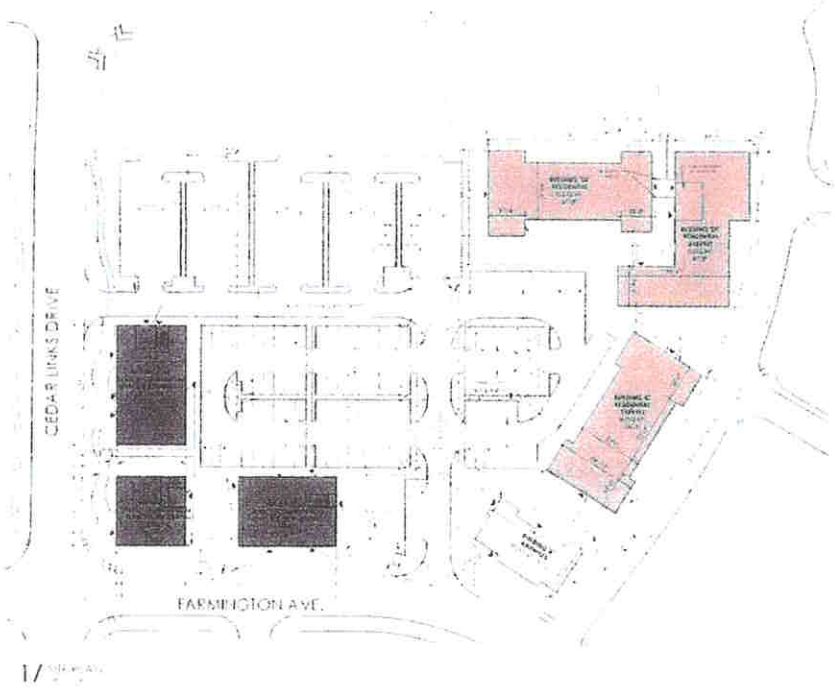
3 MFD/CONDOMINIUM: MIN 75 - MAX 100 UNITS
MIN. PARKING SPACES AT 1.4 SPACE PER UNIT 75 X 1.4 = 105 SPACES;
MIN. PARKING SPACES AT 1.4 SPACE PER UNIT 100 X 1.4 = 140 SPACES

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

2 OF 2a
Page186

PUD-19-002



SITE

LEGEND BUILDING

RECEIVED
AUG 13 2019
PLANNING DEPT.

/kōblə/CREATIVE

CEDAR LINKS
MEDFORD OREGON

ARCHITECTURAL SITE PLAN

A02

RECEIVED
AUG 21 2019
PLANNING

WILDCATS
LONE PINE ELEMENTARY
3158 Lone Pine Road, Medford, OR 97504 • (541) 842-3820 • Fax (541) 842-3319

Do the right thing; listen to your residents!

Mr. Dino Rossi
3412 Venice Court
Medford, OR 97504

August 18, 2019

Medford Planning Commission and Galpin LLC

Dear City Leaders and Developers,

My name is Dino Rossi and I live at 3412 Venice Court. I am a classroom teacher at our local Lone Pine Elementary School. I would like to express my sincere and strong opinion, in-step with the solid consensus among the residents of the area, to reconsider several proposals to ***PUD-10-002*** related to the Cedar Landing Development. Our voices as residents of this development are important to make this community and neighborhood the best it can be, and a failure to honor these voices would be a failure of our system.

First, the proposed change to have the commercial space increase to three stories (40 feet) on the corner of Farmington and Cedar Links clearly breaks the intent of the PUD's ***Section 4*** criteria (*The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.)* While I imagine this architecture is tasteful, the orientation of these three buildings must be moved so that they are not on the corner, as doing so would not only break the common element of the development's single-story residences, but it would impede on the privacy of all of us living in its vicinity. I propose to go back to one-story commercial buildings, or adjust the orientation to bring the three-story design off the corner and away from the homes. It would be puzzling to think otherwise when considering how many design stipulations about our single-story houses that we must abide by, such as the heights and locations of fences, the style of storage sheds, etc., etc.

Another concern relates to the multi-family units. It is extremely disappointing that the development has continually advertised these units as "luxury condos," yet here we find that they are now apartments? These are two drastically different

CITY OF MEDFORD
EXHIBIT # 69
File # PUD19-002

concepts, and changing this now would be deception. Furthermore, to now increase an already dense 100 units to 120 is completely unacceptable. The increased supply obviously increases the margins, but it will inevitably degrade the condition and character of this whole development (not in compliance with **Section 4**).

Increasing units will also make an already precarious traffic situation worse. I believe the figure for 1.5 vehicles per resident is hopeful at best, and we're going to see a big problem with traffic, as most residents likely will bypass Foothills for Farmington/Cedar Links as their way into town. Is Cedar Links/Springbrook ready for that? Will additional units make it safer for my children and others when enjoying our beautiful neighborhood on their bikes or walking? I imagine, too, that the Village development will look more like a sea of parking (not in compliance with **Section 4**). Cap these units at 100!

Let me be clear – if the development was advertised as this current proposal when we were looking to buy our home, we would not be living here today. It is one thing if we all moved in after the fact, but clearly we all came here sold on a VERY different concept. Legally there may be a way to point out that we should have known through the nuances and legal jargon (i.e. and/or type language), but without a doubt, no one living here expected apartments and corner high-rises.

The reason I will not be present at the hearing on August 22, 2019 is because I will be greeting my families in my classroom at Back-to-School Night at Lone Pine. I hope this petition gets considered in my absence. Imagine this proposal gets approved as is. How do you expect me to teach my students the power of American democracy – the power of people's collective voices – with a straight face? As a first time for me participating in such matters, I stand curious if this process and hearing is all just a mere formality, or is it really an opportunity where citizens can succeed in having their voices heard. I assure you, regardless of the turnout, our opinion is strong and in unison. Do the right thing; listen to your residents.

Sincerely,

Mr. Dino Rossi

RECEIVED
AUG 2 1 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
August 22, 2019
Agenda Item #PUD-19-002

Gentlemen:

Once again we meet to discuss yet another modification to a PUD project initiated in 2004 and last approved reference the specific parcel or unit of development, multi-family condominium residences at Cedar Landing in July of 2016.

I would respectfully remind the Planning Commission that the plan, then identified as PUD-16-024 was approved not only pursuant to the PUD regulations in force at the time but a number of very specific concerns expressed by city planning staff, neighbors, as represented by the Northeast Medford Neighborhood Coalition and the developers and his agents themselves.

The concerns addressed and the resolution of same were made a part of the record and binding, reference the approval of the project. The commissions attention is respectfully directed to not only the Staff report, but the memorandum directed to Mr. Desmond McGeough, City of Medford Planner, dated June 23, 2016 by CSA Planning LTD included as attachment one (1). We also direct the planning commissions attention to the memorandum prepared by Kistler + Small + White architects for the developer, dated June 21, 2016, included as attachment two (2). Lastly, we would direct attention to the agreement between the developer, Cedar Investment Group LLC and the Northeast Medford Neighborhood Coalition (NMNC) dated July 6, 2016, included as attachment three (3).

Each document reflects the negations, compromise, and good faith shown by the involved parties. They were also included in the final plan approved by the planning commission. The plan as approved, met the basic goals of each involved party and was accordingly viewed as a "good plan".

Not withstanding the existence of an "approved" plan and the requirements of section 10.190 subsection (D)(2)(b) and (D)(4), the new applicants plan not only fails to meet the criteria specified in said sections, but further requires approval action by the commission reference at least four prior regulations or criteria codified by the planning commission and city council.

CITY OF MEDFORD
EXHIBIT # DD
File # PUD-19-002

First, reference the applicants request for multiple monolithic residential structures which exceed the height requirements for all multi-story or single family units within the PUD by five feet, we object and ask the planning commission to deny the variance.

By way of clarification, the agreement to allow a 40 foot building as noted in attachment three (3), was negotiated to allow a "pitched" roof structure which would conceal and quiet the existence and operation of all necessary heating and air conditioning equipment, attachment two (2) sections (4)(b)(c)(d), on page 4.

The negotiated agreement did not purport to allow 40 foot buildings for the purpose of increased occupancy.

Second, the request for an increase in numerical units from one hundred apartments to one hundred twenty units.

Such an increase not only requires extensive off site parking prohibited by existing code, but entails the construction of multiple three-story buildings designed for both commercial and residential use. Such mixed use is currently prohibited.

All buildings designated as commercial are currently limited to two-stories, the second story being restricted to office or storage space.

The construction of massive three-story buildings, the top two floors being utilized as residential units does not produce a project compatible with prior or present development within the PUD. Current and future property owners will suffer loss of view and privacy.

Section 10.190 subsection (D)(2)(b) and (4) specify "the proposed modifications enhance the development as a whole resulting in a more creative and desirable project".

Section 10.190 subsection (2)(4) states that "the location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function".

The code regulating the development of a PUD does not, to the best of my knowledge, contain a section wherein the enhancement of profit supersedes the quality of the PUD as a whole, or mandates the degradation of existing units within the sphere of a new proposed element of the PUD.

Lastly, the proposed development cannot meet existing parking standards without utilizing at least 17 dedicated parking spaces on a developed private street. To facilitate the utilization of emergency vehicles within the complex, not to mention the required flow of normal traffic, one side of the private street will have to be signed "no parking". Such designation will no doubt have an adverse effect on future property within the PUD as a whole.

We would note in passing that the previous acceptance of a 5% parking reduction, as recorded in attachment three (3) was premised on multiple points of compromise, none of which are evident in the current applicants proposal.

Summarily, we strenuously object to the approval of the proposed plan and thus the nullification of the previously approved multi-family condominium residence plan as negotiated and approved by the neighborhood and Planning Commission in 2016.

Sincerely,

Jim Greathouse

Jim Greathouse

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.**

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the residential area would qualify as **shared parking** under MLDC 10.744.

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  - 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

kistler + small + white

architects

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.

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.

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.

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.

Date – 7-6-2016

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

Eric Artner - CIG

ATTACHMENT (3)

RECEIVED
AUG 2 1 2019
PLANNING DEPT.

Date: August 21, 2019

To: City of Medford Planning Department

From: Jim Wilson, owner of 2774 Farmington Ave which falls within Cedar Landing Planned Unit Development (PUD)

Enclosures: (1) Planned Unit Development (PUD) Application and Approval Provisions

(2) Letter from Jim Greathouse and Eric Artner dated July 6, 2016

Project Description from Kistler + Small + White architects dated July 6, 2016

Memorandum from Mike Savage with CSA Planning dated June 23, 2016

(3) Letter from Jim Greathouse in reply to documents submitted to Planning Commission meeting held on June 23, 2016

(4) Notice of Public Hearing – Planning Commission dated June 2. 2016 with attached Preliminary PUD Plan Approval Criteria, Land Division Approval Criteria, and supporting maps regarding PUD Revision PUD-16-024

(5) Signature page, residents of Cedar Landing PUD who desire standing in this matter

I strongly oppose the proposed revision to "the Village" area of Cedar Landing Planned Unit Development.

The proposed revision of three-story buildings built along Farmington Ave with a height of forty feet.

a. According to enclosure (1), approval criteria in (D)(2)(b) states "the proposed modification enhance the development as a whole resulting in a more creative and desirable project".
b. Previously approved proposal in enclosure (2), CSA Planning agreed commercial buildings would be two-story and limit the second story to office and storage spaces.
c. Previously approved project description in enclosure (2) shortened the East buildings for a variety of reasons, to include reducing mass into legible unit sizes that characterize a residential scale.
d. Enclosure (4) shows previous proposal consisting of single and two-story structures with greater than half of each lot coverage consisting of single-story buildings.
e. In the third point of enclosure (3), Jim Greathouse provided a perfect summation when he stated "The issue of two versus three stories is, of course, one of profit. I would like the present Planning Commission, as have the previous Planning Commission and City Council members, vote to uphold the integrity of residential neighborhoods. Profit is not bad, but it should not supersede the rights and expectations of the populace at large."

CITY OF MEDFORD
EXHIBIT # EE
File # PUD-19-002

I look forward to the development of the Village area and believe that it can and will be an enhancement to the PUD as a whole. However, this can best be done by not creating what would be nothing short of a monolith directly across from the other members of this community.

The residents of the existing Cedar Landing PUD are a network of friends and neighbors that look forward to welcoming the new members of our community that this development will bring, but strongly encourage the Planning Commission, and if necessary, the City Council members to only approve a plan that would truly enhance our community as a whole and compliment the already developed portions of Cedar Landing PUD.

Thank you in advance for your consideration in these matters, I appreciate the opportunity to give voice to my concerns.

Sincerely,

Jim Wilson

10.190 **Planned Unit Development (PUD) – Application and Approval Provisions.**

(A) Purpose and Intent of PUDs.

The PUD approach permits flexibility to allow creative and imaginative urban development that would otherwise not be possible under the strict requirements of this Code. The intent is to promote more efficient use of urban land and urban services while protecting natural features, creating common open space, promoting the development of transit-oriented design along designated transit corridors and within designated transit-oriented development (TOD) areas, and encouraging a mixture of land uses and housing types that are thoughtfully planned and integrated.

(B) PUD Stepped Process.

Consolidated Applications Authorized: Approval of a PUD shall be a two-step process involving approval of a Preliminary PUD Plan by the Planning Commission as a Type III land use action as the first step and approval of a Final PUD Plan by the Planning Director as a Type I land use action as the second step. As used in Sections 10.190 through 10.194, the Planning Director shall mean the Director of the Medford Planning Department or their designee. Except applications for annexations and comprehensive plan amendments, applications authorized in Article II may be consolidated with an application for a Preliminary PUD Plan per Section 10.114.

(C) Application for a Preliminary PUD Plan.

(1) An application for Preliminary PUD Plan shall be on forms supplied by the City. A complete application shall include the materials and information listed in this Subsection. However, the Planning Director, in their discretion, may waive the submittal of any of the materials or information that are deemed to be excessive, repetitive or unnecessary based upon the size and nature of the PUD. Unless waived by the Planning Director, the following items shall be required to constitute a complete application for a Preliminary PUD Plan:

(a) Current assessor map with the boundaries of the proposed PUD identified.

(b) Preliminary PUD Plan (16 copies) and supplemental materials conforming to the Site Plan and Architectural Review application requirements in Section 10.200 (J). Additionally, such plans shall include preliminary plans for providing public water and sanitary sewer service. The Preliminary PUD Plan shall indicate boundaries within the property which distinguish areas devoted to different land uses pursuant to Subsections 10.190 (C)(1)(c)(vi), 10.192(B)(7) and 10.230(D)(8). Where different land uses are separated by streets, railroad rights-of-way, drainage channels or other water courses, the centerlines of such features shall be their boundaries. One copy of the Preliminary PUD Plan shall be a reduced size suitable for photocopy. If a tentative plat for a land division is submitted concurrently with a Preliminary PUD Plan, the Preliminary PUD Plan and tentative plat shall be on separate sheets. It is further provided that:

(i) Unless otherwise required in this Code, architectural plans for single family detached dwellings and landscaping plans for lots occupied by single family detached dwellings are not subject to review or approval as part of a PUD. However, nothing shall prevent an applicant from supplying architectural or landscaping plans for single family detached housing as a means to comply with one or more approval criteria.

(ii) If private or non-city standard street lighting is proposed, a street

lighting plan shall be provided which provides a detail of the proposed lighting fixture(s). The Preliminary PUD Plan shall indicate the location of proposed private or non-city standard light fixtures.

(iii) An applicant may postpone the submission and approval of architectural plans for proposed buildings and to have such plans approved later as a separate matter under Subsection 10.192 (I) after the Preliminary PUD Plan has been approved. When the approval of architectural plans has been postponed, the Preliminary PUD Plan shall show a conceptual footprint for each planned building and each building footprint shall be separately enclosed by a dashed line which shall be called and labeled a building envelope. Building envelopes shall reasonably anticipate and define the maximum extent of the footprint for each building in the PUD.

(c) A narrative description of the PUD which shall cover:

(i) The rationale for planning this development as a PUD.

(ii) The nature, planned use, future ownership and method of perpetual maintenance of land to be left in natural or developed open space or which will be held in common ownership.

(iii) A listing of all modified applications of the Code that are proposed, followed by a brief explanation which covers the nature of, extent of, and reason for each modification.

(iv) If one or more signs are intended to vary from the provisions of this Code, then a detailed plan for all signs which require a sign permit shall be submitted. The sign plan shall specify the size, number, type, height and location of all signs which require a sign permit and shall clearly indicate all proposed modifications.

(v) A proposed development schedule. If the PUD will be constructed in phases, the development schedule for each phase shall be keyed to a plan that indicates the boundaries of each phase.

(vi) The gross acreage devoted to the various proposed land uses and housing types.

(d) Written findings of fact and conclusions of law which address the approval criteria in Subsection 10.190 (D)

(e) The names and mailing addresses of the owners of record of tax lots, obtained by the latest tax rolls of the Jackson County Assessor's Office, located within 200 feet of the exterior boundary of the whole PUD. The owners of no less than seventy-five (75) tax lots shall be notified of the pending land use hearing. If seventy-five (75) tax lots are not located within two-hundred (200) feet of the exterior boundary of the PUD, the notification area shall be extended by successive fifty (50) foot increments, until a minimum of seventy-five (75) tax lots are included in the notification area. The owners of all tax lots within the extended notification area shall receive written notice; therefore, noticing of more than seventy-five (75) tax lots may be required. The names and mailing addresses shall be typed on mailing labels and shall include the assessor map and tax lot numbers for each parcel.

(f) A conceptual stormwater facility plan with associated landscape plan, if applicable, pursuant to Sections 10.486(B) or 10.729(B).

(g) Documentation of pre-submittal PUD Neighborhood Meeting. Documentation shall include:

(i)A copy of a Certificate of Mailing for the neighborhood meeting notification mailing pursuant to Section 10.194(C);

(ii) A completed Verification of Neighborhood Meeting form attesting to the contents of the materials provided or reviewed at the meeting;

(iii) A set of the notification materials listed in Section 10.194 (B); and,

(iv)The signature sheet(s) from the Neighborhood Meeting.

(2) An applicant may postpone the submission and approval of architectural plans for proposed buildings and to have such plans approved later as a separate matter under Section 10.192(I) after the Preliminary PUD Plan has been approved. When the approval of architectural plans has been postponed, the Preliminary PUD Plan shall show a conceptual footprint for each planned building and each building footprint shall be separately enclosed by a dashed line which shall be called and labeled a building envelope. Building envelopes shall reasonably anticipate and define the maximum extent of the footprint for each building in the PUD.

(3) Extended Notification Area, PUD. The application for Preliminary PUD Plan shall include the names and mailing addresses of the owners of record of tax lots, obtained by the latest tax rolls of the Jackson County Assessor's Office, located within 200 feet of the exterior boundary of the whole PUD. The owners of no less than seventy-five (75) tax lots shall be notified of the pending land use hearing. If seventy-five (75) tax lots are not located within two-hundred (200) feet of the exterior boundary of the PUD, the notification area shall be extended by successive fifty (50) foot increments, until a minimum of seventy-five (75) tax lots are included in the notification area. The owners of all tax lots within the extended notification area shall receive written notice; therefore, noticing of more than seventy-five (75) tax lots may be required. The names and mailing addresses shall be typed on mailing labels and shall include the assessor map and tax lot numbers for each parcel.

(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.

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

(6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(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.

(E) Conditions of Preliminary PUD Plan Approval.

If the Planning Commission approves a Preliminary PUD Plan, in addition to conditions of approval authorized under Section 10.200(F), it may attach conditions to the Preliminary PUD Plan approval which are determined to be reasonably necessary to ensure:

(1) The Final PUD Plan will be substantially consistent with the approved Preliminary PUD Plan and specifications related thereto.

(2) Development of the PUD will be consistent with the approved Final PUD Plan and specifications related thereto. To ensure satisfactory completion of a PUD in compliance with the approved plans, the Planning Commission may require the developer to enter

into an agreement with the City as specified under Section 10.200(I).

(3) The PUD will comply with the Comprehensive Plan, the Medford Municipal Code and all provisions of this Code except the specific provisions for which there are approved modifications.

(4) There are appropriate safeguards to protect the public health, safety and general welfare.

(5) There will be ongoing compliance with the standards and criteria in this Section.

(6) To guarantee that streets, public facilities and utilities can be appropriately extended from one PUD phase to each successive future phase in accordance with the approved Preliminary PUD Plan, the City may require the conveyance of easements or other assurances.

(F) Expiration of Preliminary PUD Plan Approval.

Preliminary PUD Plan approval shall be valid for three years and may not be extended. The three-year period shall begin the date the Final Order approving the Preliminary PUD Plan is signed by the Planning Commission Chairperson. If a Preliminary PUD Plan is appealed, the three-year period shall begin on the date on which all appeals are resolved, including the resolution of all issues on remand. Within the three-year time period, an application for a Final PUD Plan must be filed for the entire site or for the first phase if the PUD has been approved for phased development.

(G) Time Limit Between PUD Phases.

After Final PUD Plan approval for the first phase of a PUD having approved multiple phases, and for each successive phase thereafter, no more than five years shall lapse between the approval of phases. If more than five years pass between the Final PUD Plan approval of any two PUD phases after the first phase, the Planning Commission may, without the consent of the owner(s) of the PUD, initiate action to terminate undeveloped portions of the PUD under Section 10.198(B).

(H) Binding Effect; Previously Approved PUDs.

A PUD Plan approval shall run with the land and shall be binding upon all successors in interest in all land within the whole PUD. It is further provided that a Preliminary PUD Plan approval shall remain in full force and effect unless the approval expires or is terminated by action of the City pursuant to Section 10.198(B). Preliminary plans submitted prior to the adoption date of this ordinance, and final plans resulting from those preliminary plans, are subject to the regulations for PUDs in effect at the time the preliminary plan application was submitted.

[Replaced Sec. 69, Ord. No. 2018-64, June 21, 2018 (effective July 23, 2018).]

10.191 [Repealed Sec. 70, Ord. No. 2018-64, June 21, 2018 (effective July 23, 2018).]

10.192 **Preliminary PUD Plan – General Provisions.**

(A) Minimum Acreage for a PUD.

PUDs must contain one acre or more at the time of application filing.

(B) Modified Application of Standards Authorized for PUDs.

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

(1) Lots and Parcels in PUDs. Limitations, restrictions and design standards pertaining to the size, dimension, location, position and coverage of lots, and restrictions related to through lots.

(2) Yards, Setbacks and Building Height in PUDs. Limitations, restrictions and design standards pertaining to the location, size, height, yards and setbacks for buildings and other structures.

(3) Parking, Bicycle and Pedestrian Standards in PUDs. Limitations, restrictions and design standards pertaining to off-street vehicle and bicycle parking and loading, and standards related to pedestrian access.

(4) Frontage, Access, Landscaping and Signs in PUDs. Limitations, restrictions and design standards pertaining to lot frontage, access, required landscaping, signs and bufferyards.

(5) Streets Generally in PUDs. Streets within PUDs may be either city streets dedicated for public use or private streets owned and maintained by an association of owners, and may exceed maximum block length and perimeter standards provided in Section 10.426(C)(1). Streets within or adjacent to a PUD shall comply with the following:

(a) Collector and arterial streets shall be dedicated city streets, the existence and general location of which shall be determined by the Comprehensive Plan.

(b) City streets shall comply fully with the strict requirements of this Code, provided that the City in approving a PUD may permit the width of parking lanes for city streets to be less than the Code otherwise requires.

(c) The City may require any proposed PUD street or segment thereof to be constructed and dedicated as a city street.

(6) Private Streets in PUDs. Private streets may vary from the limitations, restrictions and design standards pertaining to streets with respect to length, width, position, aspect, intersection standards, grades, curve radii, cul-de-sac turnarounds, street lights, easements, sidewalks, curbs and driveway approaches for streets within the PUD, provided:

(a) With respect to the amount, quality and installation of construction materials, private streets shall be structurally equivalent to or better than city-standard streets.

(b) The City Fire Marshall shall approve the design of all private streets for access by emergency vehicles before approval of the Preliminary PUD.

(c) Private streets shall be posted as private streets and shall connect to the public street system. The applicant shall convey to the City and all appropriate utility companies a perpetual easement over the private street(s) for use by emergency vehicles and employees of the City and utility company(s) in the maintenance of public facilities and utilities.

(7) Allowed Uses and Housing Types in PUDs. The following uses and housing types shall be permitted as part of a PUD subject to the following:

(a) In addition to permitted uses, any portion of a PUD may contain any housing type listed in Subsection 10.314(1-3). In approving housing types, the Planning Commission may waive or reduce any of the special use regulations or standards

contained in Sections 10.811 through 10.839.

(b) Any conditional use listed for the underlying zone may be permitted without addressing the Conditional Use Permit criteria in Section 10.184 except when the conditional use is within 200 feet of the perimeter of the PUD. This exemption does not apply to conditional uses within Riparian Corridors pursuant to Section 10.925.

(c) Use(s) not permitted in the underlying zone may, nevertheless, be permitted and approved to occupy up to 20% of the gross area of the PUD provided that no portion of the use(s), including its parking, is located nearer than 200 feet from the exterior boundary of the PUD. If any portion of the use(s) is nearer than 200 feet from the exterior PUD boundary, then said use(s) shall be considered to be a conditional use and may be approved subject to compliance with the conditional use permit criteria in Section 10.184. However, this provision shall not apply where the land outside the PUD which is nearer than 200 feet from proposed use(s) is inside a zone in which the proposed use(s) is permitted.

(8) Mixed Land Use Designations in PUDs.

Unless otherwise prohibited, PUDs that have more than one General Land Use Plan designation or Southeast Plan land use category shall have the flexibility to mix or relocate such designations within the boundaries of the PUD in any manner and/or location as may be approved by the Planning Commission.

(C) Common Elements in PUDs.

A multi-family residential PUD must include a minimum of 20% of the land area as common area unless otherwise modified by the Planning Commission. This common area shall be for the purpose of providing protection for natural features, common recreational space, landscaped area, or commonly enjoyed amenities other than parking areas or private streets. 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, as applicable:

(1) PUD Planned Community.

If the PUD is a planned community under ORS Chapter 94, the declaration and tentative plat for the planned community shall be submitted with the Final PUD Plan for approval by the Planning Director before recording in the official records of Jackson County.

(2) PUD Condominium.

If the PUD is a condominium under ORS Chapter 100, a copy of the recorded declaration and plat shall be submitted to the City after it has been approved by the Oregon Real Estate Commissioner and recorded in the official records of Jackson County. A condominium declaration and plat shall not be reviewed and approved by the Planning Director and the Planning Director shall have no authority under this Subsection to require changes thereto.

(3) PUD Common Ownership.

If the PUD contains elements intended for common ownership but ORS Chapters 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.

(4) Phased PUDs.

When a PUD is proposed to be developed in phases, the phased provision of improved common elements shall be roughly proportional with the development of housing and other elements intended for private ownership. Unless approved by the Planning Commission as part of a phasing plan or which was approved by the Planning Commission prior to the adoption of this ordinance, no significant common element shall be postponed to the final phase of a PUD. Nothing in this Subsection shall prevent the provision of improved common elements at a rate that is proportionally greater than the development of housing and other elements intended for private ownership.

(5) Public Dedications and PUDs.

Land shown on the Final PUD Plan as a common element or which is intended for public dedication shall be conveyed under one of the following options:

(a) To a public entity which shall agree in writing to perpetually maintain the common element(s) being conveyed.

(b) To an association of owners created pursuant to ORS Chapters 94 or 100 or as otherwise created under Subsection 10.192(C)(3) in which instance the legal document which establishes the association shall provide that the association cannot be terminated or discontinued without the City's prior consent.

(6) Private Streets in PUDs.

If the PUD will have private streets, the legal document which establishes the association of owners shall provide that the City may enforce the maintenance or protection of its easements or public facilities.

(D) PUDs Exempt from Site Plan and Architectural Review.

PUDs approved under this Section shall be exempt and there shall be no requirement to apply separately for Site Plan and Architectural Review or to demonstrate compliance with the criteria in Section 10.200. However, the Planning Director in their discretion may forward a Preliminary PUD Plan or proposed revisions thereto to the Site Plan and Architectural Commission for review. When forwarded by the Planning Director, the Site Plan and Architectural Commission shall have authority to review the PUD plans and make recommendations to the Planning Commission.

(E) Delegation of Authority.

The Planning Commission may delegate authority to the Site Plan and Architectural Commission or to the Planning Director to approve in its name the plans for buildings or any other element of a PUD or revisions thereto after the Planning Commission has approved the Preliminary PUD Plan. The authority delegated by the Planning Commission under this Subsection shall be delimited in conditions attached to the approval. Notwithstanding any other provision of this Code and subject to an applicant's written request, the approval of delegated matters, where eligible, shall be procedurally treated as an Expedited Land Division pursuant to ORS 197.360 through 197.380, as amended. Lacking a written request from the applicant, approval of delegated matters shall be subject to a Type III Procedure as set forth in this Article.

(F) Building Permits, Development and Operation of a PUD.

All building and construction plans submitted to the City for the purpose of obtaining building and other site improvement permits shall be consistent with the approved Final PUD Plan. The development and operation of the PUD shall conform in all respects with the approved Final PUD Plan.

(G) Residential Density in PUDs.

(1) Residential Density Calculation.

Minimum and maximum residential densities in PUDs shall be calculated pursuant to Section 10.708, except, in PUDs having residential and non-residential land uses within a residential zoning district, including mixed-use buildings as defined herein, the minimum and maximum number of dwelling units shall be calculated using the gross area of the residentially zoned land including any to be occupied by non-residential uses. "Natural unbuildable areas" may be excluded at the developer's option as provided in Section 10.708.

(2) Residential Density Bonus.

In PUDs larger than five acres, the residential density may be increased by up to 20% more than the maximum density permitted by Subsection (1) above.

(H) Revised Preliminary PUD Plans.

In instances where conditions of approval result in substantial, complex or unpredictable changes to a proposed Preliminary PUD Plan, the Planning Commission, as a condition of Preliminary PUD Plan approval, may require an applicant to incorporate the changes into a revised Preliminary PUD Plan. When required, the revised plans shall be approved by the Planning Commission and when approved, the revised plans shall become the approved Preliminary PUD Plan and any conditions satisfied by the revised plans shall be stricken or appropriately altered.

(I) Postponed Preliminary PUD Plan Approval for Building Architecture.

When the approval of architectural plans for buildings in the PUD has been postponed under Section 10.190(C)(2), no Final PUD Plan shall be approved until the architecture of buildings has been approved by the Planning Commission, or by the Site Plan and Architectural Commission pursuant to Subsection (E) above, and the Final Order for such approval has been appended to the earlier approval of the Preliminary PUD Plan.

(J) Engineering Construction Plans, Preliminary PUD Plans.

Engineering construction plans, profiles, details and specifications for all public facility and utility improvements shall be prepared by a qualified engineer registered in Oregon. The engineering plans shall be approved by the City before the start of construction. Unless specifically authorized by the Planning Commission in the Preliminary PUD Plan approval, all public facilities and utilities shall be designed and constructed in accordance with the standards and procedures of the City or other public entity to which ownership will be conveyed. The procedures for engineering design, plan approval and inspection shall in all respects be the same as for land divisions under this Code.

[Amd. Sec. 12, Ord. No. 2010-160, July 1, 2010 – effective Sept. 1, 2010; Replaced Sec. 71, Ord. No. 2018-64, June 21, 2018 (effective July 23, 2018).]

10.194 **Preliminary PUD Plan – Neighborhood Meeting Requirement.**

(A) Purpose of Neighborhood Meeting Requirement for Preliminary PUD Plans.

To ensure neighborhood knowledge of proposed development and to provide an opportunity for direct communication, the applicant shall present the development proposal at a neighborhood meeting prior to submitting the land use application to the Planning Department. The applicant shall arrange and conduct the neighborhood meeting. City staff need not attend. Attendees shall

be asked to sign a signature sheet and provide their mailing address. Attendance at the neighborhood meeting does not give an attendee legal standing for appeal.

(B) Neighborhood Meeting Presentation, Preliminary PUD Plans.

The presentation at the neighborhood meeting shall include at a minimum the following:

(1) A map depicting the location of the subject property proposed for development; and,

(2) A visual description of the project including a tentative site plan, tentative subdivision plan and elevation drawings of any structures, if applicable; and,

(3) A description of the nature of the proposed uses and physical characteristics, including but not limited to, sizes and heights of structures, proposed lot sizes, density; and,

(4) A description of requested modifications to code standards; and

(5) Notification that attendance at the neighborhood meeting does not give legal standing to appeal to the City Council, the Land Use Board of Appeals, or Circuit Court.

(C) Scheduling and Noticing Neighborhood Meeting, Preliminary PUD Plans.

It shall be the responsibility of the applicant to schedule the neighborhood meeting and provide adequate notification of the meeting. The applicant shall send mailed notice of the neighborhood meeting to the owners of no less than 75 of the nearest tax lots regarding the neighborhood meeting. If 75 tax lots are not located within 200 feet of the exterior boundary of the PUD, the notification area shall be extended by successive 50-foot increments, until a minimum of 75 tax lots are included in the notification area. The owners of all tax lots within the extended notification shall receive written notice; therefore, noticing of more than 75 tax lots may be required. In addition to the affected property owners, the applicant shall also provide notice to the Planning Department. The applicant shall use the Jackson County Tax Assessor's property owner list from the most recent property tax assessment roll. The notice shall be mailed a minimum of 15 days prior to the neighborhood meeting which shall be held in Medford on a weekday evening. A certificate of mailing attesting to the date of mailing and the name and signature of the agent responsible for mailing said notices shall be prepared and submitted to the Planning Department in accordance with the materials identified in the application for Preliminary PUD Plan. The notice for PUD neighborhood meeting shall include:

(1) Date, time and location of the neighborhood meeting; and,

(2) A brief written description of the proposal; and,

(3) The location of the subject property, including address (if applicable), nearest cross streets and any other easily understood geographical reference, and a map (such as a tax assessor's map) which depicts the subject property.

[Added Sec. 72, Ord. No. 2018-64, June 21, 2018 (effective July 23, 2018).]

10.195 [Repealed Sec. 73, Ord. No. 2018-64, June 21, 2018 (effective July 23, 2018).]

10.196 **Final PUD Plan – Application Procedures.**

(A) Application for a Final PUD Plan.

Application for a Final PUD Plan shall be on forms supplied by the Planning Department. The Final PUD Plan shall contain all information and materials listed on the application unless certain items are or have been waived by the Planning Director as therein provided. However, there shall be no burden to demonstrate compliance with the criteria in Subsection 10.190(D). As appropriate, the Final PUD Plan shall incorporate all conditions imposed on the Preliminary PUD Plan approval. The application for a Final PUD Plan shall include a written narrative

explaining how the Final PUD Plan complies with the Final PUD Plan approval criteria in Subsection (D) below, and the conditions of approval.

(B) Phased PUD.

The Final PUD Plan may be submitted for the entire project or for each phase consistent with the approved Preliminary PUD Plan. If a Preliminary PUD Plan was not approved as a phased project, nothing in this Section shall prevent the Planning Director from approving a Final PUD Plan in phases provided that they approve a phasing plan pursuant to Sections 10.190(G) and 10.192(C)(4) as part of the Final PUD Plan approval, and provided further that the phasing plan ensures that essential services such as roads, fire access, storm drain, and sewer are available to serve each successive phase. After Final PUD Plan approval for the first phase, Final PUD Plans for all subsequent phases must be filed with the Planning Director.

(C) Final Plat for Land Division.

Application for the approval of a Final PUD Plan may occur before or concurrent with the approval of a final plat for a land division. However, no building permits shall be issued by the City and no buildings intended for human occupancy shall be constructed and no lot shall be sold until the Final PUD Plan has been approved by the Planning Director.

(D) Approval Criteria for Final PUD Plan.

A Final PUD Plan shall be approved by the Planning Director if the Director concludes that it complies with each of the following criteria:

(1) Provisions for the establishment and maintenance of elements to be held in common ownership, if any, have or will comply with the standards in Section 10.192(C).

(2) The Final PUD Plan is substantially consistent with the Preliminary PUD Plan and with any and all conditions imposed by the Planning Commission which were attached to the approval of the Preliminary PUD Plan.

(E) The Planning Director in their discretion may forward a Final PUD Plan to the Planning Commission for written clarification regarding whether the Final PUD Plan is substantially consistent with the Preliminary PUD Plan. When forwarded by the Planning Director, the Planning Commission shall have authority to review the PUD plans and advise the Planning Director.

(F) Modification of a phasing plan shall be considered substantially consistent with the Preliminary PUD Plan unless the revised phasing plan affects the provision of essential services such as public streets, sewer or storm drain to serve the successive phases.

(G) A Final PUD Plan shall be found to be inconsistent with the Preliminary PUD Plan when any of the following apply. If such inconsistencies are identified, an application for revision to the Preliminary PUD Plan shall be required:

(1) The exterior boundaries of the PUD have changed except for slight deviations which result from the resolution of boundary errors or inconsistencies discovered when the PUD property was surveyed,

(2) The number of housing units has increased,

(3) The number of housing units has decreased by more than five percent,

(4) Modifications to the provisions of this Code have been included which were not approved as part of the Preliminary PUD Plan under Section 10.192(B).

[Amd. Sec. 25, Ord. No. 7659, June 2, 1994; Amd. Sec. 2, Ord. No. 2003-284, Nov. 6, 2003; Amd. Sec. 9, Ord. No. 2008-236, Nov. 20, 2008; Replaced Sec. 74, Ord. No. 2018-64, June 21, 2018 (effective July 23, 2018).]

10.197 [Repealed Sec. 75, Ord. No. 2018-64, June 21, 2018 (effective July 23, 2018).]

10.198 **Revision of 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 or 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 or 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 or 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 or 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 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.

[Amd. Ord. No. 7857, April 6, 1995; Amd. Sec. 4, Ord. No. 2003-284, Nov. 6, 2003; Replaced Sec. 76, Ord. No. 2018-64, June 21, 2018 (effective July 23, 2018).]

10.199 [Repealed Sec. 77, Ord. No. 2018-64, June 21, 2018 (effective July 23, 2018).]

Date – 7-6-2016

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

Eric Artner - CIG

kistler + small + white
architects

PROJECT DESCRIPTION I

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.

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.

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.

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.

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

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

City of Medford
Planning Department
Planning Commission
City Hall Annex
401 W. 8th Street
Medford. Oregon 97501

Attn: Mr. Desmond McGeough
Medford City Planning Commission

Reference: P.U.D. 16-024

Gentlemen:

I have received the documents submitted to planning staff and the Planning Commission on the date of the Planning Commissions' last meeting, June 23, 2016.

Prior to commenting on same, I would respectfully submit that the Planning Commission initiate a rule which would not prohibit the submission of data on the hearing date; but would upon receipt of same by planning staff or the Commission itself, result in the mandatory extension of the hearing until the next scheduled Planning Commission hearing. Such action, while it may be inconvenient to the Commission and/or applicant, would insure that commission members, planning staff and the public at large would have an equal opportunity to read and evaluate all submitted documents in an orderly and studious manner.

With reference to the project description submitted by Kistler, Small and White Architects, I find each design objective; the design narrative and specific concepts of building orientation, scale and proportion, roof design and landscaping to be positive and compelling. I would, in fact, ask the Commission to codify the information and concepts contained in the document within their approval of the project, if the project is to be approved with the modifications sought by the applicant. Such action would ensure both concepts and character of the project even if sold to a second party or investment entity.

Reference the letter or document submitted by Mr. Savage, the representative of CSA Planning, Ltd., acting on behalf of the applicant. I would respectfully submit:

1. Second story limitation on use:

I support the proposal of Mr. Savage contingent upon the Planning Commission finding that any second story level or addition be restricted in use to office space or storage, reference the business situated on the ground level.

I would also submit that a restriction of 15,750 square feet would adequately meet the needs of the applicant and the surrounding neighborhood. Such codification of square footage and its specific use should be included in the Planning Commission final findings or approval of the project.

2. Parking:

I and the neighbors with whom I have spoken support the planning staff's recommendation that a ratio of 1.5 spaces for each residential unit be approved and that such parking not be subject to both residential and commercial use.

Commercial parking requirements should be determined by planning staff according to existing criteria.

3. Request to have the roof height of all commercial and/or multifamily units increased by five feet from thirty-five to forty.

I have first addressed this specific request in the letter which was included in the staff report presented to the Planning Commission on June 23, 2016. I would respectfully request that said letter be received by members of the Planning Commission.

The reasons put forth by the applicant and his representatives are reasonable and even compelling. However, said goals could be easily achieved via the design and construction of two story multifamily and commercial buildings with a restricted roof height of thirty-five feet. Such two story construction would be more compatible with both the existing and proposed residential development contiguous to or a part of the P.U.D.

The issue of two versus three stories is, of course, one of profit. I would like the present Planning Commission, as have the previous Planning Commission and City Council members, vote to uphold the integrity of residential neighborhoods. Profit is not bad, but it should not supersede the rights and expectations of the populace at large.

I would also submit to the council that any three story residential or commercial complex be required, as a condition of approval, to install elevators. I cannot imagine any resident or customer envisioning walking up multiple flights

of stairs carrying groceries, children or any other necessities of life or business with great relish let alone enthusiasm.

Your attention to and consideration of the contents of this document is greatly appreciated.

Sincerely.

Jim Greathouse
Northeast Medford Neighborhood Coalition

City of Medford

Planning Department

[illegible]

Date of Notice: June 2, 2016

File Nos.: PUD-16-024/LDS-16-025/LDS-16-026/LDS-16-027
Contact: Desmond McGeough

NOTICE OF PUBLIC HEARING - PLANNING COMMISSION

Hearing Date:	Thursday – June 23, 2016
Hearing Time:	5:30 pm
Hearing Location:	Medford City Council Chambers City Hall, 411 W 8th Street, Third Floor

This notice is to inform you of an upcoming opportunity to participate in a public hearing before the Medford Planning Commission regarding the four applications listed above. The subject property is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre Planned Development Overlay) zoning district.

What is being considered?

PUD Revision PUD-16-024
Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) (see list below). The request for PUD Revision primarily applies to the portion of Cedar Landing located on the NORTH side of Cedar Links Drive. There is one PUD Modification request that is applicable to the entire development.

Proposed PUD revision applicable to the **NORTH & SOUTH SIDES** of the development:

1) Allow a 55% lot coverage maximum for single-family residential units under 25 feet in height; units more than 25 feet in height will remain subject to zoning provision maximum lot coverage of 40%.

Proposed PUD revisions to applicable to only the **NORTH** side of the development:

2) 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.
3) Allow for optional land use for a scaled-down congregate Care Facility or single-family cottage units.
4) Serve a portion of the property with a private street.
5) Increased maximum building height for multi-family structures within "The Village" sub-area to provide more architectural appealing roof lines on three story units.
6) Allow a 10-foot front yard setback exclusive of garages for "The Cottages" sub-area.
7) Allow a 75-foot lot depth and minimum lot size of 3,800 square feet within "The Cottages" sub-area.
8) Allow up to 75% lot coverage for single family units under 25 feet in height within the "The Cottages' sub area.
9) Permit a minimum lot size of 5,800 square feet for lots within "Sky Lakes at The Village, Phases I & II".

Land Division LDS-16-025 (North of Cedar Links Drive)
Consideration of a request for a revision to the Cedar Landing tentative plat for "Cascade Terrace at Cedar Landing Phases 1 through 5". Applicant requests approval for a 98-lot residential subdivision tentative plat for purposes of modifying phase boundaries and renaming the two tentative plats. Lot configurations, open space, streets and infrastructure remain identical to the previously approved tentative plats.

Land Division LDS-16-026 (North of Cedar Links Drive)
Consideration of a request to authorize a replat of Lots 91 and 94 of the "Sky Lakes Village at Cedar Landing Phase 7A – A Planned Community".

Project name: Cedar Landing
File nos.: PUD-16-024/LDS-16-025/LDS-16-026/LDS-16-027
Date: June 2, 2016

Land Division LDS-16-027 (North of Cedar Links Drive)
Consideration of a request for approval of the tentative plat for "Sky Lakes at Cedar Landing Phases 1 through 4", "The Village at Cedar Landing", and "The Cottages at Cedar Landing" within an area previously identified as "The Village at Cedar Landing Phases 2 and 3", consisting of 54 lots on approximately 34.24 acres.

How do I obtain additional information? You may visit the Planning Department on the second floor of the Lausmann Annex, 200 S. Ivy Street between the hours of 8 a.m. and 5 p.m. weekdays, to review the application, all documents and evidence submitted, and the criteria relating to this proposal. The agenda and the staff report for this project will be available seven (7) days prior to the public hearing, and can also be viewed on the City web site (www.ci.medford.or.us). Copies may be obtained at the Planning Department at minimal cost.

Who do I contact? Questions can be directed to the contact listed above at 541-774-2380 or by visiting the Planning Department in person.

What happens at a Public Hearing? At the public hearing, the Chair will open the hearing and invite interested parties to direct their testimony and evidence toward the regulations found in the *Medford Land Development Code* specifying the criteria that apply to this project. The applicable criteria are included with this notice. You are invited to speak at the hearing stating why you favor or oppose this proposal. You may also write a letter to the Commission prior to the hearing that can be submitted as a part of the public record. You must testify in either manner to have standing; standing gives you the legal ability to appeal a decision that is made by the Commission on this project. Oregon Revised Statutes state that failure to raise an issue in a hearing, either in person or by letter, or failure to provide statements or evidence sufficient to afford the Commission an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

Please be aware that communications made through Email and Messaging systems shall in no way be deemed to constitute legal notice to the City of Medford or any of its agencies, officers, employees, agents, or representatives, with respect to any existing or potential claim or cause of action against the City or any of its agencies, officers, employees, agents, or representatives, where notice to the City is required by any federal, state or local laws, rules, or regulations.

James E. Huber

James E. Huber, AICP
Planning Director

tlr/Attachments (criteria and maps)

PRELIMINARY PUD PLAN APPROVAL CRITERIA
FROM SECTION 10.235(C) OF THE *MEDFORD LAND DEVELOPMENT CODE*

The Planning Commission shall approve a Preliminary PUD Plan only 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 proposed modifications of the Code are necessary for the project to be consistent with the criteria in Section 10.235 C. 1. a-e, and
   b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
   c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria 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 10.230(D) (8)(c), the applicant shall alternatively demonstrate that either:
   1) demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or
   2) the property can be supplied by the time of development with the following Category "A" public facilities which can be supplied in sufficient condition and capacity to support development of the proposed use:
      a. Public sanitary sewerage collection and treatment facilities.
      b. Public domestic water distribution and treatment facilities.
      c. Storm drainage facilities.
      d. Public streets.

Preliminary PUD Plan Approval Criteria

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

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

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

[Amd. Sec. 5, Ord. No. 8393, June 19, 1997; Amd. Sec. 2, Ord. No. 2005-97, June 2, 2005; Amd. Sec. 13, Ord. No. 2007-100, May 17, 2007.]

LAND DIVISION APPROVAL CRITERIA
FROM SECTION 10.270 OF THE *MEDFORD LAND DEVELOPMENT CODE*

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

(1) Is consistent with the Comprehensive Plan and other applicable policies and plans thereto, including Neighborhood Circulation Plans and applicable design standards set forth in Article 4; and,

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

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

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

(5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reserve 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.

[Amd. Sec. 4, Ord. No. 2004-259, Dec. 16, 2004; Amd. Sec. 2, Ord No. 2012-57, May 3, 2012.]

LOT COVERAGE:
55% 1 STORY
40% 2 STORY

LOT COVERAGE:
75% 1 STORY
55% 2 STORY

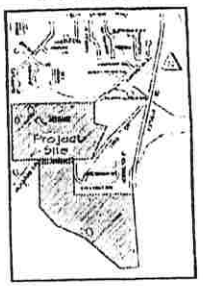
LOT COVERAGE:
55% AS APPROVED UNDER
PUD 14 136 &
PUD 14 138

LOT COVERAGE EXHIBIT MAP
FOR
CEDAR LANDING
A PLANNED COMMUNITY
OF
CASCADE TERRACE AT CEDAR LANDING (PHASES 1 THRU 5
SKY LAKES VILLAGE AT CEDAR LANDING (PHASES 1 THRU 4
THE VILLAGE AT CEDAR LANDING
THE COTTAGES AT CEDAR LANDING
HIGH CEDARS AT CEDAR LANDING

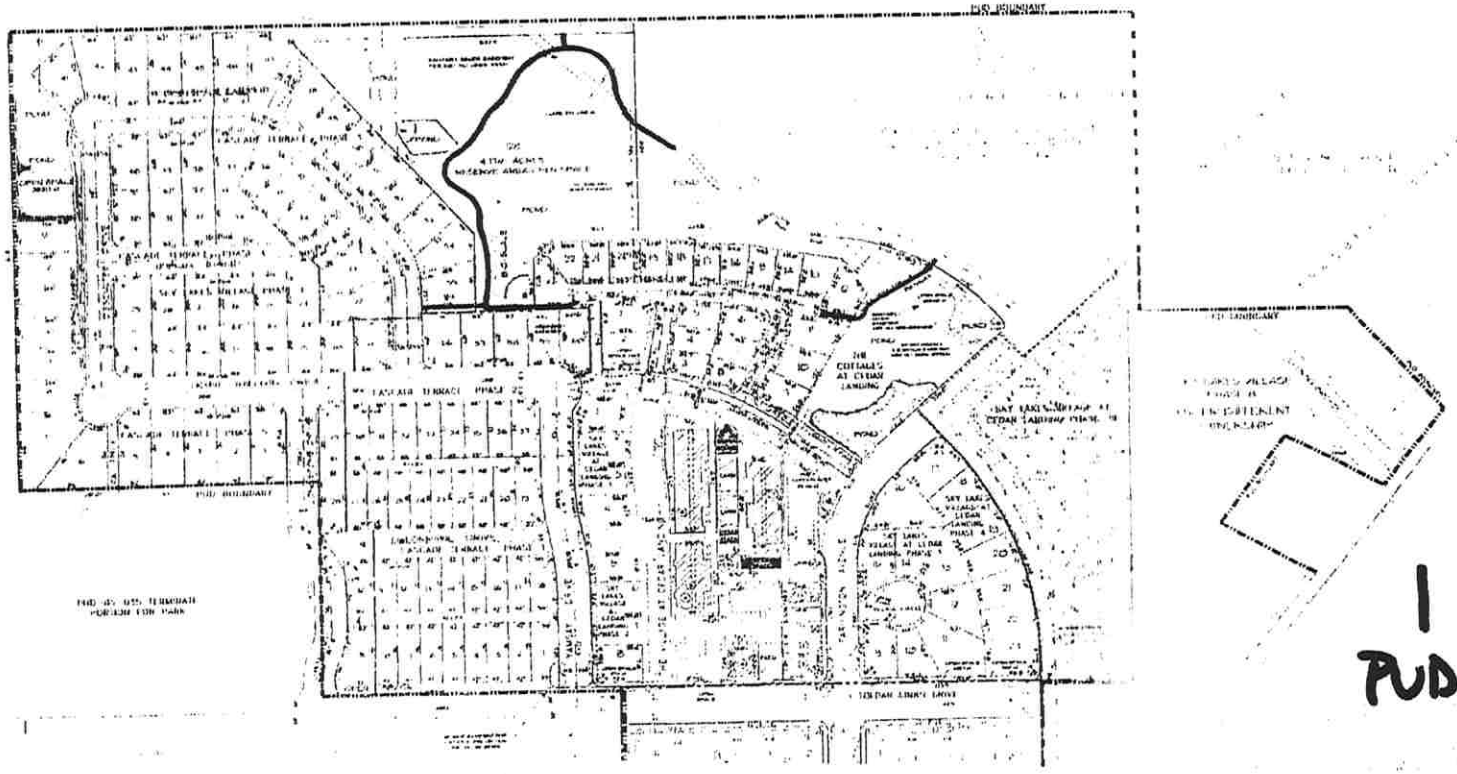
LOCATED IN

THE WEST ½ SECTION 8, TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.
IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON

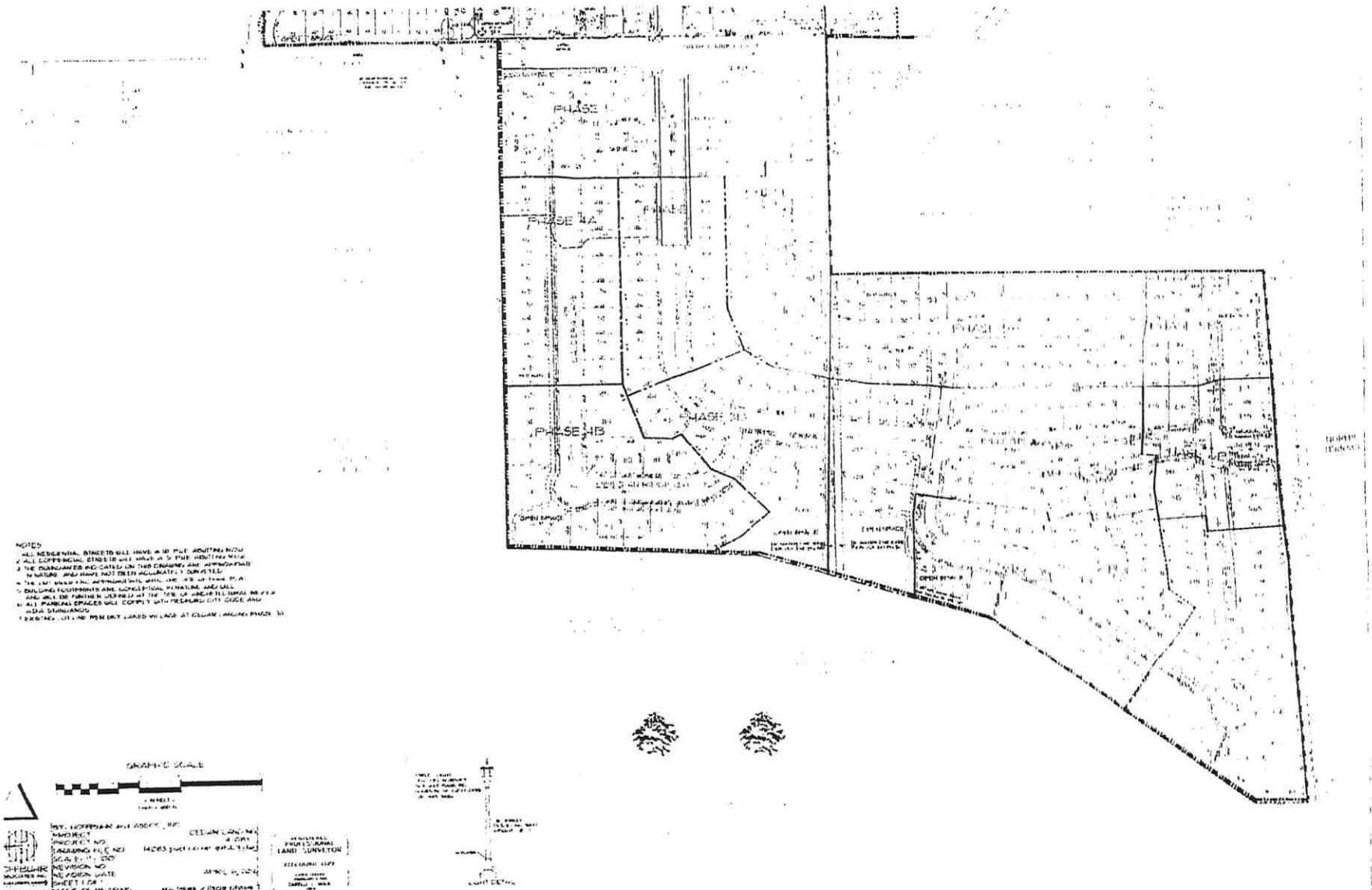
VICINITY MAP



OWNER:
CEDAR INVESTMENT GROUP, LLC
2726 WEST MAIN STREET
MEDFORD, OR 97501



1 OF 2
PUD REVISION



2 OF 2

PUD REVISION

Name	Address	Email	Phone
Nancy Hawkins	1030 St Thomas	nancejh@charter.net	541-245-0773
Elwin Hawkins	"	"	"
Richard A. Conklin		CONKLIN1998@MSN.COM	
Marianne S. Conklin		"	"
Amy Olson	3403 VENICE CT.	golson707@gmail	253-341-1247

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Heather Kile
2823 Farmington Ave.
Medford, OR 97504-4402
gramew2@gmail.com

August 21, 2019

Medford Planning Committee
200 S. Ivey St. #240
Medford, OR 97501
planning@cityofmedford.org

RE: 50.7 PUD-19-002 Revisions to 'the Village' area of Cedar Landing

Dear Medford Planning Committee Members,

I am writing to you in regard to the proposed **Revisions to 'the Village' area of Cedar Landing PUD-19-002**. It will be located at the intersection of Cedar Links Rd. and Farmington Ave. in East Medford.

My home is located on Farmington Ave. three doors east of the wetlands corner pond and also view the property where the overbearing three-story high apartments are planned.

REVISON REQUEST: Eliminate previously approved single family and congregate care uses.

Since the specific apartment property lots are not designated for single family or congregate care, I am very concerned this developer is using this revision process to eliminate these requirements within the entire PUD to advance planned acquisition of other lots currently with these designations. **Please do not open single family or congregate care lots up to more high density multi-family housing in this pork-barrel fashion.**

REVISION REQUEST: Increase multi-family apartment units from 100 to 120

I request the committee prohibit any further revisions to the PUD increasing the number of units; resulting in significant increased density in population, parking and traffic. **Please do not approve the additional 20 units.** The request for revision refers to this as a "Minor Revision".... It is not a "Minor Revision" to current residents, but a major boost to developer profits.

Increased vehicle traffic and excessive high speeds already plague Farmington Ave. and Cedar Links with no relief in sight. Adding so much more traffic from this influx of potentially 2+ vehicles per unit will only worsen this situation.

Refer to Page 255 the email Aug 5, 2019 from Charles DeJavier Construction Engineer to Steffen Roennfeldt & Kim Parducci PE. It states *"Our assessment showed an overall decrease in trips from the subject property so it would also mean a decrease in the trips at the intersection you reference."* How is a decrease possible with so many more residents and vehicles? Further it states *"We did not assume different trip distributions than the original TIA so based on that, fewer trips would be shown to/from the east."* Also;

Refer to Page 263 The request for the traffic impact assessment seems deficient in recognizing the consideration of streets other than the Cedar Links connection to Foothill, so I request the consideration of the following:

1. Home building within PUD is already accelerating the wear and breakdown of Farmington Ave. with no commitment to repair/repaving on an earlier schedule as a result. The City of Medford has classified Farmington Ave. as a "Standard Residential Street" while Cedar Links is classified as a "Major Collector Street." Heavy construction equipment, single contractors with large pickups travel consistently use

CITY OF MEDFORD
EXHIBIT # FF
File # PUD-19-002

12

Farmington Ave. as the primary access from Foothill and Delta Waters through streets like Colonial then all the way down Farmington Ave. rather than Foothill directly to Cedar Links as perhaps expected.

2. We need support with approval and installation of YIELD signs in both directions of **Farmington Ave. at St. Francis** for safer entrance from St. Francis AND to provide a pausing break in speed (similar to the effect of the YIELD signs north on Farmington Ave. and Viewpoint Drive). **The intersection of Farmington Ave. and St. Francis** is also at the lower point of a blind crest making it dangerously difficult for pedestrians and drivers approaching or pulling out of driveways or from St. Francis to see approaching cars.
   While we appreciate the addition of two "HILL BLOCKS VIEW" signs last year, the drivers of speeding vehicles have not demonstrated a response to the warning, and we have seen no discernable change in behavior.

Refer to Page 260 Exhibit O & P
Wetland & Ponds

3. Protect the remaining wetland and ponds where wildlife already experiencing a reduction in habitat and now depend on it while also bringing current residents enjoyment without over exploitation of it.
   Please refrain from further increasing the human and vehicular density of this project footprint.

I have many more concerns about how the 2016 approval of apartments occurred, the out of date PUD signage that new home buyers have relied on to purchase and set expectations of PUD density and development since 2016 etc., but I realize I need to limit this input for your consideration of the specific revisions. I thank you for your time and consideration and have hope you will weigh the concerns of existing residents over profit.

Regards,

Heather Kile

Heather Kile

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MEDFORD CITY COUNCIL – PLANNING COMMISSION PUBLIC HEARING

August 22, 2019

File No.: PUD-19-002

Medford City Council Chambers – 411 W 8th Street, Third Floor

City of Medford Council and Planning Commission Members,

Thank you for allowing me to speak to changes in the site design proposal. PUD -19-002

My wife and I own two homes in the immediate area and have watched the progress of the Cedar Links Planned Unit Development over the past several years. We have encouraged friends to seek employment and homes in Southern Oregon – specifically Medford and have entertained family and friends; taking them to plays in Ashland; concerts at the Britt and to several of the many wineries nestled in Jackson County while showing off our natural beauty and advantages of living in Medford.

However, we have concerns with not only the design but the location and number of proposed apartments in the Cedar Links Community.

The area bordered by Delta Waters, Springbrook, Lone Pine and Jackson County's Foothill Road are all SFR-4 single family homes with limited or no bus service; no schools; an unfinished park; no crosswalks; many areas without sidewalks; a dramatically increasing traffic count; major congestion at Cedar Links and Springbrook as well as Delta Waters and Highway 62; all are existing concerns even before the build out of Cedar Links Community.

The 300+ planned single family homes plus the proposed increase in the number of apartments (I understood to originally be luxury condominiums at a height that would not obstruct existing residents views of valley mountains) will add an estimated 800 automobiles and likely 100 RV's/boats/trailers.

The location, shape and character of an apartment complex of this size is not in line with existing high density apartments complexes in Medford. A majority of which are located along bus lines; near shopping; have stop lights; metered crosswalks that are handicap accessible; a walkability factor conducive apartment living, shopping and/or dining.

Some areas meeting the above criteria currently exist along Poplar and Royal streets with new in fill developments planned or in process along those streets and in South Medford on/near the old Stewart Meadows golf course with easy access to Highway 5.

The Cedar Links Community Village whether it be mixed use commercial with apartments along with expect 300+ proposed residential units will put additional pressure on existing Elementary Schools. Lone Pine is currently student population is over capacity requiring the School District to realign boundaries and to bus students further away from residences. I expect class sizes will be impacted at those schools.

CITY OF MEDFORD
EXHIBIT GG
File # PUD-19-002

Unfortunately, we were unsuccessful finding current and relevant traffic counts for Cedar Links; Delta Waters and Foothill along with the forecasted impact the build out of Cedar Links sub divisions will have. The traffic analysis included showed a minor revision downward which does not make sense when increasing the number of apartments. However, I have already outlined current traffic issues at an estimated 5% build out. Traffic congestion will only get worse if not addressed.

On a side note, mixed use commercial property located at Lone Pine and Footlhill (we understand) have been through foreclosure and to date are not near completion. Further south on Foothill is Mahar's commercial expansion. In our mind, these projects do not set a favorable standard for this project's owner(s) to pursue for the Cedar Links Community.

We recommend Planning require completion of all common areas; walkways; street improvements and designated park areas before any buildings are permitted to begin construction this includes Cedar Links Park.

Having said the above, we are asking Medford City Planning to terminate Cedar Links Investment Groups request to increase density, height and number of apartments and in addition, we request the City of Medford Planning Commission formally request Cedar Links Community Sky Lakes Village plans be resubmitted removing high density apartments/mixed use building in favor of pre-school; day care; single family homes or another practical land use in line with residential units currently in place and/or under construction. A multi-use community center would be a nice addition to the future Cedar Links Community HOA.

Thank you,

Tim & Kathy Partch

2949 Rosewood and 2430 Herrington Way, Medford

Cell/Text 925 209-3684

partchtim@gmail.com

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AUG 2 2 2019
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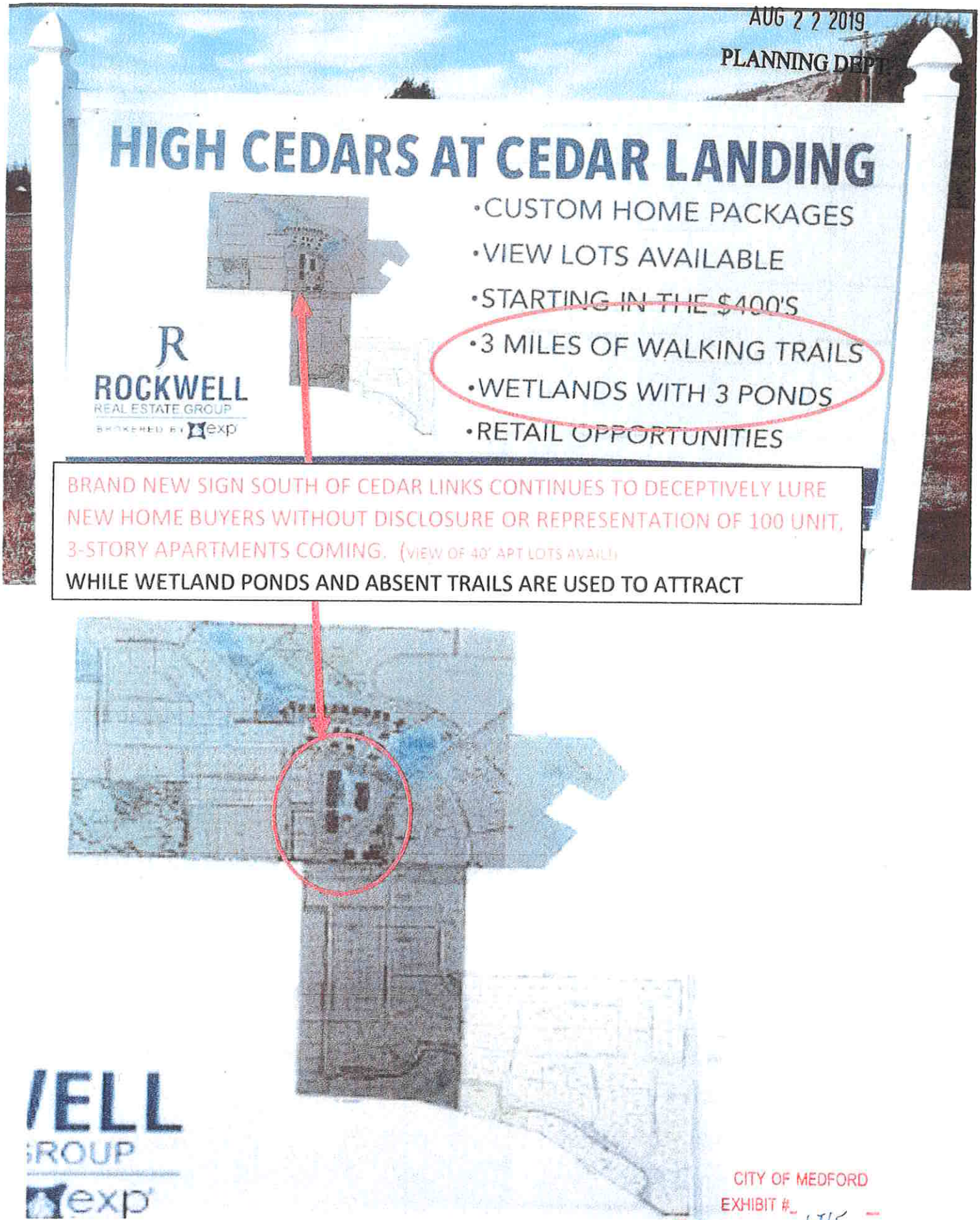
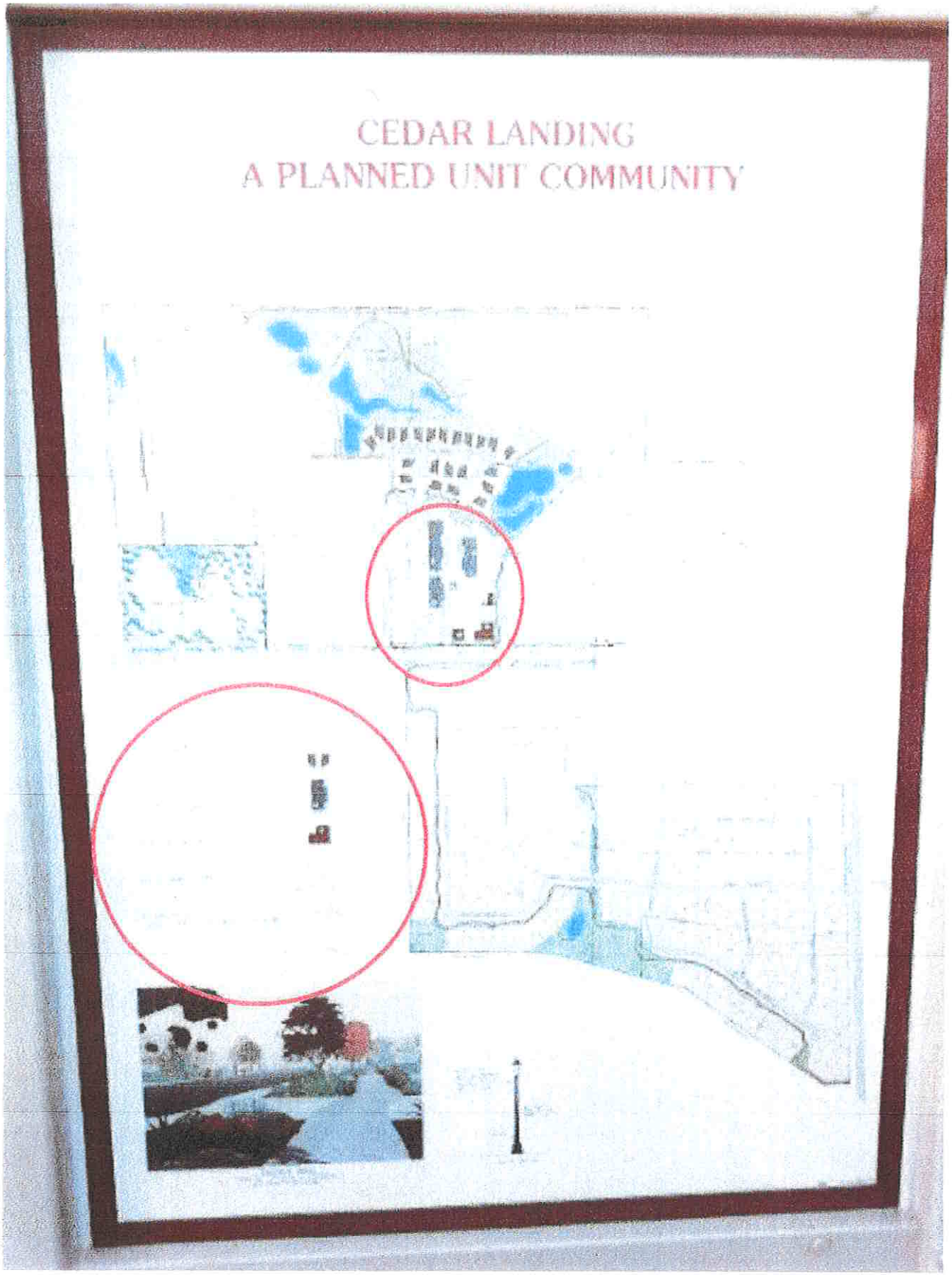


CITY OF MEDFORD
EXHIBIT # HH
File # PUD 19-02

Home buyers 2017-current have used this PUD plan to make their decisions about investing in this neighborhood. Their lifestyle and expectations of the future of their neighborhood has been based on this deception with no indication of the added crowded housing, traffic noise, and altered skyline a 100-120 unit 3-story appartment complex brings.



City of Medford
Planning Department
Planning Commission
City Hall Annex
401 W. 8th Street

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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 # 11
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

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EXHIBIT # 77
File # PUD-19-002

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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 KK
File # PUD-19-002

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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 Callaway — 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: LL
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 verses 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 & Joan Weathers
926 Calloway
Medford OR
97504

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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 # MM
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*

ATTACH. #1

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

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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 # NN
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	*$5,662,710-*	
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 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?

CITY OF MEDFORD
EXHIBIT # 00
File # 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 # PP
File # PUD-19-002

RECEIVED
SEP 19 2019
PLANNING DEPT.

, Date: September 18, 2019

To: The Medford Planning Commission Members: David Culbertson, Joe Foley, Bill Mansfield, David McFadden, Mark McKechnie, E.J. McManus, Patrick Miranda, Jared Pulver, Jeff Thomas and

To: Planner, Steffen Roenfeldt, Medford Planning Department
400 S. Ivy Planning Department. Medford, OR 97501

From: Elvin & Nancy Hawkins, 1030 St Francis Dr. Medford, OR 97504. Homeowners within the Cedar Landing PUD.

Dear Sirs:

We built our home in the PUD in 2012 and when Monty Jantzer gave us the original approved PUD map. In purchasing our lot to build our final home we accepted the changes that would be forthcoming within the approved PUD. Over the years we have continually been confronted with change after change and most changes not to our liking or the livability of our neighborhood or even close to what was approved in the original plan.

As per the criteria for the PUD we do not believe the proposed revisions are acceptable to the criteria.

D-1-(a) preserves an important natural feature of the land;

D-2-(b) the proposed modifications enhance the development as a whole resulting in a more creative and desirable project;

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

Comment: This massive building complex is oversized for the homes in the area and the big city style, three story (40') building on the corner of Cedar Links and Farmington would be invasive to the bordering neighbors. The residents in the apartments on the 2nd and 3rd floors will look right into their yards and windows and encroach upon privacy for the current homeowners.

Comment: At the hearing of August 22, 2019, concern was addressed regarding the map that is posted on Farmington near the mailboxes that represents the future plans for the PUD and is without question, false advertising on a large scale, should these revisions be approved. People have purchased homes based on what this map indicates for the future. It has been said by many that if they knew a three-story monolithic complex with this much density, increased traffic, etc., was going to be built at the entry to the neighborhood, they would not have purchased or had homes built here and we are all very fearful of our home values decreasing as a result.

Comment: We have a major concern that the traffic impact is going to be significant. 120 units with approximately two cars per unit, add in the commercial deliveries and patron traffic, mail-order deliveries such as UPS, FedEx, etc. will be huge. These delivery trucks already make several trips each day to the current home owners in the area.

Comment: Lastly, there is concern of the overcrowding of the nearby elementary schools and the traffic that this will add with parents taking children to school in the morning and returning to pick them up in the afternoon. We previously lived on Kerrisdale Ridge and you should drive by Lone Pine Elementary about 30 minutes before school is dismissed. The cars are backed up a couple blocks on Kerrisdale Ridge and stacked up in the actual traffic lane on Brookdale from Lone Pine to McAndrews.

In closing, we would ask that the previously approved 2016 plan be retained which would only allow ground floor commercial with only one floor above for offices or storage on the Southeast corner. We prefer the design layout with the apartments located in the center of the property and not around the perimeter looking like a prison facility.

Thank you for allowing us to express our real concerns. Please retain the 2016 approval for this portion of the Cedar Landing PUD.

Elvin & Nancy Hawkins

File # PUD-19-002

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
MEDFORD OR 97504

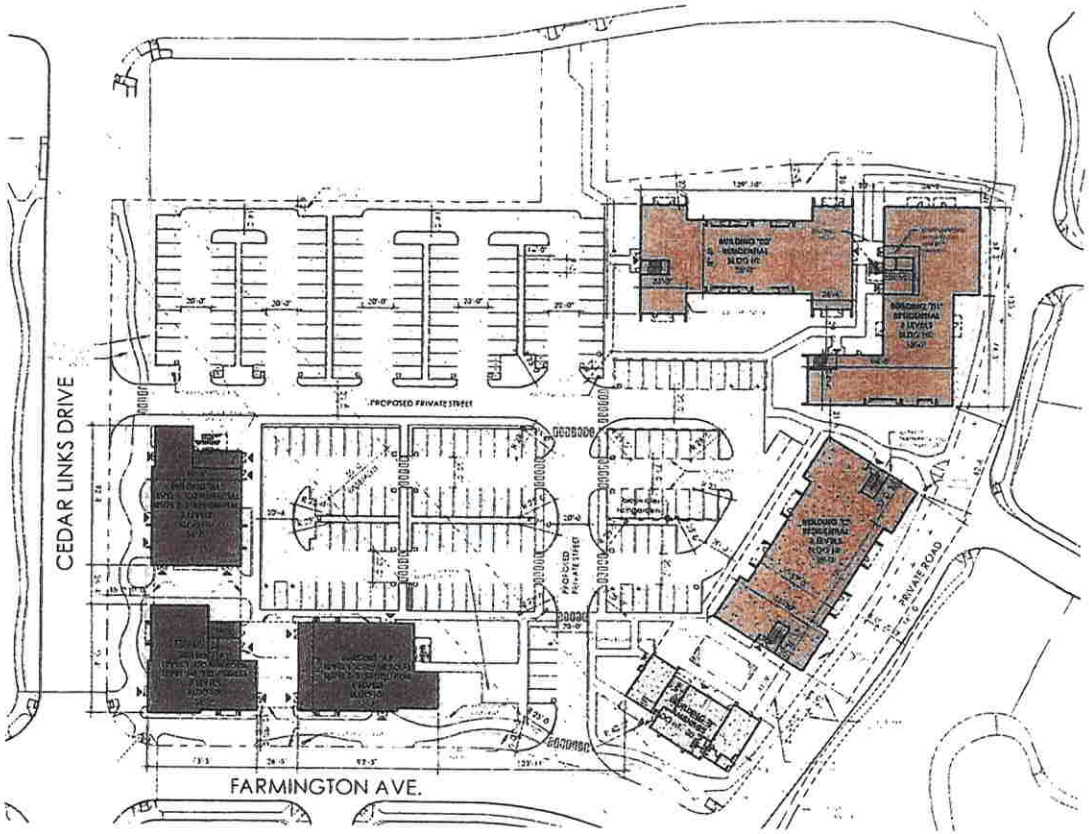
CITY OF MEDFORD
EXHIBIT # 12
File # PUD-19-002

/kōblə/CREATIVE
SEPTEMBER 16, 2019

SITE PLAN

CEDAR LINKS
MILFORD, OREGON

ENCLO Page341 pg 1



1/ SITE PLAN

SITE

SITE DENSITY	21%	40%
building coverage		previous PUD

BUILDING AREA

BLDG. 'A1'	[illegible]	
BLDG. 'A2'	[illegible]	
BLDG. 'A3'	[illegible]	
BLDG. 'B'	[illegible]	
BLDG. 'C'	[illegible]	
BLDG. 'D1'	[illegible]	
BLDG. 'D2'	[illegible]	
	[illegible]	21.0%

LANDSCAPING / IMPERVIOUS AREA

HARDSCAPE	[illegible]	
	[illegible]	[illegible]

LANDSCAPING / PERVIOUS AREA

LANDSCAPE	[illegible]	
	[illegible]	[illegible]

SITE AREA

ROADS/PARKING	[illegible]	
	[illegible]	[illegible]
TOTAL SITE AREA	[illegible]	100.0%
	4.85 ACRES +/-	

PARKING

Required Vehicle Parking = 232 Stalls
Commercial = 13.21/1000 (at = 53 stalls)
Residential = 120 (1.5) = 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 = 3 spaces
Building C = 24 spaces
Building D = 62 spaces

BUILDING

OVERALL BUILDING AREA

BLDG. 'A1'	[illegible]	6,298 SF	
BLDG. 'A2'	[illegible]	amenity	
BLDG. 'A3'	[illegible]		
BLDG. 'A'	[illegible]	13,214 SF	15,750 SF
BLDG. 'A' SERVICE	[illegible]	commercial	previous PUD
BLDG. 'A' TEMP	[illegible]		
BLDG. 'B'	[illegible]	118,366 SF	
BLDG. 'C'	[illegible]	residential	
BLDG. 'D1'	[illegible]		
BLDG. 'D2'	[illegible]		
	[illegible]		

UNIT INFO	120	100
total dwelling unit		previous PUD

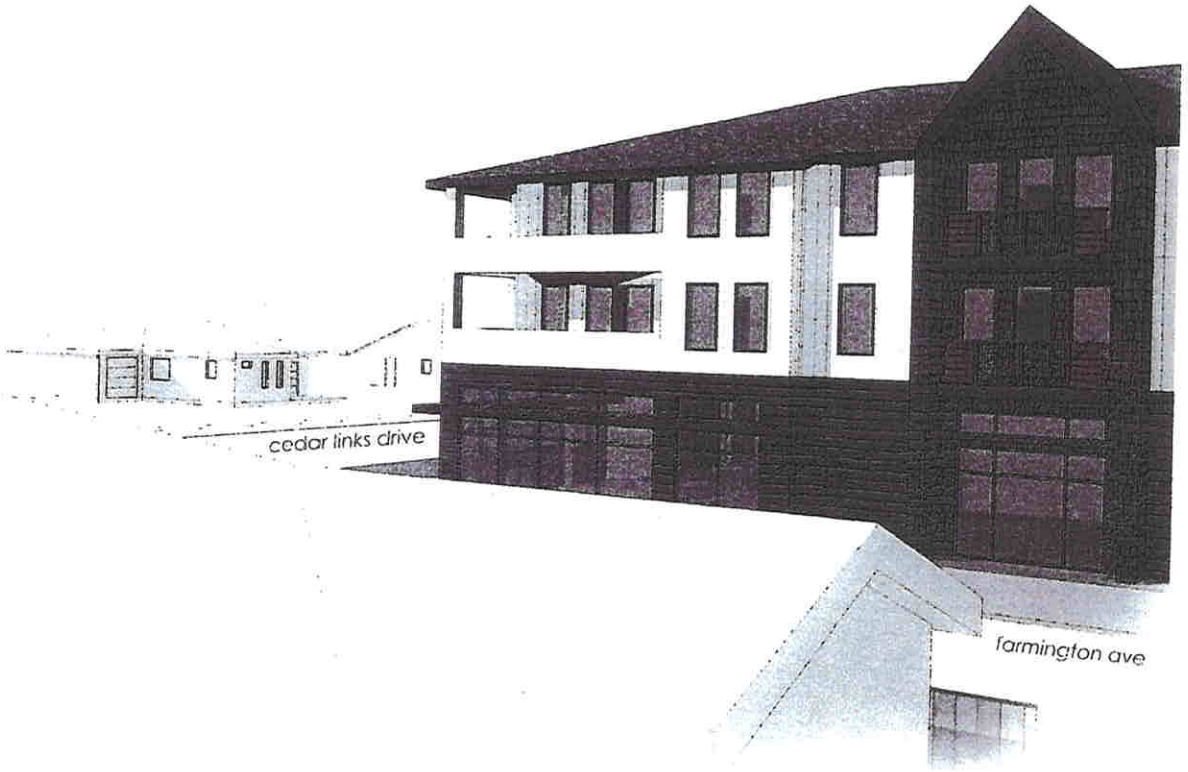
BLDG. HEIGHT MAX.	38'-7"	40'
building 'A'		previous PUD

LEGEND

- AMENITIES
- RESIDENTIAL
- COMMERCIAL

/kōblə/CREATIVE
SEPTEMBER 13, 2019

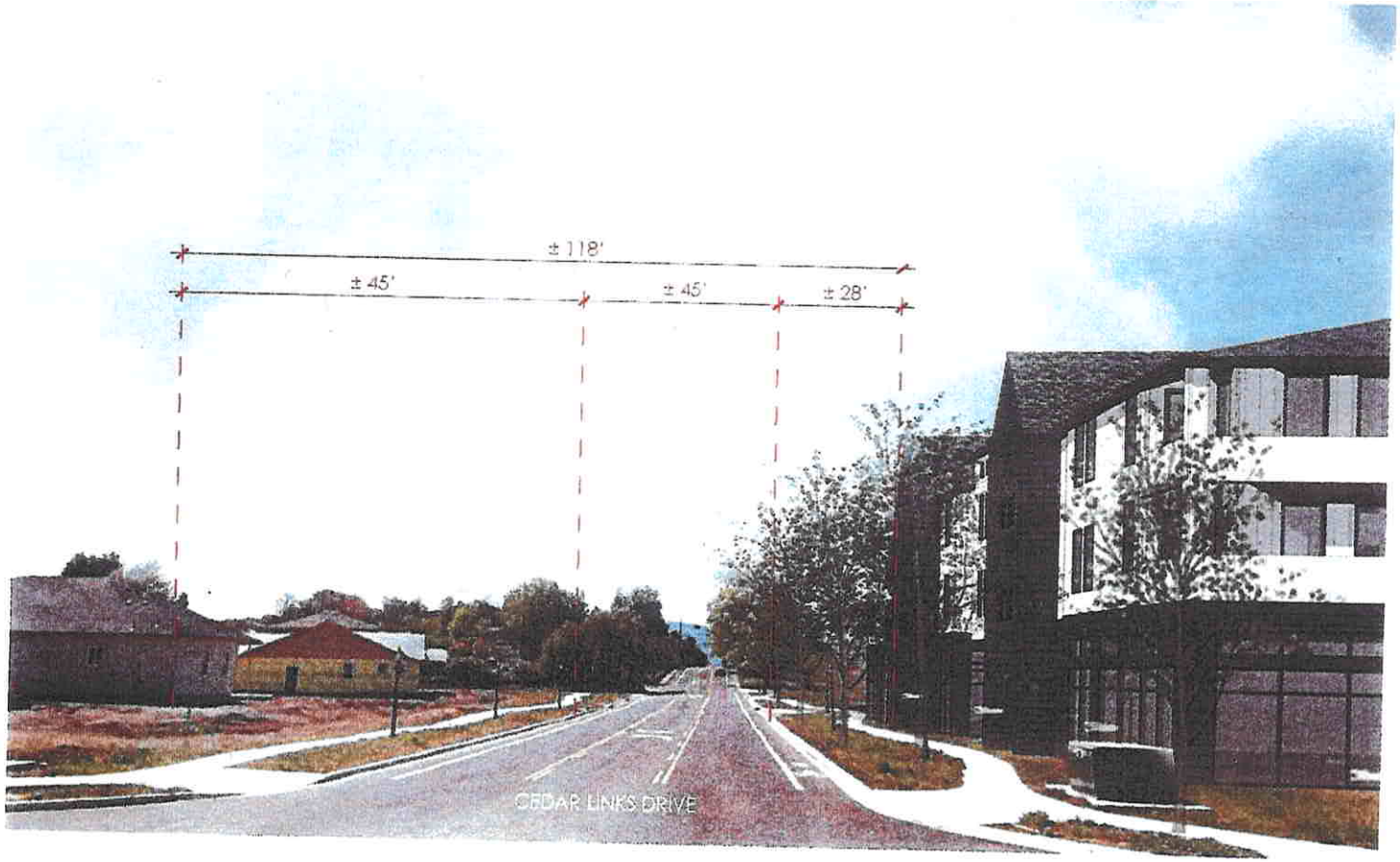
CEDAR LINKS
MEDFORD, OREGON



/kōblə/CREATIVE
SEPTEMBER 16, 2019

ADJACENT NEIGHBORHOOD EXHIBIT

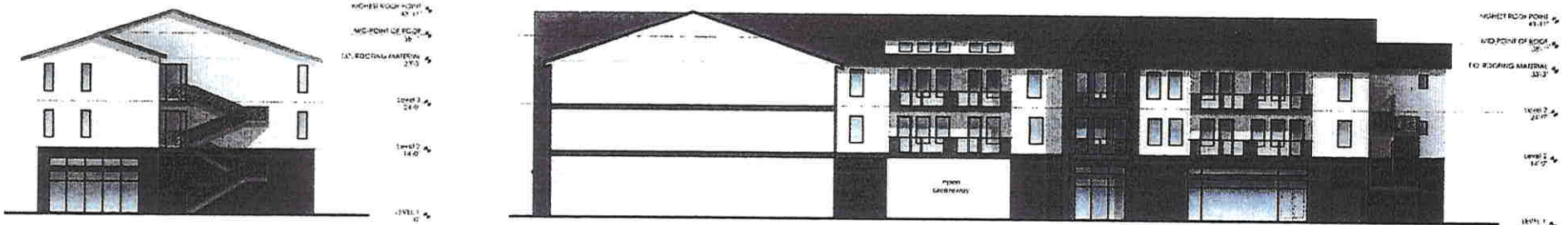
CEDAR LINKS
MEDFORD, OREGON



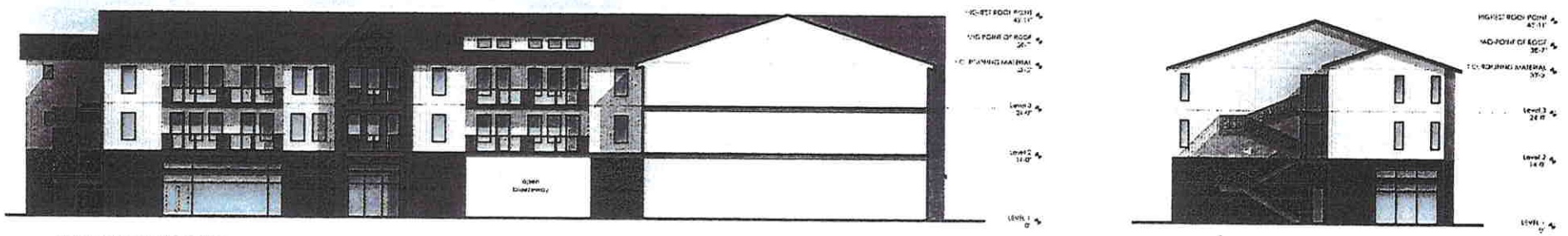
/kōblə/CREATIVE
SEPTEMBER 16, 2019

ADJACENT NEIGHBORHOOD EXHIBIT

CEDAR LINKS
MEDFORD, OREGON



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
Page348

RECEIVED
OCT 03 2019
PLANNING DEPT.

September 30, 2019

TO: Medford City Planning Department

Medford City Planning Commission

Dear Members,

I am writing to register my feelings of the upcoming decision regarding the proposed apartment complex at the corner of Farmington and Cedar Links Drive.

We know that the philosophy driving this project is more diverse housing which is needed in Medford. And I agree with that and I believe our neighbors who are upset over this project are also in agreement that we have to provide additional housing in our community. But I also believe that in making these types of decisions you have to look somewhat at moderation.

One thing to consider that I am not sure has been brought to your attention. There are currently 87 families living on Farmington, St Francis, St Augustine, Callaway, Christine, and Venice streets. These streets south of Viewpoint are the ones closest to the proposed project. If this project were to be completed as proposed there would be an additional 110 families that would bring the total families living in the project 87 to 197 overnight. Think about the implications on traffic etc.

I am a former school principal from Grants Pass and just the number of children that would be assimilated into the local elementary school is staggering.

Add to that a three story apartment building overlooking existing homes and this must be given serious consideration before approval is given. That is not moderation and it is surprising that a project of this magnitude is being considered.

FROM: Dar Wolber, Private citizen

506 St Augustine Drive

Medford, OR 97504

541-659-3311

dwolber@roxyann.org

CITY OF MEDFORD
SS
PUD-19-002

Date: November 4, 2019

RECEIVED
NOV 0 6 2019
PLANNING DEPT.

To: The Medford Planning Commission Members: David Culbertson, Joe Foley, Bill Mansfield, David McFadden, Mark McKechnie, E.J. McManus, Patrick Miranda, Jared Pulver, Planning Dept. 400 S. Ivy Planning Department. Medford, OR 97501

From: Elvin & Nancy Hawkins, 1030 St Francis Dr. Medford, OR 97504. Homeowners within the Cedar Landing PUD.

Dear Commissioners:

My name is Nancy Hawkins. I'm a homeowner within the Cedar Landing Planned Unit Development. (PUD 05-035) This PUD is located in a quiet area, away from the downtown city bustle, with beautiful, single-family homes, owned by responsible families, displaying pride of ownership. There have been several issues submitted to you of disappointment and concern over the past few months regarding the revised proposals to the corner located on Cedar Links Drive and Farmington Ave. of the PUD.

There is a **MAJOR** decision yet to be made by the Commission with regards to the application submitted to the Planning Department by Mr. Joe Westerman on June 10, 2019. As per Section 10.198(A). The applicant has failed to meet the criteria pertaining to a preliminary PUD plan. Under subsection (1) I'm dividing into two parts, is stated that.....

Part 1- of this subsection states *'the application form shall bear the signatures of the owner(s) who control a majority interest in more that 50% of the vacant land covered by the approved PUD.*

Part 2 of this subsection states *'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 the PUD'*

As per Part 1:
On September 1, 2019, the Real Market Value of UNDEVELOPED vacant land was $13,204,786.00 with 50% of this amount being $6,602,160.00. The applicant has fulfilled this part of the application requirement.

As per Part 2:
There were 61 DEVELOPED homes at the time of the application with a total Real Market Value of $29,148,160.00 averaging $477,838.00 per home. The applicant needed approximately 13 home owner signatures to fulfill the 50% value of the undeveloped land that was $6,602,898.00. The applicant has not fulfilled this part of the application requirement.

I would like to put the application requirement issue to the side for a moment to address a request that was recently made by Mr. Westerman, asking for feedback on how the community was feeling after he presented consideration of lowering the massive front corner buildings, with continuous length of over 400 feet that wraps around this entire corner from three story to two. The community opposes having any living quarters on this corner at all encroaching upon the privacy of the homeowners across the streets. Though we acknowledge Mr. Westerman's courtesy, there is continued opposition to many of the revised proposals.

CITY OF MEDFORD
EXHIBIT # TT
PUD-19-002

I am presenting an answer to Mr. Westerman's question. An answer of how a vast majority of the community feels. Volunteers collected 312 signatures within the community of which included signatures from **58 of 61** developed homes that are located within the PUD. They do not support the revised proposals. Only 3 of the 61 improved lots **did not** sign the petition that was circulated. The Real Market Value of these three homes totals $1,454,250.00 and they would be the only IMPROVED lots that could potentially be available for signatures to support the application. So, returning to the validity of the application issue.... the applicant has not and cannot obtain the necessary home owner signatures to fill the requirements for application as per Part 2.

Historically the interpretation of the criteria and requirements of previous applicants required a 'double-majority' number of signatures in order to initiate a PUD revision application. This is where Part 2 is important and the applicant **HAS NOT** fulfilled this requirement. How can this move forward without this requirement being met?

I repeat, 58 of the 61 PUD homeowners signed the petitions requesting a denial of this application and we are asking that the Planning Commissioners deny this application based on the criteria as stated above.

A plan was approved in 2016 for this corner after considerable negotiations. These current 2019 revised proposals are not minor changes.....they are a major overall! There is a large map on Farmington Ave. and two others in different locations within the PUD that represent the future plans for the PUD which is, in essence, the 2016 plan. Homeowners have purchased or built homes based on this map. This is one more reason that the owners of developed land in the PUD should have their vote heard as a precedent has been set in this interpretation for previous applicants of the past in other PUDS. Why should this applicant decide the interpretation? This should be the decision of the commission.

We humbly ask Mr. Westerman and his representatives to resubmit a layout much more in the likeness of the design that was approved in 2016. Less density, a much more open, inviting front perimeter and asking all living quarters be kept in the central or back portion of the property as the 2016 plan shows. As per the criteria for the PUD we do not believe the proposed revisions are acceptable to the criteria in 10-198, *D-2-(b) "that the proposed modifications enhance the development as a whole resulting in a more creative and desirable project;*

Commissioners, this is not a good location for such a massive apartment complex as per the 2019 proposed revisions. Our community is filled with reasonable people and we can support something that offers a much more open and inviting feeling to the corner which does not have upper story residents.

Thank you for giving me this time to address the application requirements and the results of the petition. 312 signatures of residents feel this design does not enhance this PUD and it is NOT desirable and has not met the requirements for application. We hope your decision will be the best and right one for our lovely community

Nancy Hawkins. (Homeowner within the Cedar Landing PUD)
1030 St. Francis Dr. Medford, OR. 97504
541-245-0773. nancyh@charter.net

RECEIVED
NOV 0 1 2019
PLANNING DEPT.

PETITION

By signing this petition, I submit my signature to the Medford Planning Commission and ask that you DENY the Joe Westerman Application for the revisions to the corner of Cedar Links Dr. and Farmington Ave. within the Cedar Landing PUD. There are two major objections to the 2019 proposals.

Objection #1- The very large structure proposed to be 403 feet, 2 inches of continuous length creating a massive building wrapped around the front corner perimeter at one of the major entries to the community.
Objection #2- We do not approve of residential living in this same building as above.

We support the 2016 approved plan that offers a much more open and inviting feel to this corner and does not have upper story residents able to intrude upon the privacy of the homeowners living directly across the streets.

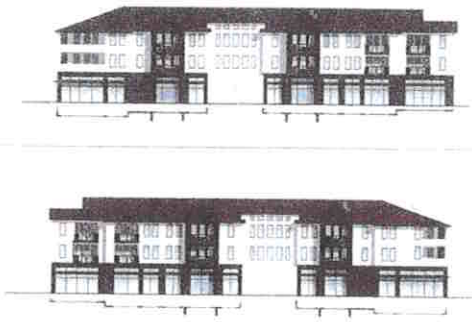
Date	Signature	Address
	Petition Packet	
	3 pages	
	pg 1 signature page	
	pg 2 2019 proposed revisions	
	pg 3 2016 Approved PLAN	

CITY OF MEDFORD
PUD-19-002

Propsed 2019 Revisions. 110-120 units.

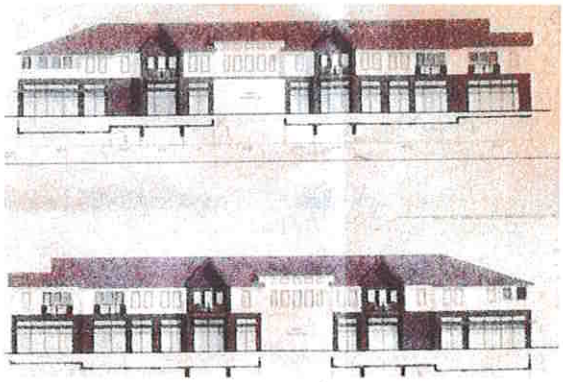
2019 building A is two or three stories high with commercial on ground level and apartments above. Buildings C, D-1 and D-2 are three story apartments. Building B is a community building, two stories high with potential apartments on the 2nd floor.

Cedar Links Drive

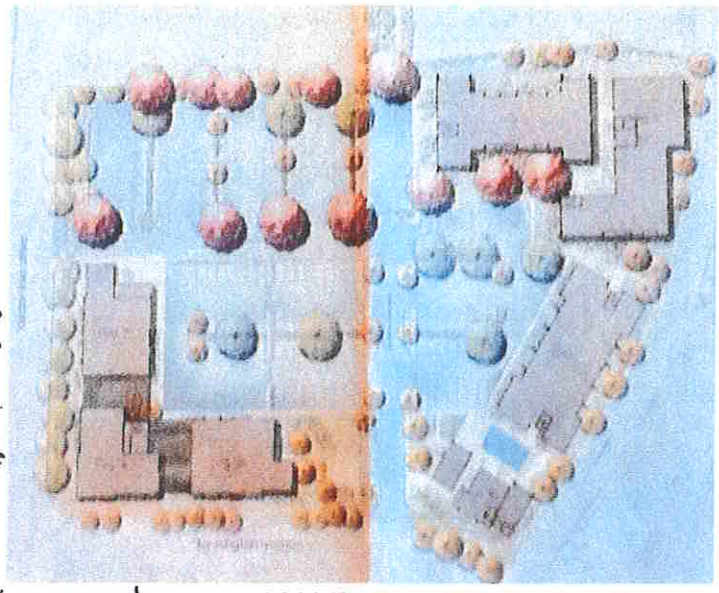


3 Story Elevations

Farmington Avenue



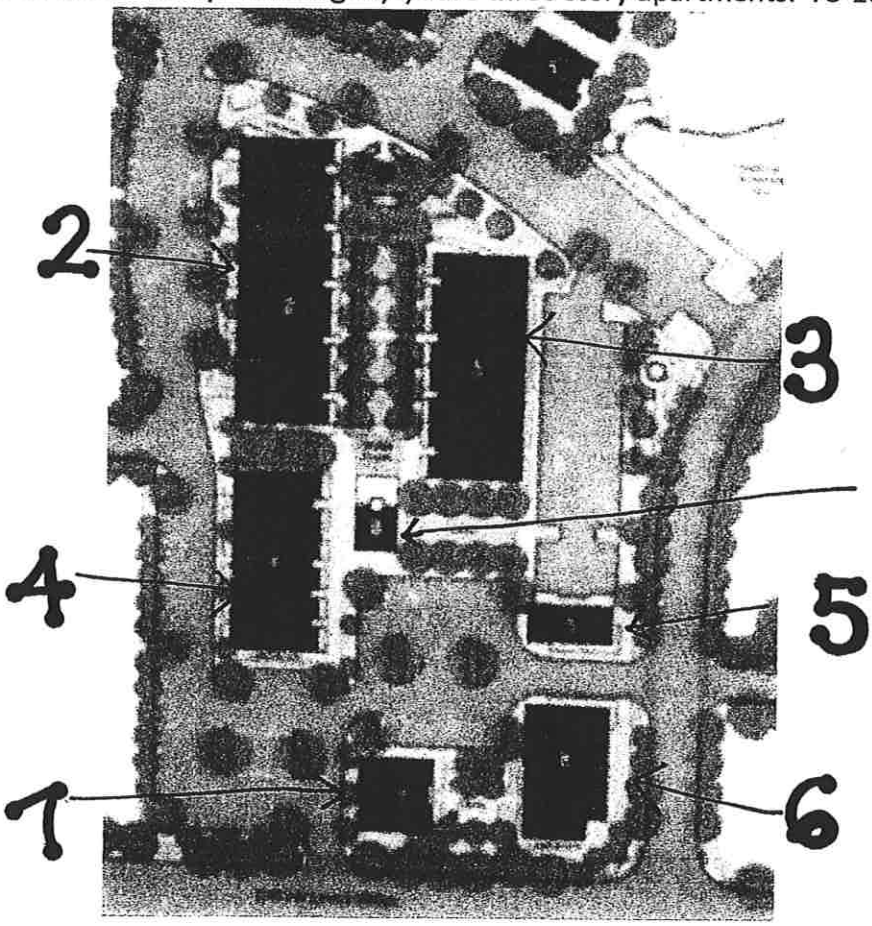
2 Story Elevations

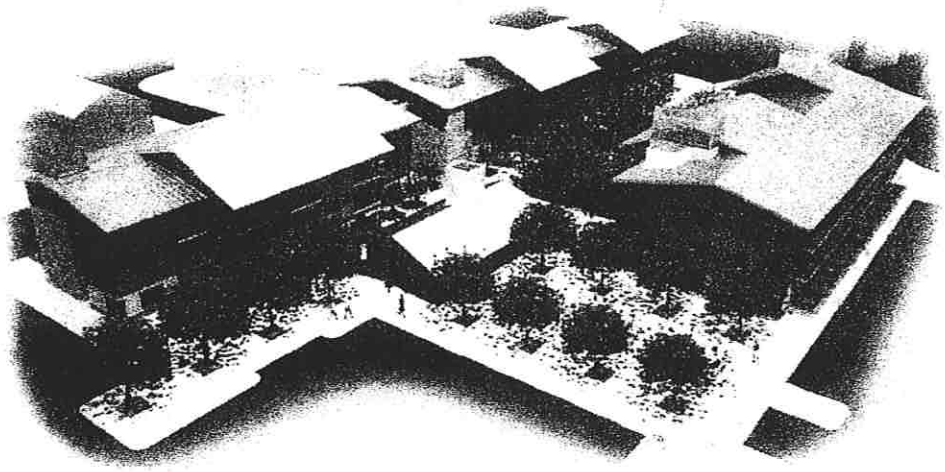


2019 Footprint

Currently approved in 2016. 75-100 units. And an overvew of the 2016 apartment area.

2016 buildings 5,6,7 are two stories high with commercial on the ground level and storage or offices on the 2nd story. Buildings 2,3,4 are three story apartments. 75-100 units





CEDAR LANDING

RECEIVED
NOV 0 1 2019
PLANNING DEPT.

PETITION

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Objection #2- We do not approve of residential living in this same building as above.

We support the 2016 approved plan that offers a much more open and inviting feel to this corner and does not have upper story residents able to intrude upon the privacy of the homeowners living directly across the streets.

Summary of Petition Campaign as of 11/1/19

As stated above

312 Total Signatures

2 additional signatures stating- NO APARTMENTS AT ALL!

Representing

228 Total Homes (312 signatures)

Homes within the PUD

61 Homes completed as of application date 6/10/19
58. of 61 homes signed the petition

Real Market Value of Homes as September 1, 2019
that signed the petition: **$27,693,910**

PETITION

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Date	Signature	Address
[illegible]	[illegible]	3026 Colonial Ave
10/12/19	Callie R. March	3026 Colonial Mfd
10/12/19	Edna F. Mills	3012 Colonial Ave
10/12/19	Marlene Mills	3" " "
10/12/19	[illegible]	3009 Colonial Ave
10/12/19	[illegible]	3009 Colonial Ave
10/12/19	Sally Clark	3013 Colonial Ave
10/12/19	[illegible]	3017 Colonial Ave
10/12/19	N. K. Patterson	3017 Colonial Ave
10/12/19	[illegible]	3008 " "
10/12/19	[illegible]	" " "
10/12/19	[illegible]	3021 Colonial Ave
10/12/19	Lynn Anderson	" " "
10/12/19	Linda Beth Engstrom	3025 Colonial Ave
10/12/19	[illegible]	3037 Colonial Ave.
10/12/19	[illegible]	3037 Colonial Ave.
10/12/19	[illegible]	3043 Colonial Ave.
10-12-19	Michael Dennis Dolan	3907 Cedar Links Dr
10-12-19	Lynn M. Kelley	3030 Colonial Ave.
10-12-19	[illegible]	3030 Colonial Ave.
10-12-19	[illegible]	3022 Colonial Ave.
10-12-19	[illegible]	3022 Colonial Ave
10-12-19	[illegible]	3025 Colonial Ave
10-12-19	[illegible]	3049 Colonial Ave
10-12-19	[illegible]	3050 Colonial Ave.
10-13-19	Cheryl Ayers	3029 Colonial Ave
10-13-19	[illegible]	3029 Colonial Ave
10/14-19	[illegible]	3472 Viewport Dr
10/14/19	[illegible]	2911 [illegible] St

PETITION

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We support the 2016 approved plan that offers a much more open and inviting feel to this corner and does not have upper story residents able to intrude upon the privacy of the homeowners living directly across the streets.

Date	Signature	Address
10-11	Karen Weathers	926 Callaway Dr.
10-11	Ron Weathers	926 Callaway Dr.
10-11	Esther G. Gilbert	950 Callaway DR.
10-11	Dorothy Paquette	2883 Strasburg St.
10-11	Ralph E. Paquette	2883 Strasburg St.
10-11	Patrick Duris	2879 Strasburg St
10-11	Lindy Boyersmith	2863 Strasburg St
10-11	Caitlin Frymire	2864 Strasburg St.
10-11	GARY EDWARDS	2868 STRASBURG ST.
10-11	SEAN Cotner	2895 Strasburg St
10-11	Crystal Cotner	2895 Strasburg St
10-11	Sharon Charles	2892 Strasburg St
10-11	Ella Cathcart	937 Callaway Dr.
10-11	[illegible]	962 Callaway Dr.
10-11	Anop Kheral	974 Callaway Dr.
10-12	Al Minnick	2859 Strasburg St.
10-12	Kari Minnick	2859 Strasburg St.
10-12	Brian Weathers	2867 Strasburg St
	[illegible]	~~2867 Strasburg St~~
10-12	[illegible]	610 Camino Claire St.
10-12	NBshukle	620 Camino Claire St
10/10/19	Rhonda Refsnider	3273 Wheat Ridge Dr. Medford 97504
10/10/19	John L. Refsnider	3273 Wheat Ridge Dr. Medford 97504
10/15/19	[illegible] Dani Dennett	3304 Wheat Ridge Dr. 97504
10/15/19	[illegible] Chris Dennett	3304 WHEAT RIDGE DR 97504
10/15/19	[illegible] Steven Chong	3267 Wheat Ridge Dr 97504
10/15/19	Rebecca J. Chong Rebecca Chong	3267 Wheat Ridge Dr. 97504

27

PETITION

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Date	Signature	Address
10/12/19	[illegible]	3304 Henderson Way Medford OR 97504
10/14/19	[illegible]	3388 Henderson Way
10/14/19	Breida Depier	2421 Herrington Way
10/14/19	[illegible]	2331 Herrington Way
10-14-19	Julie Browning	2530 Herrington Way
10-14-19	[illegible]	2539 Herrington Way
10/14/19	[illegible]	2539 Herrington Way
10-14-19	William Depier	2421 HERRINGTON WAY
10-14-19	[illegible]	3722 Clore Anne Ct
10/14/19	[illegible]	3312 Clore Anne Ct.
10-12-19	Sam J. Aldrich	3351 HENDERSON WY
10-12-19	Barbara J. Aldrich	3351 Henderson Way
10/12/19	Mark Aldrich	3351 Henderson WAY
10/12/19	Gayla Meir [illegible]	3351 Henderson Way
10/13/19	[illegible]	3360 Henderson Way
10/13/19	Silvia H. Tower	3360 Henderson Way
10/14/19	[illegible] Alyse Reichensperger	2551 Herrington Way Medford 97504
10/14/19	[illegible] Fred Reichensperger	2551 Herrington Wy Medford OR 97504
10-14-19	Rick Ringrose [illegible]	2547 Herrington Way Medford 97504
10/14/19	Laurel Ringrose [illegible]	2547 Herrington Way Medford 97504
10/14/19	Nona Cordes Nona Cordes	3388 Henderson Way, Medford
10/14/19	Helene Hill Helene Hill	2411 Herrington Way, Medford OR.
10/14/19	Paul Hill Paul Hill	2411 Herrington Way Med
10/14/19	Connie Sickler Connie Sickler	3363 Henderson Way Medford
10/17/19	Dianne B. Miller	938 Callaway Dr.
10/22/19	Binod Dhakal	984 Callaway Dr.

26

PETITION

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Date	Signature	Address
10/10/19		1030 ST. FRANCIS
10/10/19	Nancy Hawkins	1030 St Francis
10/10/19		3412 Venice Ct.
10/10/19		3089 Sycamore Way
10-10-19		1070 St. Francis Dr.
10-10-19		971 St Francis DR.
10-11-19		947 St. Francis Dr.
10-11-19		947 St. Francis Dr.
10-11-19		1050 St Francis Dr.
10-11-19		1060 St. FRANCIS DR.
10-11-19		1060 St Francis Dr.
10/12/19		537 St. Augustine dr.
10/12/19		537 St. Augustine Dr.
10/12/19		3058 MILNOAN DR MEDFORD 97504
10/12/19	Susan K. Rufener	907 St. Francis DR.
10/12/19		3319 Wheat Ridge Dr
10/12/19		935 ST Francis DR
10/12/19		Jeff Pons @ BC 935 St Francis
10/12/19		959 St Francis
10/12/19		959 St. Francis
10/12/19		2934 Farmington Ave - 97504
10/13/19		954 Saint Francis dr.
10/13/19		1092 St Francis Dr. Medford 97504
10/14/19		1020 St. Francis Dr 97504
10/14/19		1020 ST. FRANCIS 97504
10/13/19		2938 Farmington AVE
10/16/19		997 CALLAWAY DR.
10/16/19		3427 VENICE CT - Med 97504
10/16/19		996 Calloway Dr. Med 97504

PETITION

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Date	Signature	Address
10-14-19		3390 Viewpoint Dr. 97504
10-14-19		3390 Viewpoint Dr. 97504
10-14-19	Robert E. Spano	3420 Viewpoint Dr. 97504
10-14-19	Mary F Spano	3420 " " "

Date	Signature	Address
10/10/19		2897 Farmington Ave Medford
10/11/19		2898 Farmington Ave Medford
10/11/19	Kelsey Esqueda	2881 Farmington Ave, Medford OR
10-11-19		2901 Farmington Ave. Med OR 97504
10-11-19		2903 Farmington Ave Med OR 97504
10-11-19		2882 Farmington Ave Med OR. 97504
10-11-19		2882 FARMINGTON AVE MED. 97504
10-11-19		2890 Farmington Ave 97504
10/12/19		2897 Farmington Ave Med OR 97504

Date	Signature	Address
10-12-19		925 CALLAWAY DR
10-12-19	Kathy Rabon	925 Callaway Dr.
10-12-19		949 Callaway Dr
10-12-19	Jennifer Barrett	949 Callaway Dr
10/12/19		985 Callaway Dr
10/12/19		985 Callaway Dr
10/12/19		961 Callaway Dr
10/12/19		937 Callaway Dr
10/14/19		3505 Christine Way

PETITION

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Date	Signature	Address
10/10/19	Linda Thompson	507 St. Augustine Dr
10/10/19	Carlton Thompson	507 St Augustine Dr
10/10/19	Lorraine M. Ferrell	513 St Augustine Dr
10/10/19	Susan Claridge	501 St Augustine Dr
10/11/19	[illegible] Ferrell	513 St Augustine Dr Medford OR
10/11/19	[illegible]	519 St. Augustine Dr. Med OR
10/11/19	[illegible]	530 St Augustine Dr Med OR
10/11/19	[illegible]	536 St. Augustine Dr. Med
10/11/19	Tanya [illegible]	536 St. Augustine Dr. Medford
10/11/19	Dan Wolter	506 ST Augustine D Medford
10/11/19	Janice Weber	506 St Augustine Dr Medford
10/12/19	R. Curtis Smith	540 ST. AUGUSTINE DR MEDFORD
10/13/19	[illegible]	525 " " " "
10/10/19	Richard A. Conklin	3404 Venice Ct. Medford
10/10/19	Marianne S. Conklin	3404 Venice Ct. Medford
10/11/19	Randy Kirkland	3419 VENICE CT. MEDFORD
10-11-19	Nichole Kirkland	3419 VENICE CT. MEDFORD
10-11-19	[illegible]	3403 VENICE CT. MEDFORD
10-11-19	[illegible]	3411 Venice Ct. Medford OR
10-11-19	Johanna Nelson	3411 Venice Ct Medford OR
10/11/19	Kantise Russ[illegible]	3412 Venice Court Medford OR 97504
	Signature	Address
10/21/19	[illegible]	3339 Henderson Way Med.
10/21/19	[illegible]	3339 Henderson Way, Medford
10/21/19	[illegible]	3315 Henderson Way Medford
10/21/19	Christie A. Charlton	3315 Henderson Way Medford
10/21/19	Michael P McBird	3375 HENDERSON WAY, MEDFORD
10/21/19	[illegible]	3387 Henderson Way, Medford, OR
10/21/19	Nancy Williamson	3387 Henderson Way, Medford, OR

PETITION

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Objection #2- We do not approve of residential living in this same building.

We support the 2016 approved plan that offers a much more open and inviting feel to this corner and does not have upper story residents able to intrude upon the privacy of the homeowners living directly across the streets.

Date	Signature	Address
10/10/2019	[illegible]	550 St. AUGUSTINE DR
10/10/2019	Carol J. Imada	550 St. Augustine Dr.
10/12/19	Colleen Anderson	563 St Augustine
10/12/19	Robert [illegible]	563 St Augustine DR
10/15/19	Howard Hunt	560 St. Augustine Dr.
10/15/19	Matthew Wright	553 St. Augustine Dr.
10/15/19	Walter [illegible]	549 ST. Augustine Dr.
10/15/19	[illegible]	544 St. Augustine Dr.
10/15/19	[illegible] L Howell	2955 Farmington Ave
10/15/19	Donna L. Wright	559 St Augustine Drive
10/15/19	Alice E. Hunt	560 St. AUGUSTINE DR.
10/15/19	[illegible]	544 St. Augustine Drive
10-15-19	[illegible] Sharp	554 St. Augustine Dr
10-15-19	Richard Sharp	554 St. Augustine Dr.
10-15-19	Mat [illegible]	543 ST AUGUSTINE
10-16-19	[illegible]	543 St Augustine Dr
10-16-19	Colleen Holbert	567 ST AUGUSTINE DR
10/19/19	[illegible] Jennifer Long	524 St Augustine Dr
10/20/19	Karen Curtis	571 ST. Augustine Dr.
10-15-19	Heather Smale	1860 Sonya Circle
10-15-19	[illegible]	1302 Highcrest Dr.
10-15-19	[illegible]	3202 Larue Dr.
10-15-19	[illegible]	3212 LaRue DR.
10-15-19	[illegible]	1975 Camellia Ave
10-25-19	[illegible]	531 St Augustine

25

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Date	Signature	Address
10-13-19	[illegible]	2410 Stonebrook Drive,
10-13-19	[illegible]	2852 Cedar Links Dr
10-13-19	[illegible]	2883 Cedar Links Dr.
10-13-19	[illegible]	2835 CIDAR LINKS DR.
10/13/19	Nick Reiten	2404 Cedar Links Ct.
10/13/19	Sierra Law Reiten [illegible]	2404 Cedar Links Ct
10/13/19	Eva Varney	2422 Cedar Links
10/13/19	Charles Ryan	2436 Cedar Links
10/13/19	Janet Malvini	2810 Cedar Links Dr.
10/13/19	FROILAN FERNANDEZ	2800 CEDAR LINKS DR.
10/13/19	MICHAEL W. ROYER	2780 CEDAR LINKS DR.
10/14/19	OLAN MCFARLAND	2740 CEDAR LINKS DR
10/14/19	Karen Johnson	2402 Hawaiian Ave
10/14/19	Emmett Armstrong	2436 Hawaiian Ave
10/14/19	Mae Lindley	2528 HAWAIIAN AVE
10/14/19	[illegible] EVERLY	2473 HAWAIIAN AVE.
10/14/19	[illegible]	2736 CEDAR LINKS DR.
10/14/19	[illegible]	2370 Brighton Cir
10/15/19	[illegible]	2340 Brighton Cir
10/15/19	Maurice R Butts	2333 Brighton Circle
10/15/19	[illegible]	2354 Brighton Cir
10/15/19	[illegible]	2359 Brighton Circle
10-15-19	Shawnna Kerrigan	2678 Cedar Links
10-15-19	[illegible]	2471 Bora Bora Way
10-15-19	[illegible]	2447 Bora Bora Way
10-15-19	[illegible]	2447 Bora Bora Way
10/16/19	Barbara Entler	2752 Cedar Links Drive
10/21/19	[illegible] Corey V. Insogna	2719 Cedar Links Drive
10/21/19	John Cooter (Cooter)	2708 Cedar Links

29

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Date	Signature	Address
10/12/19	Glenda Cappey	2957 Englesea Way, Med. OR
10/12/19	Alexandra Silver	2837 WILKSHIRE DR Medford
10/12/19	Kathryn R. Smoot	2891 Wilkshire Dr. Med. Or.
10-13-19	Tom Cappey	2957 ENGLESEA MEDFORD
10-13-19	Christy Nikkola	2810 Wilkshire Dr. Medford
10-13-19		2810 Wilkshire Dr - Medford.
10-13-19	Barbara Michaels	2895 Wilkshire Dr. Medford
10-13-19	Robert Michaels	2895 Wilkshire Dr. Medford
10-13-19	Scott Watts	2831 candlis Point ct. Medford
10-13-19	Kim Kuntz	2931 candlis point ct Medford
10-13-19		2950 Candlis Point ct, Medford
10-15-19		2734 Wilkshire Dr. Medford
10-15-19		2940 Englesea Way Medford OR
10-17-19	Gretchen Hamilton	2829 Kerrisdale Ridge Med-
10-19-19		2807 Wilkshire DR. Medford OR 97504
10/14/19		2861 MORNING VIEW DR MEDFORD OR
10/14/19		3219 Fallen Oak Dr.
10/14/19	Marcy Hansen	2881 Caldera Ln Medford, OR 97504
10/14/19		2990 Wilkshire Dr. Medford, OR 97504
10/14/19		2994 Wilkshire Dr, Medford, OR 97504
10/25/19	Patti Miller	2872 Morning View Dr, Medford 97504
10/26/19		2889 Caldera lane, Medford, OR 97504

22

PETITION

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Date	Signature	Address
10/10/19	[illegible] MIKE YOUNGER	2271 Fair Field
10/10/19	[illegible]	2271 Fairfield
10/11/19	[illegible]	3090 Sycamore
10/11/19	KEVIN GEILER	3089 SYCAMORE WY
10-11-19	Tom Peters	3133 Sycamore WAY
10-12-19	REBECCA EASTMAN-PETERS	3133 SYCAMORE WAY
10-12-19	[illegible]	3069 Sycamore Way
10-12-19	THERESA SMITH	2699 Kerrisdale Ridge WAY
10/12/19	[illegible]	3059 Sycamore Way
10/12/19	[illegible]	3079 Sycamore Way
10/12/19	[illegible]	3079 SYCAMORE WAY
10/12/19	[illegible]	3102 Sycamore Way
10-12-19	Dan Hoober	2758 Kerrisdale Rdg
10-13-19	Greg Valladas	2882 KERRISDALE RDG.
10-13-19	[illegible]	2920 Willshire Dr
10-16-19	Lynn Hale	2839 Kerisdale Ridge Dr.
10-16-19	[illegible] RIC MEYER	2992 " "
10-16-19	[illegible]	2788 " "
10/16/19	[illegible] addington	2768 Kerrisdale Ridge
10/16/19	[illegible]	2721 Kerrisdale Ridge.
10/17/19	[illegible]	3049 SYCAMORE WAY

21

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Date	Signature	Address
10/13/19	[signature] Robert Selby	1010 Callaway Dr.
10/13/19	Carla Selby, Carla Selby	1010 Callaway Dr
10/13/19	James J. Garner James J. Garner	1020 Callaway Dr
10/13/19	Patricia Garner Patricia Garner	1020 Callaway Dr.
10-13	Sylvia Casebien Sybil Casebien	1051 Callaway Dr
10-13	Charlene Silvera	1041 CALLAWAY DR
10-13	Charles T Silvera	1041 Callaway DR
10-13	Buddy Grove, Buddy GROVE	3303 HENDERSON WAY
10-16	[signature] SANDRA GROVE	3303 HENDERSON WAY
10-19	[signature] PATRICK TAYLOR	1001 CALLAWAY, MEDFORD 97504
10-26	[signature] James H. Taylor	1001 Callaway, medford 97504
10-27	Clairemarie Taylor	1001 Callaway, Medford 97504
10/14/2019	Lloyd Read	3488 Poppywoods Dr.
10-14-19	Linda Bennett	3484 Poppywoods Dr.
10-14-19	Denise A. Salthouse	3476 Poppywoods Dr.
10-14-19	Kristine A. Covington	3468 Poppywood Dr.
10-14-19	Randy Kershaw	3464 Poppywood Dr
10-14-19	[signature]	3460 POPPYWOOD DR.
10-14-19	[signature] Jerry Dugan	3460 Poppywood Dr
10-14-19	[signature]	3473 Poppywoods Dr
10/14/19	Kathryn John Dr	3495 Poppywoods Dr.
10/30/19	[signature]	3495 Poppywoods Dr.
10/30/19	[signature] TERRY ALLPHIN	3487 POPPWOODS DRIVE
10/30/19	Robyn Garris	3481 POPPYWOODS DR.
10-30-19	[signature]	3481 Poppywoods Drive
10-30-19	[signature]	3477 Poppywoods Drive
10/30/19	[signature] III	3456 Poppywoods Dr.
10/30/19	Marilyn Matheson	3469 Poppywoods Dr.
10/30/19	Pamela Flint	3465 Poppywood Dr
10/30/19	Alan Flint	3465 Poppywoods Dr

30

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Date	Signature	Address
10-13-19	A. M. McElroy	2817 Farmington Ave
10-13-19	[illegible]	2817 Farmington Ave.
10/13/19	[illegible]	2835 Farmington Ave.
10/13/19	[illegible]	2835 Farmington Ave
10/13/19	[illegible]	3492 Poppywood Dr.
10/13/19	[illegible]	3473 Poppywoods Dr.
10/13/19	[illegible]	2823 Farmington Ave
10/13/19	[illegible]	2828 Farmington Ave.
10/14/19	[illegible]	2829 Farmington Ave
10/14/19	[illegible]	2822 Farmington Ave
10/14/19	[illegible]	2822 Farmington Ave.
10/14/19	[illegible]	2842 Farmington Ave.
10/14/19	[illegible]	2842 Farmington Ave
10/14/19	[illegible]	2836 Farmington Ave
10/14/19	Brianne Williams	2829 Farmington Ave.
10/14/19	Mary P. Rice	3460 Eloquence Ave
10-14-19	[illegible]	" " "
10-14-19	[illegible]	2811 Farmington Ave
10-15-19	[illegible]	2866 Farmington Ave
10-18-19	Mary Goldrich	2874 Farmington Ave
10-26-19	Clay Johnson	3455 Viewpoint Dr.
10-26-19	[illegible]	3488 Viewpoint Dr
10-27-19	Ralph L. Ohm	2842 Leonard Ave. Med.
10-27-19	Karen Freitas	2911 Leonard Ave, Medford

24

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WE DO NOT SUPPORT

~~We support the~~ 2016 approved plan that offers a much more open and inviting feel to this corner and does not have upper story residents able to intrude upon the privacy of the homeowners living directly across the streets. WE SUPPORT COMPLETE REVIEW IN LINE WITH A SINGLE FAMILY NEIGHBORHOOD

Date	Signature	Address
10/30	Kathy Partch	2430 Herrington Way
10/30	Tim's Partch	2430 HERRINGTON WAY

10-30-19

Additional page with a different opinion —

"We do not support the 2016 plan....."

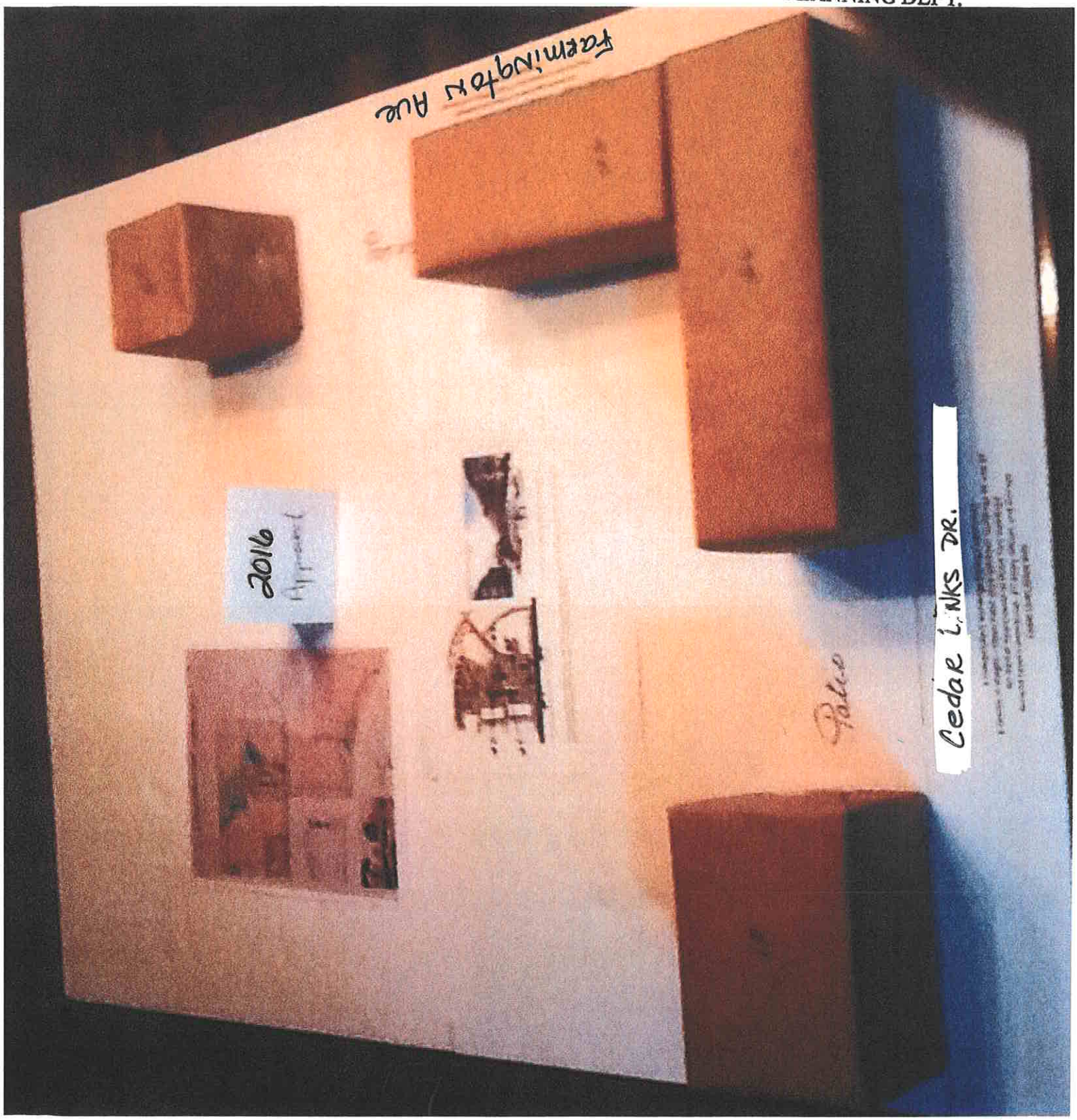
"We support complete review in line with single family neighborhood"

Tim and Kathy Partch

RECEIVED

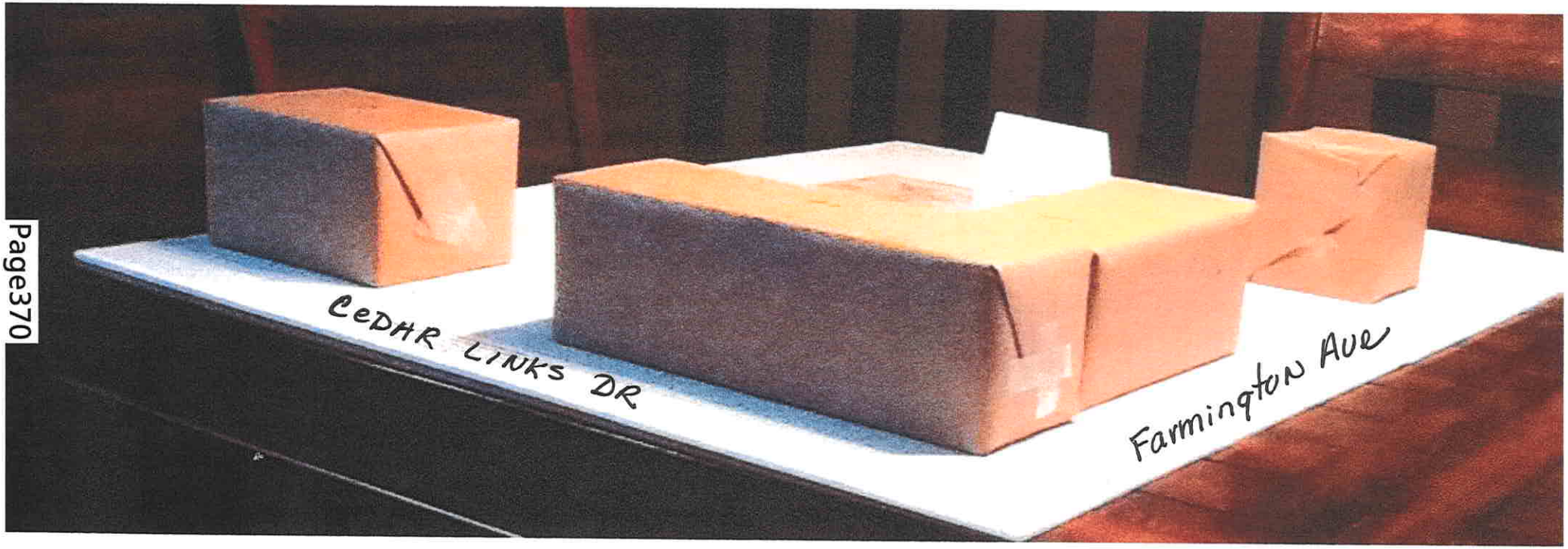
NOV 0 1 2019

PLANNING DEPT.

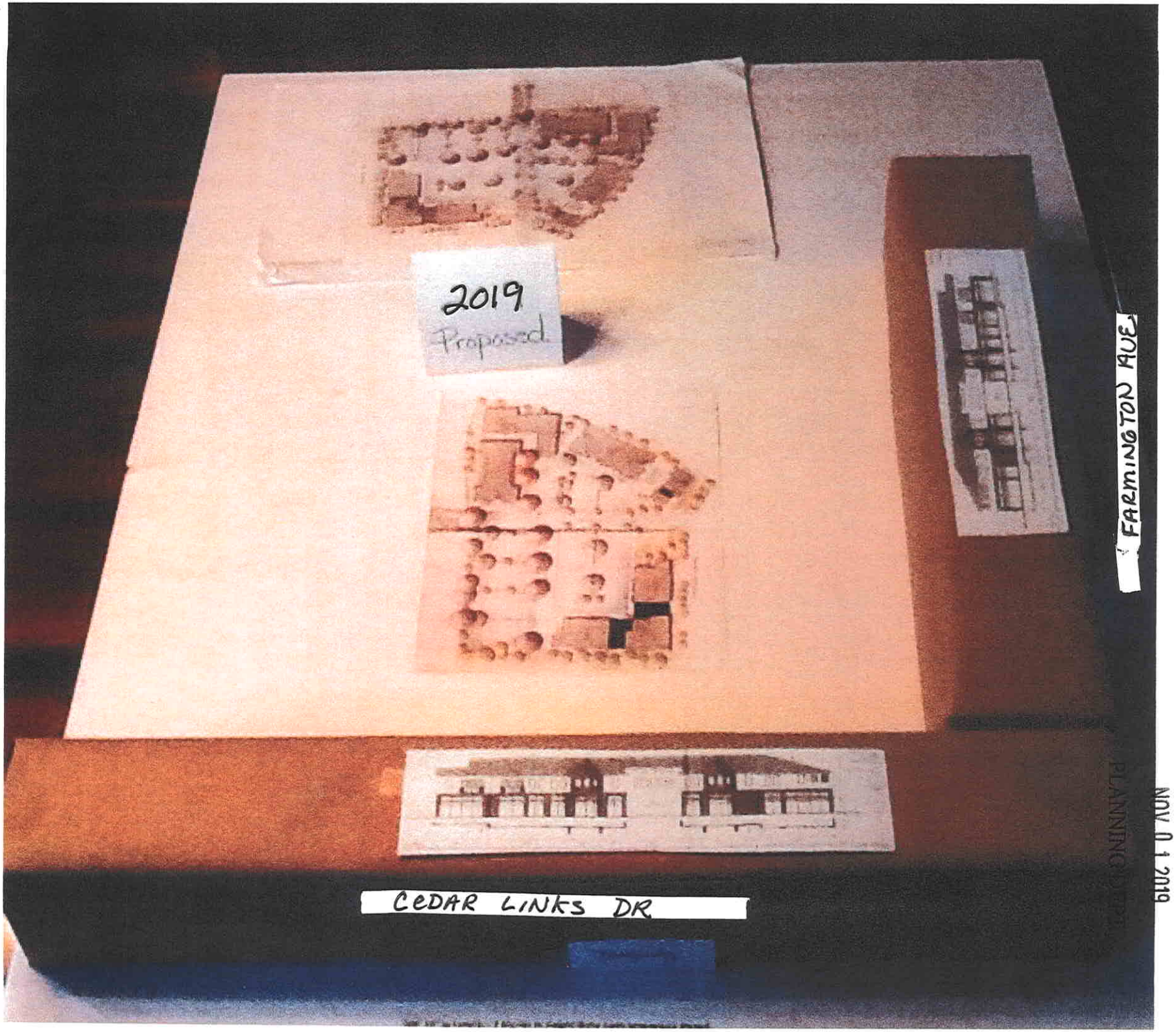


3 story
no living
quarters
on and
floor!

2016 Approved plan



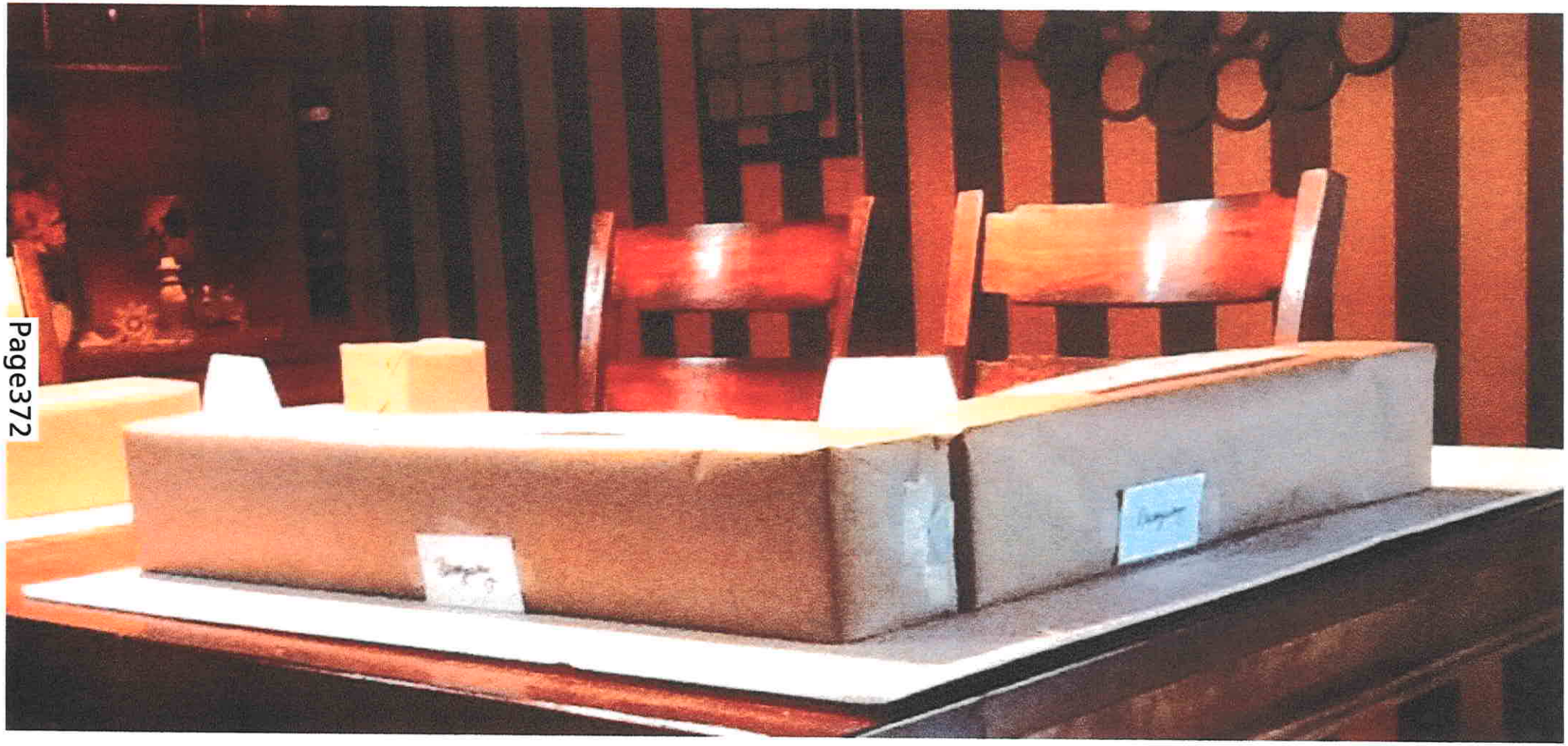
2 story
No living quarters on 2nd story



Apartments on 2nd story!

RECEIVED
NOV 0 1 2019
PLANNING

2019 Proposed Plan



2 story
Apartments on 2nd story

RECEIVED
NOV 01 2019
PLANNING DEPT.

Medford City Hall, 3rd Floor

October 28, 2019

200 S. Ivy

Medford, Oregon 97501

Subject: Cedar Landing

Attention: Planning Commission Members

I have been a resident at 2828 Farmington Avenue since April 2014. After Farmington Avenue was extended to Cedar Links Drive, there has been a significant increase in traffic and a dramatic increase in vehicle speed. Farmington Avenue (North of St. Frances) has a hill which blocks the view of vehicles and pedestrians. This is a school route and the school bus stops in several locations along Farmington Avenue. There are also several mailbox locations on Farmington Avenue, requiring citizens to cross the street for mail. About a year ago, the Planning Commission had two signs posted "Hill Blocks View" & "25 MPH" which had done little to impede traffic speed. Backing my car out of my driveway is a challenge and although I am extremely cautious, there have been several near misses.

With the additional housing that is proposed on Farmington & Cedar Links, I am concerned that vehicle traffic and foot traffic will increase substantially creating more safety issues on Farmington Avenue.

I ask each of you in the Planning Department to please consider the safety issues that already exist and project ahead as the Cedar Links development project continues.

Thank you for your time and consideration.

Sincerely,

Valerie E. Dann

Valerie E Dann

CITY
EXHIBIT
File # PUD-19-002

RECEIVED
NOV 06 2019
PLANNING DEPT.

Good Evening Commissioners, my name is Millie Carlton-Brenner. As a homeowner in the area, I thank you for the opportunity to share my thoughts.

Having been a contractor, developer, and business owner for over 30 years, I tend to be more pro development than some. Currently, I sit on the board of the Medford Chamber's Natural Resource Action Team, a diverse group involved in discussion and legislation to protect and educate our community about wildfires risks. I am also the business owner of Scorched, an outreach platform that educates the community about how to protect themselves as they reside within Urban Wildfire Interface zones. Pertaining to the proposed project, my concerns revolve around what steps the developer has taken to address todays needs for a "Fire Adapted Community".

In 2005, CAL Fire released a fire management plan for Paradise CA addressing ember-driven conflagration risks which stated and I quote, "the greatest risk to the ridge communities is from an East wind driven fire that originates above the communities and blows downhill through developed areas." On Nov. 8th, 2018 this unfortunate scenario came to pass. At one point, the Paradise fire named the Camp Fire, was moving at a rate equivalent to one football field per second.

To give you an understanding of what that would look like locally, if a fire came from the East over RoxyAnn, from the Proposed Development to Crater Lake Ave which is 2.7 miles, conservatively moving at half the speed of the Camp Fire, the fire would reach Crater Lake Ave in less than three minutes. I have extensive data on this subject but am unable to elaborate due to time constrains.

Development will prevail on said property as it should, but after reviewing the approved 2016 Plan vs the 2019 Proposed Plan, I am of the opinion that the 2016 Plan which allows for 5 ingress and egress driveways into the development, rather than the 2 proposed in the 2019 Plan, creates a safer exit strategy for residents. Also, the 2016 Plan allowed 75-100 units while the 2019 Proposed Plan requested 110 -120 units potentially increasing overall number of apartments by 45 units which would increase traffic congestion by at least 45 cars, given the need to evacuate.

In the fire-adapted ecosystems of East Medford, it is not a matter of "if" wildfire is going to occur, but "when". Thus, it is imperative that future development consider the necessary elements of a Fire-Adapted Community to include, low or non-combustable landscaping, fire retardant building materials, adequate ingress and egress into the property, fewer rather than maximum allowable housing units, along with community education as to how to evacuate if the need should arise. Thus, I respectfully ask the Planning Commission to consider the approved 2016 Plan rather than the 2019 Proposed Plan. I would also respectfully ask that the developer submit an action plan to the Planning Commission, outlining steps to update the 2016 Plan to include a Fire-Adapted Community action plan. Thank you.

Millie Carlton-Brenner 541-601-1891 milliecarlton1@gmail.com

PAM-19-002

RECEIVED
NOV 06 2019
PLANNING DEPT.

FROM: David and Linda Erickson
2822 Farmington Avenue
Medford, Oregon 97504
[Cell 503-702-1726]

November 5, 2019

TO: PLANNING DEPARTMENT
City of Medford
ATTN: CEDAR LANDING PUD-PLANNER
Attn: STEFFEN ROENNFELDT

Ladies and Gentlemen of the City of Medford , PUD,Transportation System & City Council

This letter is provided for sharing our experience of traffic flow, volume and drivers exceeding 25 MPH on Farmington Avenue.

We are residents on Farmington Avenue. We moved into our home in mid-May, 2017. Our home sits on the crest of Farmington of the hill that leads west to the new construction area near the pond and the green space near by the intersection of St Francis and Farmington Avenue.

In May 2017, there was no access through our neighborhood to Cedar Links Drive. There was little traffic on Farmington Avenue. In mid-summer, 2017 the access to Cedar Links Drive was opened up to accommodate contractors and developers.

The neighborhood drivers took advantage of the new access and use Farmington daily at speeds exceeding 30 MPH [an estimation]. Volumes of cars + trucks peak between 6+8AM and 3:20 and 5:45PM. There are driver and pedestrian site-line limitations both up hill and down hill approaching the intersection of St. Francis and Farmington Avenue.
Drivers cannot see pedestrians or other vehicles that are approaching them or in their way for less than 100 feet of the crest on Farmington. We have witnessed school busses exceeding 25MPH also.
The corner of St. Francis and Farmington is a regular bus stop AM & PM for Medford school busses each school day. Additionally there is a post box at that intersection at which neighbors obtain their mail daily

ADDITIONAL TRAFFIC IMPACT
The addition of 120 living units at the Cedar Landing development will allow and anticipate 2 cars per unit [240 vehicles] and with an 'Leaving' + 'Returning' vehicles makes 480 traffic occurrences compounding an already very busy traffic area.

WW
PUD-19-002

It was disclosed at a prior hearing with the developer that the City offices of traffic planning waived the requirement for a traffic study and relied on solely the traffic report from the intersection of FOOTHILL Road and CEDARLINKS Drive. This existing intersection has very good signing, traffic lights and left turn lanes. This uphill intersection does not impact the cars, trucks and commercial traffic on Farmington.

We are asking the PUD Planning to require a current traffic study and an future impact of the addition of 480 traffic trips.

There is no way that with current November 2019 traffic plus the impact of 480 trips that traffic controls and mitigation will be required.

Please do not push this off as not needed. The last several traffic speed concerns that we have filed with the police have indicated in verbal information that the City of Medford will not ticket and vehicles on Farmington with speeds over 25 until the speed is 36 or over.

In other words, we may have to have a death, blood spilled, a child killed or a car wrapped around a light pole to get someone's attention. I do not care to have a speeding car land on my property because of stupidity or drivers not willing to be courteous to their neighbors.

David E. Erickson

David and Linda Erickson
2822 Farmington Ave.
Medford, OR 97504

City of Medford

Planning Department

Vicinity Map

File Number:

PUD-19-002

Project Name:

Minor Revision to Cedar Landing PUD

Map/Taxlot:

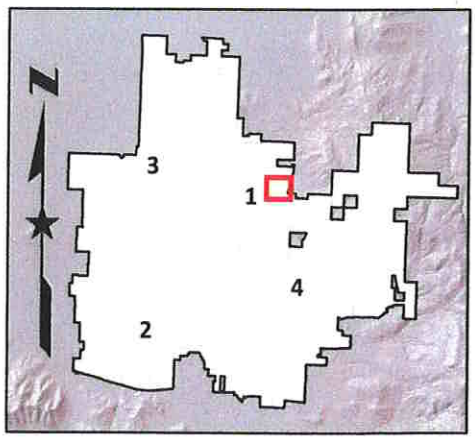
371W16BD238 & 371W16BC203

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: **Type III Zone Change**

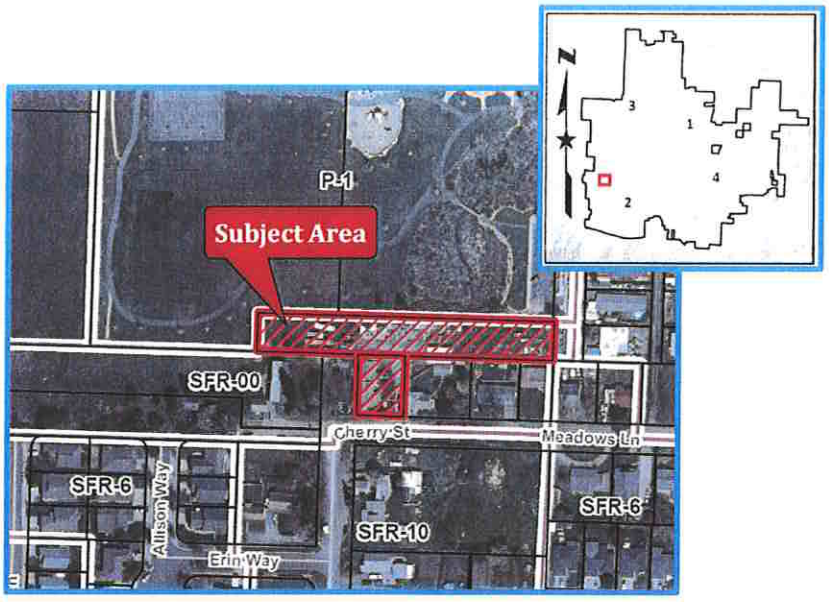
Project	Barger Zone Change Applicant: Johnnie & Sharon Barger	
File no.	AC-19-017	
To	Planning Commission	*for 11/14/2019 hearing*
From	Dustin Severs, Planner III	
Reviewer	Kelly Evans, Assistant Planning Director	
Date	November 7, 2019	

BACKGROUND

Proposal

Consideration of requests for zone changes of two contiguous parcels located at 611 Meadows Lane: TL 12400 (0.79 acres) is requested to be changed from SFR-00 (Single-Family Residential, one dwelling unit per lot) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre), and TL 12300 (0.18 acres) is requested to be changed from SFR-00 to SFR-10 ((Single-Family Residential, ten dwelling units per gross acre) (372W25CB TL 12300 & 12400).

Vicinity Map



Subject Site Characteristics

GLUP	UR (Urban Residential) & UH (Urban High Density Residential)
Zoning	SFR-00
Overlay	None
Use	Residential

Surrounding Site Characteristics

North	Zone:	P-1 (Public Parks)
	Use:	Lewis Park
South	Zone:	SFR-10 (Single Family Residential, ten dwelling units per gross acre)
	Use:	Residential
East	Zone:	SFR-10
	Use:	Residential
West	Zone:	P-1
	Use:	Residential

Related Projects

None.

Applicable Criteria

MLDC 10.204: Zone Change Criteria

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

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

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

*****

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

(i) At least one parcel that abuts the subject property is zoned SFR-10; or (ii) The area to be re-zoned is five acres or larger; or

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

*****

(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.

Approval Authority

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

ISSUES AND ANALYSIS

Background

Current Conditions

The subject site consists of two contiguous parcels totaling 0.97 acres. Parcel 12300 (0.18 acres) currently contains a single-family home, and is fronted by an unimproved section of Meadows Lane—a residential street. Parcel 12400 (0.79 acres) does not contain a residence and has been used historically for storage, and is fronted by Lewis Avenue—a residential street. Access to Parcel 12400 is provided by Parcel 12300 via Meadows Lane.

Proposal

The applicant is proposing to rezone both parcels. Parcel 12300, currently zoned SFR-00 with a UR GLUP designation, is proposed to be rezoned to SFR-10; and Parcel 12400, currently zoned SFR-00 with a UH GLUP designation, is proposed to be rezoned to MFR-20.

CRITERIA COMPLIANCE

GLUP/TSP Consistency

The General Land Use Plan (GLUP) designations for the subject parcels are UR (Urban Residential) and UH (Urban High Density Residential), respectively, and, according to the General Land Use Plan Element of the *Comprehensive Plan*, the SFR-10 zoning district is a permitted zone within the UR GLUP designation, and the MFR-20 zoning district is a permitted zone within the UH GLUP.

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. A traffic Impact Analysis (TIA) is required when an application has the potential of generating more than 250 net Average Daily

Trips (ADT) or the Public Works Department has concerns due to operations or accident history.

Public Works determined that a TIA was not required with the subject request.

Locational Criteria

Zone change requests require an assessment of the locational criteria for the proposed zoning district. Parcel 12400, proposed to be rezoned to SFR-10, abuts the SFR-10 zone at its southerly boundary, meeting the locational criteria for the SFR-10 zone as per MLDC 10.204(B)(2)(b). There are no locational criteria which apply to the MFR-20 zoning district.

Facility Adequacy

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

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

Other Agency Comments

Rogue Valley Sewer Services (RVSS) (Exhibit E)

The subject property is within RVSS service area. In their report, RVSS states there is adequate system capacity for the proposed zone change.

Committee Comments

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

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

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposals are consistent with the both the UR and UH General Land Use Plan Map designations 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 MFR-20 zone, and Parcel 12300 abuts the SFR-10 zoning district along its southerly boundary, meeting the locational criteria for the SFR-10 zone as per MLDC 10.204(B)(2)(b). The Commission can find that this criterion is met.
- With regard to Criterion 3, the agency comments included as Exhibits B-E, including Rogue Valley Sewer Services (RVSS), demonstrate that Category A facilities are adequate to serve the property at the time of issuance of a building permit for vertical construction. The Commission can find that this criterion is met.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of ZC-19-017 per the staff report dated November 7, 2019, including Exhibits A through F.

EXHIBITS

A Applicant's Findings of Fact and Conclusions of Law, received September 16, 2019.
B Public Works staff report, received on October 30, 2019.
C Medford Water Commission report, received on October 30, 2019.
D Medford Fire Department report, received on October 30, 2019.
E Rogue Valley Sewer Services memo, received October 18, 2019.
F Medford Irrigation District memo, received October 28, 2019.
Vicinity Map

PLANNING COMMISSION AGENDA: NOVEMBER 14, 2019

RECEIVED
SEP 16 2019
PLANNING DEPT.

Zone Change
Findings of Fact for 37-2W-25CB-12300 and 37-2W-25CB-12400

I. **Purpose:** Change the Zoning Designation on parcel 37-2W-25CB-12300 containing 0.18 acres from City of Medford Single Family Residential zoning 2 dwellings per acre (SFR-2) to City of Medford Single Family Residential zoning 10 dwellings per acre (SFR-10) and to change the Zoning Designation on the adjacent parcel 37-2W-25CB-12400 containing 0.75 acres from City of Medford Single Family Residential zoning 2 dwellings per acre (SFR-2) to City of Medford Multiple Family Residential zoning 20 dwelling units per acre (MFR-20)

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

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

Findings: The five required items, as listed above, are included with the application packet. The findings addressing the criteria for zone changes as per Section 10.227, are included below.

III. **Findings in Compliance with Medford Land Development Code Section 10.227:**

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

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

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

1. Consistency with OAR 660, Division 12: Transportation

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

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

There are provisions within Chapter 660 that apply to the Comprehensive Plan and land use regulation amendments. These provisions are in OAR 660-012-0060, which states:

1) *If an amendment to a functional plan, an acknowledged comprehensive plan or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9), or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if* it would:

   a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan).*

   b) *Change standards implementing a functional classification system, or*

   c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of the evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*

2) *If a local government determines that there would be a significant affect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the*

remedies listed in (a) through (e) below, unless the amendments meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to the congestion. A plan or land use regulation amendment significantly affects a transportation facility if it:

a) *Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.*

b) *Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.*

c) *Amending the TSP to modify the planned junction, capacity or performance standards of the transportation facility.*

d) *Providing other measure as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measure or improvements provided pursuant to this subsection will be provided.*

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

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

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

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

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

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

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

a) *In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below:*

b) *Outside of the interstate exchange areas, the following are considered planned facilities improvement and services:*

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

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

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

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

E) *Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local*

government or transportation service provider responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

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

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

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

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

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

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

   C) *Interstate interchange area means:*

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

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

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

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

Discussion:

An overview of existing transportation facilities that would provide service to the subject tract indicates that ground transportation via existing City designated residential streets is the sole transportation facility that is affected by this amendment. The subject tract does

not have access to rail, light rail, water, or other alternative transportation facilities or services. The subject tract is accessible by motor vehicle from Cherry Street, Meadows Lane, or Lewis Avenue.

Access Management:

Tax Lot 12300 is located on the corner of Cherry Street (at the terminus) and Meadows Lane. Both, Cherry Street and Meadows Lane are designated as residential streets. Tax Lot 12400 is located north and adjacent to Tax Lot 12300, but has frontage on Lewis Lane (a designated residential street). The current driveway and access to both tax lots is from Meadows Lane. The future development of Tax Lot 12300 will take access from Meadows Lane. The future development of Tax Lot 12400 will take access from Cherry Street and Lewis Avenue. The future development plan for the site will conform with all access management and location requirements of the City of Medford.

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

Trip Generation Potential:

The existing use on the subject tract, a single family home, is estimated to produce 10 average daily trips (ADT) and will be removed when the property is redeveloped in the future. Tax Lot 12300 has a gross area of 0.18 acres. The maximum permitted density in the requested SFR-10 zoning designation is 10 dwelling units per acre. The 0.18 acre site, could possibly be developed with 2 dwellings, thus generating a total of 20 average daily trips (ADT).

Tax Lot 12400 has a gross area of 0.75 acres. The maximum permitted density in the requested MFR-20 zoning designation is 20 dwelling units per acre. The 0.75 acre site could be developed with 15 dwelling units. Per the ITE, Trip Generation, 9th Edition, Apartments (Use 220) are expected to generate 6.65 ADT and 0.62 P.M. peak hour trips per unit. The future worst-case scenario, with 15 units would produce approximately 99.75 ADT and 9.3 P.M. peak hour trips.

The future development of Tax Lot 12300 to SFR-10 combined with the future development of Tax Lot 12400 to MFR-20 would not exceed the 250 ADT threshold or the 25 peak hour trips threshold to warrant a Traffic Impact Study.

Included in the application is a Traffic Impact Analysis Form filled out by Peter Mackprong (City of Medford Associate Traffic Engineer) that states a Traffic Impact Analysis is not required.

Conclusion:

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

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

2. Tax Lot 12300 totals 0.18 acres which could be developed with up to two dwelling units under the requested SFR-10 zoning and Tax Lot 12400 totals 0.75 acres which could be developed with up to 15 dwelling units under the requested MFR-20 zoning. The total number of average daily trips and P.M. peak hour trips that could be generated through the future development of both properties fall below the thresholds to require a TIS, demonstrating that this application will have a negligible effect on the capacity of the local street system. Uses proposed are consistent with the Comprehensive Plan and the requested zoning designation as SFR-10 for Tax Lot 12300 and MFR-20 for Tax Lot 12400.

3. The proposed zone change does not significantly affect the overall transportation capacity, including the I-5 Interchanges or performance standards of the existing transportation facility, as defined in OAR 660-012-0060 since the proposed use will be consistent with the maximum uses established for the subject properties with the SFR-10 zoning (Tax Lot 12300) and the MFR-20 zoning (Tax Lot 12400).

2. Consistency with the General Land Use Plan Map:

A review of the General Land Use Plan Map for the City of Medford indicates that Tax Lot 12300 is designated on the General Land Use Plan Map as "Urban Residential" (UR) and Tax Lot 12400 is designated on the General Land Use Plan Map as "Urban High Density Residential" (UH). The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that permitted zoning districts within the UR designation are: SFR-2, SFR-4, SFR-6, and SFR-10, consistent with the provisions of Section 10.306 of the Medford Land Development Code. Additionally, the map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that permitted zoning districts within the UH designation are: MFR-20 and MFR-30, consistent with the provisions of Section 10.306 of the Medford Land Development Code.

Conclusion:

The subject tract is within Medford City Limits. Tax Lot 12300 is designated on the General Land Use Plan Map as "Urban Residential" (UR) and Tax Lot 12400 is designated on the General Land Use Plan Map as "Urban High Density Residential" (UH). The proposed zone changes (Tax Lot 12300 to SFR-10 and Tax Lot 12400 to MFR-20) are found to be consistent with the General Land Use Plan Map.

Findings:

The City of Medford finds that this application for a change of zoning for Tax Lot 12300 to SFR-10 and Tax Lot 12400 to MFR-20 is consistent with the City of Medford TSP and OAR 660-012-0060, Transportation Planning Rules, which are in compliance with Section 10.227(!) MLDC. Based on the fact that the combined total of average daily trips and P,M, peak hour trips that could be generated through the future development of the subject tract fall below the thresholds to require a TIS, the application will have no adverse impacts on the I-5 Interchange, State highways, or the local street system. The City of Medford, also, finds that the subject tract is found to be consistent with the General Land Use Plan Map. This application is in compliance with Section 10.227(1) MLDC.

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

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

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

Water Service:

Water service is provided by the Medford Water Commission, which is currently serving the subject properties and the urban uses in the vicinity. There is an existing water main in Meadows Lane. Adequate service lines are available to serve the subject properties upon further urban development.

Water capacity of the Medford Water Commission system is currently serving a population of approximately 185,000 persons. Adequate water capacity exists to serve the subject properties.

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

Sanitary Sewer:

Sanitary Sewer service is provided by Rogue Valley Sewer Service and there are no know capacity issues in the area. There is an 8" sewer line in Meadows Lane. This collection line is available to be extended to serve the future development of the subject site. The future re-development of the subject will include construction drawings and engineering to provide the storm sewer system in accordance with the City of Medford.

Streets:

Tax Lot 12300 is located on the corner of Cherry Street (at the terminus) and Meadows Lane. Both, Cherry Street and Meadows Lane are designated as residential streets. Tax Lot 12400 is located north and adjacent to Tax Lot 12300, but has frontage on Lewis Lane (a designated residential street).

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

The future development of Tax Lot 12300 to SFR-10 combined with the future development of Tax Lot 12400 to MFR-20 would not exceed the 250 ADT threshold or the 25 peak hour trips threshold to warrant a Traffic Impact Study.

The requested zone change will have a negligible effect on the capacity of the existing local street system as demonstrated by the fact that the proposed change of zoning and future development of additional single family dwellings (TL 12300) and attached multi-family dwellings (TL 12400)access management for the transportation facility serving the site.

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

Findings:

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

Summary and Conclusion:

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

With this in mind, the respectful request is made that the City of Medford designate 37-2W-25CB Tax Lot 12300 as SFR-10 and 37-2W-25CB Tax Lot 12400 as MFR-20.

Thank you,

Johnnie Barger

MEDFORD
PUBLIC WORKS

LD DATE: 10/30/2019
File Number: ZC-19-017

PUBLIC WORKS DEPARTMENT STAFF REPORT

611 Meadows Lane (TLs 12300 & 12400)

Project: Consideration of requests for zone changes of two contiguous parcels.

Location: Located at 611 Meadows Lane: TL 12400 (0.79 acres) is requesting a zone change from SFR-00 (Single-Family Residential, one dwelling unit per lot) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre), and TL 12300 (0.18 acres) is requesting a zone change from SFR-00 to SFR-10 ((Single-Family Residential, ten dwelling units per gross acre) (372W25CB TL 12300 & 12400).

Applicant: Applicant, Johnnie & Sharon Barger; Planner, Dustin Severs.

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

I. Sanitary Sewer Facilities

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

II. Storm Drainage Facilities

The subject properties currently drain to the east. 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.

CITY OF MEDFORD
EXHIBIT # 3
FILE # ZC-19-017

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

he 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-19-017

PARCEL ID: 372W25CB TL 12300 & 12400

PROJECT: Consideration of requests for zone changes of two contiguous parcels located at 611 Meadows Lane: TL 12400 (0.79 acres) is requesting a zone change from SFR-00 (Single-Family Residential, one dwelling unit per lot) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre), and TL 12300 (0.18 acres) is requesting a zone change from SFR-00 to SFR-10 ((Single-Family Residential, ten dwelling units per gross acre) (372W25CB TL 12300 & 12400); Applicant, Johnnie & Sharon Barger; Planner, Dustin Severs.

DATE: October 30, 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.

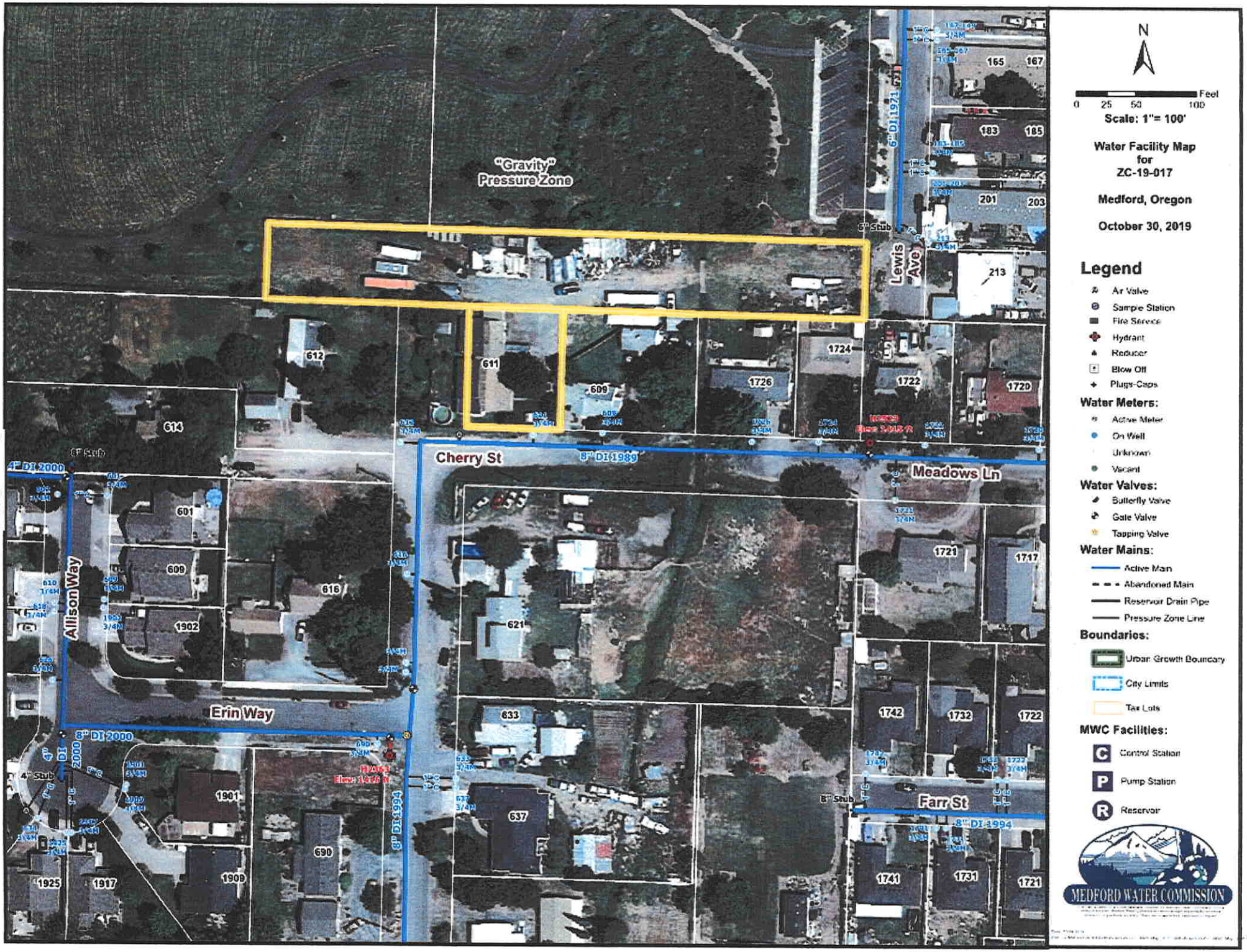
4. Off-site water facility construction may be required depending on future land development review.

5. On-site water facility construction may be required depending on future land development review.

6. MWC-metered water service does exist to this property. There is a ¾" water meter that current serves the existing home at 611 Cherry Street.

7. Access to MWC water lines for connection is available. There is an existing 8-inch water line in Meadows Lane, and there is an existing 6-inch water line in located in Lewis Avenue.

CITY OF MEDFORD
EXHIBIT # C-4
FILE # ZC-19-017


"Gravity" Pressure Zone
Lewis Ave
6" DI 1971
5" Stub
Cherry St
8" DI 1989
Meadows Ln
Allison Way
4" DI 2000
6" Stub
Erin Way
8" DI 2000
4" DI 2000
4" Stub
8" DI 1994
Farr St
8" DI 1994
8" Stub
612
611
609
614
601
618
1902
621
633
637
690
1901
1909
1925
1917
1724
1726
1722
1720
213
165
167
183
185
201
203
1721
1717
1742
1732
1722
1741
1731
1721
N
0 25 50 100 Feet
Scale: 1"= 100'
Water Facility Map for ZC-19-017
Medford, Oregon
October 30, 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: 10/21/2019
Meeting Date: 10/30/2019

LD File #: ZC19017

Planner: Dustin Severs

Applicant: Johnnie & Sharon Barger

Site Name: N/A

Project Location: 611 Meadows Lane

ProjectDescription: Consideration of requests for zone changes of two contiguous parcels located at 611 Meadows Lane: TL 12400 (0.79 acres) is requesting a zone change from SFR-00 (Single-Family Residential, one dwelling unit per lot) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre), and TL 12300 (0.18 acres) is requesting a zone change from SFR-00 to SFR-10 ((Single-Family Residential, ten dwelling units per gross acre) (372W25CB TL 12300 & 12400);

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 # D
FILE # ZC-19-017

ROGUE VALLEY SEWER SERVICES

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

October 18, 2019

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

Re: ZC-19-017, Jonnie & Sharon Barger (372W25CB TL12300 & 12400)

ATTN: Liz,

The subject property is within the RVSS service area. There are 8 inch sewer mains along Cherry Street and along the north property boundary of tax lot 12400. Currently, there is adequate system capacity for the proposed zone change. Future development must be reviewed for compliance with RVSS standards.

Please feel free contact me with any questions.

Sincerely,

Nicholas R. Bakke, P.E.
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNG\ZONE CHANGE\2019\ZC-19-017, JONNIE & SHARON BARGER.DOC

CITY OF MEDFORD
EXHIBIT # E
FILE # ZC-19-017

MEDFORD IRRIGATION DISTRICT

PO Box 70.
Jacksonville OR 97530
Office (541)899-9913
Fax (541)899-9968

City of Medford Planning Department
Attention: Liz Conner
RE: ZC-10-017
Project: Johnnie & Sharon Barger

October 28, 2019

The Medford Irrigation District holds a water right appurtenant to the land described in this project as 372W25CB-12400. Oregon law (ORS 545.101) requires when a subdivision is platted, if there are going to be three (3) or more lots on each acre, the water right shall be transferred from the land. The District provides more information regarding this process at their District office. MID also has facilities ie: boxes, laterals, ditches on this property that will need to be included in the planning/development process. Please have any surveyors or engineers contact our office with any questions regarding the location and or function of these facilities.

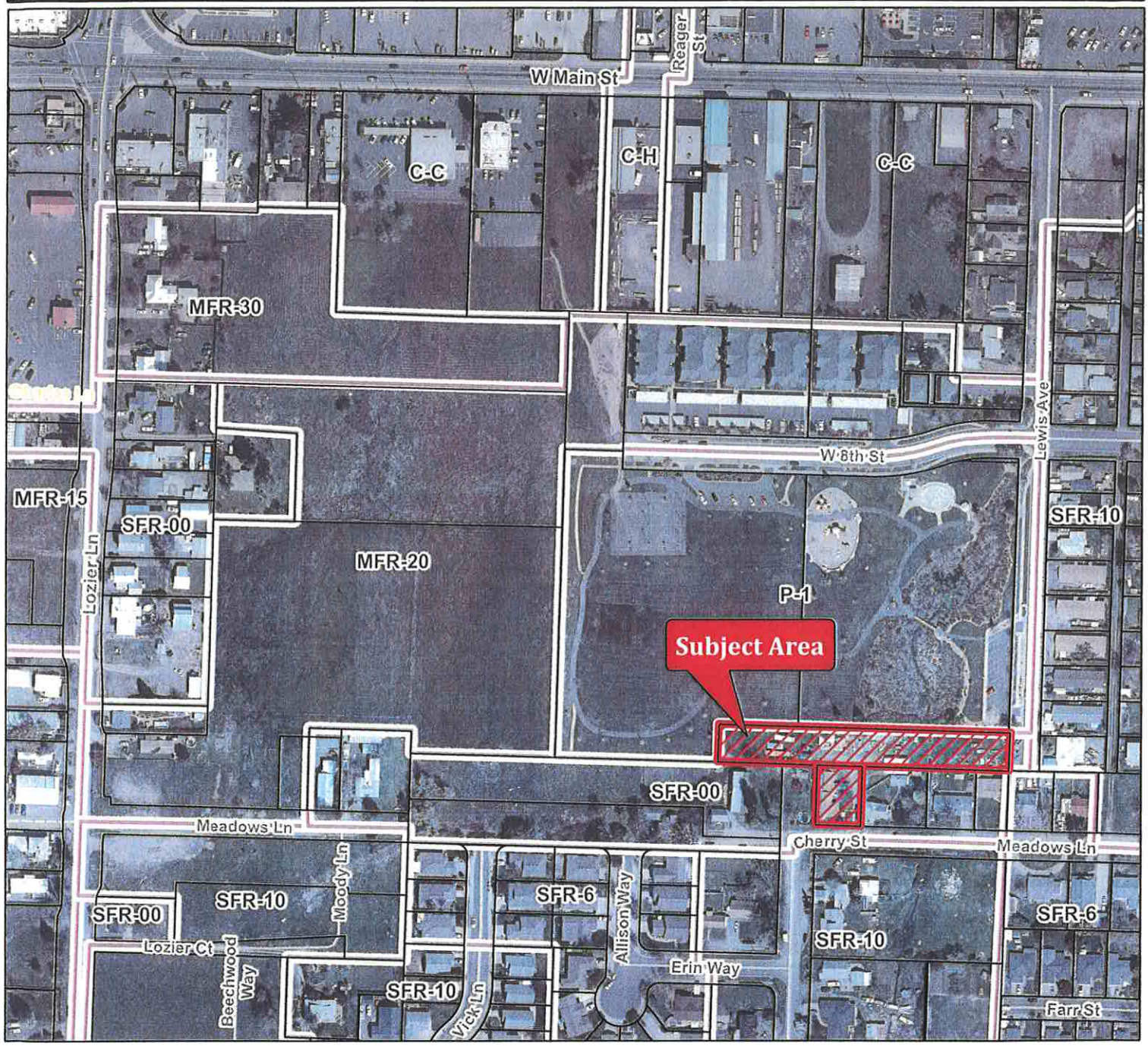
Sincerely,
Jack G. Friend, Manager
Medford Irrigation District

CITY OF MEDFORD
EXHIBIT # 5
FILE # ZC-19-017

MEDFORD PLANNING

Vicinity Map

File Number:
ZC19-017



Project Name:

Johnnie & Sharon Berger

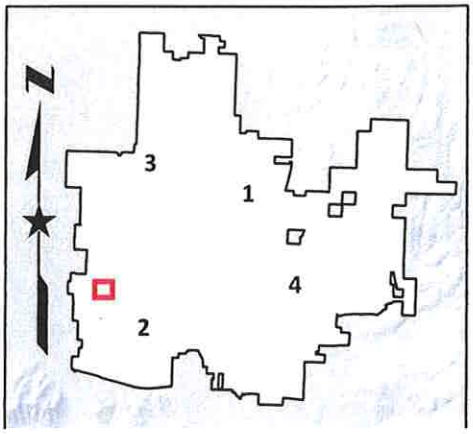
Map/Taxlot:

372W25CB TL 12300 & 12400

0 190 380 Feet

Legend

- Subject Area
- Tax Lots
- Zoning Districts



09/24/2019