

PLANNING COMMISSION AGENDA FEBRUARY 11, 2016



Commission Members

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

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

City of Medford

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



Planning Commission

Agenda

Public Hearing

February 11, 2016

5:30 PM

Council Chambers, City Hall, Room 300

411 West Eighth Street, Medford, Oregon

-
- 10. Roll Call**
 - 10.1 Election of Officers
 - 10.2 Appointments/Reappointments to the Site Plan and Architectural Commission and Joint Transportation Subcommittee
 - 20. Consent Calendar/Written Communications (voice vote)**
 - 20.1 **LDS-15-118 / E-16-001** Final Order of a tentative plat application for a mixed-use development to be known as West Meadows Village, consisting of a total of 15 lots on 9.14 acres within a SFR-10 (Single-Family Residential – 10 dwelling units per gross acre) and MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) zoning district, with the PUD (Planned Unit Development) Zoning Overlay, and associated exception application requesting reduced right-of-way dedication and reduced landscape planter strip for the north side of Lozier Court. Subject tentative plat consists of 5 Single-family lots, 5 duplex lots, 2 commercial lots and 3 multi-family lots; generally located on the east side of Lozier Lane on the north and south sides of Meadows Lane. David & Elahe Young Family Trust, Applicant (Richard Stevens & Associates, Inc., Agent)
 - 30. Minutes**
 - 30.1 Consideration for approval of minutes from the January 28, 2016, hearing.
 - 40. Oral and Written Requests and Communications**
 - 50. Public Hearings – New Business**
 - 50.1 **SV-15-160** Consideration of a request to vacate a public alley located between Oakdale Avenue and Park Avenue that extends northerly 402 feet from Dakota Avenue. (City of Medford, Public Works Department, Applicant/Agent)
 - 50.2 **LDS-15-141 / E-15-142** Consideration of a proposed tentative plat for Panther Landing Subdivision, a seven lot residential subdivision, with an exception to reduce the street dedication requirement for South Columbus Avenue and an exception to the number of units allowed to take access off a minimum access easement, for an 0.86 acre parcel located on the east side of South Columbus Avenue, approximately 120 feet north of Garfield Street, within a SFR-10 (Single Family Residential – 10 dwelling units per gross acre) zoning district (1579 S. Columbus Avenue – 372W36CA2200). (Tommy Malot, Applicant/Agent)

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

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF)
WEST VIEW VILLAGE) ORDER
[LDS-15-118]

ORDER granting approval of a request for tentative plat approval for West View Village.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and
2. The Medford Planning Commission has duly held a public hearing on the request for consideration of tentative plat approval for West View Village, consisting of a total of 15 lots on 9.14 acres within a SFR-10 (Single-Family Residential – 10 dwelling units per gross acre) and MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) zoning district, with the PUD (Planned Unit Development) Zoning Overlay, and associated exception application requesting reduced right-of-way dedication and reduced landscape planter strip for the north side of Lozier Court. Subject tentative plat consists of 5 Single-family lots, 5 duplex lots, 2 commercial lots and 3 multi-family lots; generally located on the east side of Lozier Lane on the north and south sides of Meadows Lane, with the public hearing a matter of record of the Planning Commission on January 28, 2016.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat approval 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 West View Village stands approved per the Planning Commission Report dated January 28, 2016, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated January 28, 2016.

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

Accepted and approved this 11th day of February, 2016.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

BASED UPON THE ABOVE, the Planning Commission determined that the exception is in conformity with the provisions of law and Section 10.253 criteria for an exception of the Land Development Code of the City of Medford.

Accepted and approved this 11th day of February, 2016.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



PLANNING COMMISSION REPORT

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

PROJECT West Meadows Village Subdivision
 Applicant: Young Family Trust; David F. Young, Trustee
 Agent: Richard Stevens & Associates, Inc.

FILE NO. LDS-15-118/ E-16-001

DATE January 28, 2016

BACKGROUND

Proposal

Consideration of a tentative plat application for a mixed-use development to be known as West Meadows Village, consisting of 15 total lots on 9.14 acres within the SFR-10 (Single-Family Residential – 10 dwelling units per gross acre) and MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) zone districts, with the PUD (Planned Unit Development) Zoning Overlay, and associated exception application requesting reduced right-of-way dedication and reduced landscape planter strip for the north side of Lozier Court. Subject plat consists of 5 single-family lots, 5 duplex lots, 2 commercial lots and 3 multi-family lots; generally located on the east side of Lozier Lane, on the north and south sides of Meadows Lane.

Subject Site Characteristics

Zoning	SFR-10	Single family residential, 10 dwelling units per gross acre
	MFR-20	Multi-family Residential- 20 dwelling units per gross acre
GLUP	UR	Urban Residential
Use	Vacant	

Surrounding Site Characteristics

North	MFR-20	Vacant
	SFR-00	Single family homes
South	SFR-00	Vacant
	SFR-10	Single family homes
East	MFR-20	Lewis Park
	SFR-6	Single Family Homes
West	RR-2.5 (JC)	Single Family Homes, Furniture Repair Shop

Related Projects

- A-00-122 Annexation of 14 parcels totaling 22.87 acres (ORD # 2001-223)
- PUD-03-198 West Meadows Village Planned Unit Development Preliminary Development Plan, Zone Change from Jackson County SR 2.5 to SFR-10 &MFR-20 and Tentative Subdivision Plat.
- AC-11-095 Site Plan for development of 5 duplex lots

Applicable Criteria

Medford Municipal Code Section 10.270, Land Division Criteria

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

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;
- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;
- (4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;
- (5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;

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

Medford Land Development Code Section 10.253, Exception Approval Criteria

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

- (1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The Planning Commission/Site Plan and Architectural Commission shall have the authority to impose conditions to assure that this criterion is met.
- (2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.
- (3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.
- (4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

ISSUES AND ANALYSIS

Background and Prior Approvals

PUD-03-198: West Meadows Preliminary Planned Unit Development, including a zone change from County SR-2.5 (Suburban Residential – 2.5 acre minimum lot size) to SFR-10 (Single-Family Residential – 10 units per acre) on 2.62 acres and MFR-20 (Multiple-Family Residential – 20 units per acre) and tentative subdivision plat approval for 13-lots for West Meadows Village, a mixed-use planned unit development consisting 5 single-family lots, 5 duplex lots, 2 commercial lots and a multi-family lot with future intent to

divide further. The date of the Final Order of Approval was August 28, 2008. The subdivision approval has since expired.

The initial expiration date for the Preliminary Development Plan for PUD-03-298 was August 29, 2011. The applicant submitted a Final PUD Plan for before the expiration date, as required by MLDC 10.240(B) and received approval for the Final PUD Plan on November 11, 2011. With the approval of the Final PUD Plan for Phase 1, the applicant has five years from that date, November 11, 2016, to obtain approval of a Final PUD plan for a second phase to ensure the PUD zoning overlay remains active. The Tentative Plat which was reviewed and approved concurrently with the PUD in 2008 received two extensions and expired on August 29, 2011. Due to the expiration, the applicant is submitting a new tentative subdivision plat for the development.

The subject plat (LDS-15-118) is substantially consistent with the 2008 approved Preliminary Development Plan. However, there are some subtle changes from the Preliminary Plan, though none of the changes would rise to the level of being significant in causing a Final PUD Plan to become inconsistent with the Preliminary PUD Plan. Section 10.240(2) identifies what issues constitute inconsistency between a Final PUD Development Plan and the Preliminary PUD Plan. The subject changes represented in this Tentative Land Subdivision do not cause any of the following to occur:

MLDC 10.240(2)

A Final PUD Plan shall be found to be inconsistent with the Preliminary PUD Plan when any of the following are found to apply:

- a. 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,*
- b. The number of housing units has increased,*
- c. The number of housing units has decreased by more than 5%,*
- d. Modifications to the provisions of this Code have been included which were not approved as part of the Preliminary PUD Plan under Section 10.230(D).*

As previously noted the revisions represented by the subject tentative plat (Exhibit B) are relatively minor in relation to the approved 2008 Preliminary Development Plan for West Meadows Village and will not cause any of the above to occur. A detailed description of changes made to the subject plat in comparison to the 2008 approved Preliminary Development Plan and tentative plat will be provided below.

Plat revision summary

1. The north portion of the plat (north of Meadows Land) remains relatively unchanged with the exception of Vick Lane; the centerline will be on the east property line as the applicant

has reached agreement with the Parks Department to extend the 8 foot paved section upon the park property (Lewis Park)

2. The Lozier Court centerline has been shifted 16 feet north from the previous approved plat, thus placing the centerline of Lozier Court 8 feet north of the northerly property line of property to the, in the middle of the existing Lozier Court right-of-way.
3. Moody Lane has been shifted approximately 100 feet to the east.
4. Four of the single family homes are now located east of Moody where the duplex lots were in the previous and expired plat.
5. Two duplex units side onto Meadows Lane, Lot 4 will front a minimum access easement to the west.
6. Three duplex units and one single family residential unit now front onto Lozier Court.
7. The applicant is requesting a reduction of four feet for the north half right of way for Lozier Court and a 3.5 foot reduction of the north planter strip for Lozier Court to accommodate the shift of centerline to the north 16 feet due to limited width between Meadows Lane and Lozier Court and to provide a workable pavement transition to Lozier Court west of the subject site.

Project Phasing

The applicant proposes to build the project in a nine phases.

Site Development Standards

All proposed lots conform to the standards of the Medford Land Development Code (MLDC) for length, width, area, lot frontage and access.

Density

Based on the Jackson County Assessor Map, the subject site is 8.97 gross acres. The development consists of 2.49 acres of SFR-10 zoned property and 6.48 acres of MFR-20 zoned property. The minimum number of dwelling units for this project is 113 units and the maximum number of dwelling units for this project is 156 dwelling units according to the MLDC calculation for density. The 2008 approved Preliminary Development Plan for West Meadows Village included 112 apartment units, 5 duplex lots and 5 single family residential lots for a total of 127 proposed units upon the overall site, which lies within the allowable density range.

Streets

Circulation Plan

Lozier Lane is classified as a Major Collector Street. The developer shall dedicate a sufficient strip of land for public right-of-way along Lozier Lane. Both Vick Lane and Meadows Lane are designated as standard local streets requiring an ultimate full right-of-way of 63 feet. A segment of Meadows Lane lies completely within the boundaries of this project. The developer will be dedicating and improving a full 63 foot right-of-way section for this portion. The developer will be responsible for a 31.5 foot dedication for Vick Lane on the east portion of the multi-family area. Per the *MLDC*, the applicant will be required to provide the half street improvement and an additional eight feet of pavement on the east side of centerline to provide sufficient travel width. Based on the applicant's findings the applicant proposes to dedicate the 31.5 feet of right-of-way on the shared property line. The applicant proposes to improve Vick Lane to include curb and gutters to provide full street improvement on the Lewis Park side of the Vick Lane centerline. Medford Parks and Recreation Commission has approved the location and improvement of Vick Lane east of centerline along Lewis Park.

Moody Lane is designated as a residential lane with a 30 foot right-of-way. The applicant will be responsible for the full improvement of this right-of-way. The PUD proposes a public sidewalk on the west side of Moody Lane. One minimum access lane has been proposed to provide access across to the backside of Lot 4, which will have two duplex units. Per the *MLDC*, up to three units are permitted to front upon a minimum access easement, thus the proposed access meets the Code requirements.

Lozier Court is identified as a minor residential street having a right-of-way width of 55 feet. With the 2008 approval of the West Meadows Village PUD, due to the limited width between Meadows Lane to the north and Lozier Court on the south, the applicant's intent was to acquire from the adjoining owner to the south the necessary right of way on the south side of the centerline to facilitate the half street improvement, plus eight feet. A condition of approval of the 2008 Preliminary Development Plan and tentative plat was to secure the additional 8 feet south of centerline. However, the applicant was not able to secure the additional 8 feet of right of way south on the adjoining property for Lozier Court. Therefore, the applicant has amended this portion of the subdivision plat to place the centerline for Lozier Court 8 feet north of the property to the south as to place all of the half street improvement on the north side. Due to the narrow width of the existing block length between Meadows Lane and Lozier Court the applicant has submitted an exception request to reduce the half street on the north side of Lozier Court to 23.5 feet which is four feet less than the standard 27.5 foot half street. In addition to reduced right-of-way the applicant proposes to reduce the planter strip on the north side from 8 feet to 4.5 feet. Staff supports the applicant's exception request, which will be discussed further below in the exception section.

Block Lengths

The block length of Lozier Court and Meadows Lane from the centerline of Lozier Lane to Moody Lane is 440 feet, which results in a block perimeter of 1,320 linear feet. This meets current development standards set forth at Table 10.426-1.

Meadows Lane to Prune Street is 570 linear feet and Lozier Lane to Vick lane averages 650 linear feet. Block perimeter is 2440 linear feet. This also meets block length standards as a 20% increase is permitted if an additional block would needed to be added to meet either the block length or perimeter standard. Regardless, existing development patterns and existing homes would preclude any additional through streets to be implemented to within this subject block. Therefore this block also meets section 10.426.

The subject area that does not meet the current block length standards is the multi-family zoned area (Phases 5, 6, & 7). Existing development along Lozier on the west and Lozier Park to the east preclude an east to west street through these parcels. In concept, a street could be included in a northerly to southerly direction which could potentially extend to an future extension of 8th Street. However, all parcels are developed along Lozier Lane. All but one parcel is along West Main Street are developed and that parcel aligns with Vick Lane. It is difficult to ascertain that an additional north to south street alignment would reduce the block perimeter in this area or reduce distance to the higher order street system. It appears at the present that Vick Lane might extend northward to 8th Street or perhaps West Main if the City was involved in acquisition the vacant property and Meadows may likely extend from Lozier Lane to Columbus Avenue.

The possibility of running a north to south minor residential street through the north portion of the development was discussed with the developer in 2008. It should be noted that the applicant was concerned that the additional right of way needed to implement a minor residential street would eliminate a number of units to the point where it was questioned whether the project would meet density requirements. Likewise, to do so would not reduce the linear distance to West Main or to Lozier Lane unless 8th Street was to ultimately be pressed through existing development. At the time of the Preliminary PUD approval for West Meadows Village, the block standards had not yet been adopted. While the southern portion of the development meets the current block length standard, the northern portion does not. However, the general circulation pattern established in the approved PUD is the prevailing document governing required circulation for the development.

Access

The proposal is consistent with the access standards set forth at MLDC §10.430, in terms of the number of units permitted to take access from particular classified street. Moody

Lane, a residential lane, will accommodate up to four units taking direct access. The minimum access easement will accommodate a potential of two units. Seven units will take direct access from Lozier Court, a minor residential street, which is significantly below the 100 units permitted by this classification. There will be two driveways connecting the multi-family parcels to Vick Lane and one driveway connecting the multi-family parcels to Meadows Lane. Both of these streets are being constructed to major residential streets. One hundred and twelve multi-family units will have access to both of these two major residential streets.

Lots	Street access
1,2 (Single Family Lots)	Meadows Ln.
3 (Duplex Lot)	Moody Ln./ Meadows Ln.
4 (Duplex Lot)	Minimum Access Easement/ Meadows Ln.
5,6 (Commercial lots)	Meadows Ln.
5,6,7 (Multi Family)	Meadows Ln., Vick Ln.
10,11 (Single Family)	Moody Ln.
12 (Single Family)	Lozier Ct.
13, 14,15, (Duplex Lots)	Lozier Ct.

Wetlands

The Medford Local Wetland Inventory Map indicates there are no locally significant wetlands on the property. However, the applicant's engineer requested an offsite wetland determination form the Department of State Lands(DSL). The DSL report (Exhibit O) notes that the County soil survey shows hydric soils on the property. Hydric soils indicate that there may be wetlands. A wetland determination or delineation is needed prior to site development and submitted to the Department of State Lands for review and approval.

Committee Comments

No committee comments have been received with regard to the proposal as of January 21, 2016.

Agency Comments

Agency comments are included at Exhibits H through O. There are adequate facilities to serve the development according to agency comments. Conditions of approval (Exhibit A) have been included requiring the applicant to comply with the staff reports of the Public Works Department, Medford Water Commission, Medford Fire Department, Jackson County Roads and Rogue Valley Sewer Services.

EXCEPTION REQUEST CRITERIA

- (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 detrimental to the health, safety, and general welfare or adjacent natural resources.*

The proposed exception is in harmony with the general purpose and intent of the regulations. Due to the relatively limited dimension between the center line of Meadows Lane and Lozier Court, approximately 217 feet, the applicant has sought to maintain the required lot standards for the zoning district for SFR-10 lots while moving the centerline of Lozier Court 8 feet north of the southern property owners northern property line.

From a geometric standpoint it would have been preferable to have the centerline of the existing roadway on the property line, or further south as to place it there would have allowed for the full width right-of-way and construction of Lozier Court, through the entire span of the street, including adjacent to the property to the west where the current right of way for Lozier Court is only 20 feet. The full paved section plus 8 feet can be constructed fronting the applicant's property, including curb, gutter, and sidewalk. The only deviation would be that of the planter strip which would be reduced in size from 8 feet to 4.5 feet. It could be feasible to place the full half street right of way and 8-foot planter strip on the north side of centerline. However, due to the existing dwelling unit to the west, the pavement transition of Lozier Court fronting the subject property to the portion of Lozier Court fronting the property to the west would be too drastic. Allowing the smaller right of way and planter strip allows the curb to be located 3.5 feet further south for a much easier transition to the west. Due to the constraints associated with the location of existing rights of way, existing development and general infill nature of the subject property, staff supports the request by finding that it is the best option under the existing constraints, will allow for full road paving improvements and is not detrimental to health, safety, wellbeing or injurious to the general area.

Criterion 1 is met.

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

This exception pertains to right of way improvement and does not establish an unpermitted land use. Criterion 2 is met.

- (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.*

There are very unique circumstances related to the subject property. The first pertains to the distance between the center line of Meadows Lane and Lozier Court, which is only 217 feet. At this dimension, it is infeasible to provide back-to-back 90 foot minimum lots, a half street for a minor residential street and half street for a standard residential street (239 feet total). The applicant has opted to front the duplex lots onto Moody Lane and the Minimum Access Easement so that Lots 3 and 4 can side onto Meadows Lane. This reconfiguration helps to maintain the lot yield of the previous plat, while placing the center line on Lozier Court 8 feet north of the parcel to the south. The second specifically pertains to the adjoining property to the west that sides onto Lozier Court and fronts Lozier Lane. Lozier Court at the side of that property currently has a right-of-way width of 20 feet. Because of the existing dwelling appears to be in good condition, it is anticipated that it will be many years before that property redevelops where the City could obtain additional right-of-way as to provide full half street improvements where the center line would match the centerline alignment proposed with this development. To reduce the right-of-way width on the north side and reduce the planter strip on this project will allow the pavement section on the adjoining property to transition more appropriately. The third unique circumstance is that this project is generally considered infill. There is much development in the area and street alignments that make development of this parcel, and the property to the south, challenging to develop. Staff finds there are unique circumstances pertaining to this property. To not allow the exception would cause a particular and undue hardship on the owner since it would require the owner to rely on the adjoining owner's participation to allow the centerline location of Lozier Court 8 feet on to the adjoining parcel to the south, or resort to inefficient and undesirable development pattern. Given all the subject constraints staff concludes there are unique circumstances and the applicant's exception request is the most appropriate manner in which to address these constraints.

Criterion 3 is met.

(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.

The need for exception is not the result of an illegal act or to address the purchasing of the property without knowledge of the code. Criterion 4 is met.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions for the Land Division and Exception (Exhibits C and D respectively) and recommends the Commission adopt the findings as presented.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-15-118 and E-16-001 per the staff report dated January 21, 2016, including Exhibits A through R.

ACTION TAKEN

Adopted findings as recommended by staff and directed staff to prepare a Final Order for approval of LDS-15-118 and E-16-001 per the Planning Commission Report dated January 28, 2016, including Exhibits A-1 through S.

EXHIBITS

- A-1 Conditions of Approval, dated January 28, 2016**
- B-1 Tentative Plat received January 26, 2016**
- C Applicant's Findings of Fact for Land Division received January 6, 2016
- D Applicant's Findings of Fact for Exception received January 6, 2016
- E Assessor's Map depicting site, received August 27, 2015
- F Conceptual Grading & Utility Plan received January 6, 2016
- G Parks & Recreation Commission approval regarding Vick Lane Improvement, received January 6, 2016
- H-1 Public Works Department Report dated January 27, 2016**
- I-1 Water Commission Staff Memo dated January 27, 2016**
- J Medford Fire Department Report, dated January 20, 2016
- K Medford Building Department memo dated October 9, 2015
- L Jackson County Roads Department memo, dated October 5, 2015
- M RVSS correspondence dated October 1, 2015
- N ODOT correspondence received October 13, 2015.
- O Department of State Lands Offsite Wetland Determination Report, dated November 17, 2015
- P Approved 2008 Preliminary Development Plan for West Meadows Village

- Q Approved 2008 Tentative Subdivision Plat for West Meadows Village
- R Public Comment from Linda Reid and Cy Carrigan, received January 28, 2016
- S Applicant's Presentation
Vicinity Map

MEDFORD PLANNING COMMISSION

David McFadden, Chair

PLANNING COMMISSION AGENDA

NOVEMBER 12, 2015
DECEMBER 10, 2015
JANUARY 28, 2016
FEBRUARY 11, 2016

EXHIBIT A-1

West Meadows Village PUD Tentative Plat
LDS-15-118 / E-16-001
Conditions of Approval
January 28, 2016

CODE CONDITIONS

1. Prior to Final Plat approval of each phase, the applicant shall:
 - a. Comply with the Public Works Department Report dated January 27, 2016 (Exhibit H-1).
 - b. Comply with the Water Commission Staff Memo dated January 27, 2016 (Exhibit I-1).
 - c. Comply with the Medford Fire Department Report, prepared January 20, 2016 (Exhibit J).
 - d. Comply with the Jackson County Roads Department Correspondence, dated October 5, 2015 (Exhibit L).
 - e. Comply with the RVSS correspondence dated October 1, 2015 (Exhibit M).
 - f. Comply with Department of State Lands Offsite Wetland Determination Report, dated November 17, 2015 (Exhibit O).

CITY OF MEDFORD
EXHIBIT # A-1
File # LDS-15-118 / E-16-001
1061

RECEIVED

JAN 26 2016

TENTATIVE PLAT FOR WEST VIEW VILLAGE PLANNED UNIT DEVELOPMENT

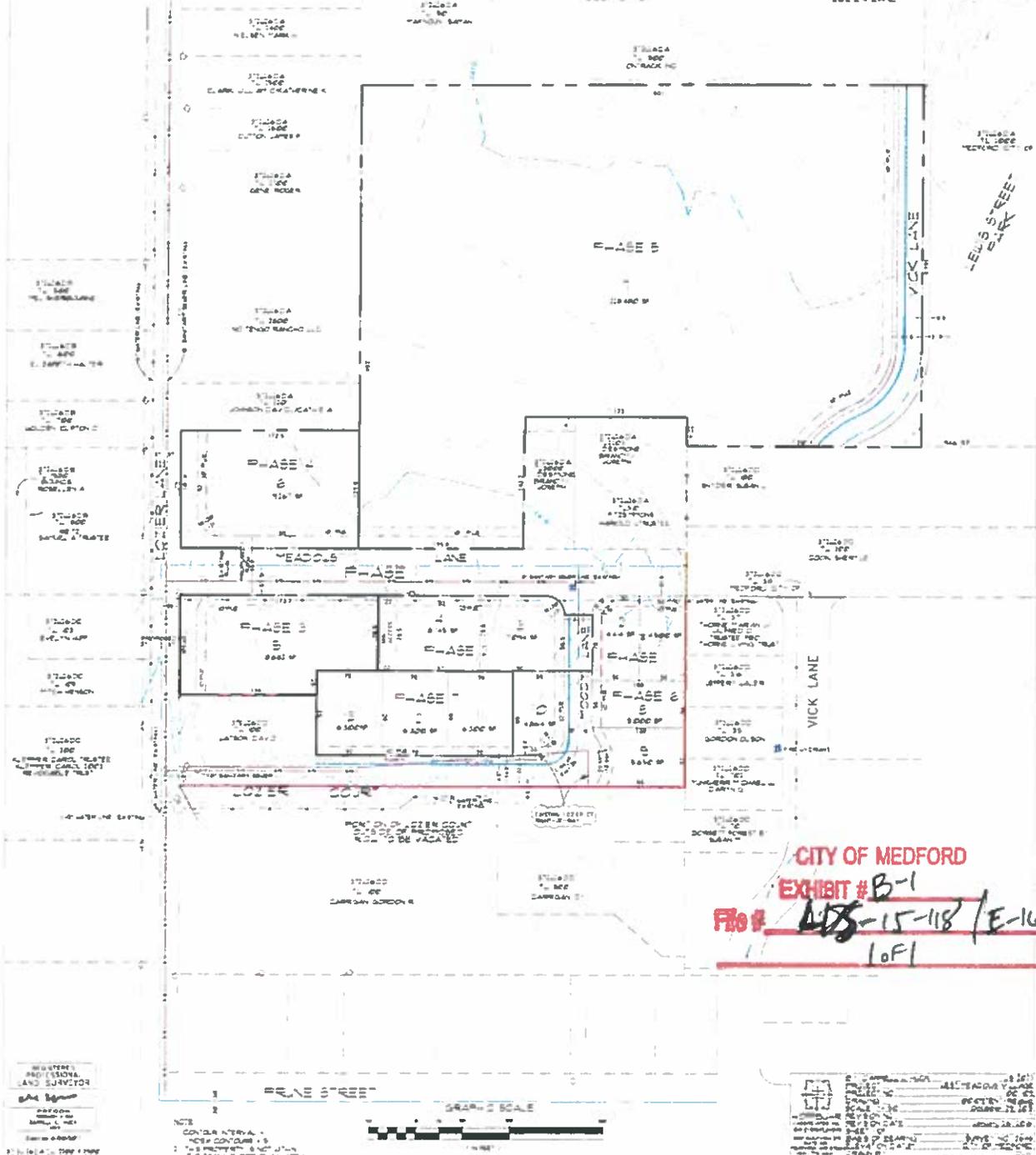
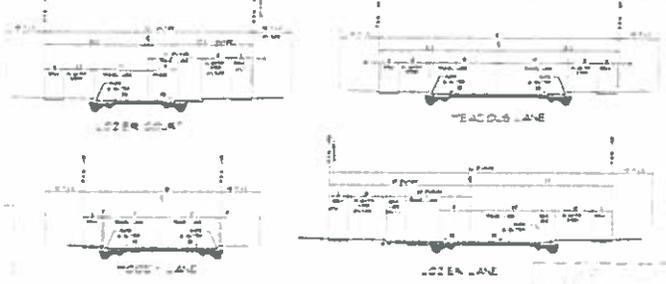
LOCATED IN THE SE 1/4 OF SECTION 16 T18S R11E S1W JACKSON COUNTY OREGON

OWNERS/APPLICANTS
YOUNG LARRY W
1305 NE 8TH ST
GRANT PASS OR 97124
YOUNG FAY W
1305 NE 8TH ST
GRANT PASS OR 97124

AGENT
SCARLETT STEVENSON & ASSOCIATES INC
812 NE 11TH
MEDFORD OR 97504
(541) 773-1844

SURVEYOR
HOFFMAN & ASSOCIATES INC
8400 N WINDY DR
MEDFORD OR 97504
(541) 776-4641

ADJACENT OWNERS	SECTION 16	SECTION 17
ADJACENT OWNERS	SECTION 18	SECTION 19
ADJACENT OWNERS	SECTION 20	SECTION 21
ADJACENT OWNERS	SECTION 22	SECTION 23
ADJACENT OWNERS	SECTION 24	SECTION 25
ADJACENT OWNERS	SECTION 26	SECTION 27
ADJACENT OWNERS	SECTION 28	SECTION 29
ADJACENT OWNERS	SECTION 30	SECTION 31
ADJACENT OWNERS	SECTION 32	SECTION 33
ADJACENT OWNERS	SECTION 34	SECTION 35
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ADJACENT OWNERS	SECTION 92	SECTION 93
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ADJACENT OWNERS	SECTION 98	SECTION 99
ADJACENT OWNERS	SECTION 100	SECTION 101



CITY OF MEDFORD
EXHIBIT # B-1
File # AD5-15-118 / E-16-001
1 of 1

REGISTERED PROFESSIONAL LAND SURVEYOR
 HOFFMAN & ASSOCIATES INC
 8400 N WINDY DR
 MEDFORD OR 97504
 (541) 776-4641



DATE	1/26/16
PROJECT	WEST VIEW VILLAGE
SCALE	AS SHOWN
BY	SCARLETT STEVENSON
CHECKED BY	SCARLETT STEVENSON
APPROVED BY	SCARLETT STEVENSON
DATE	1/26/16
PROJECT	WEST VIEW VILLAGE
SCALE	AS SHOWN
BY	SCARLETT STEVENSON
CHECKED BY	SCARLETT STEVENSON
APPROVED BY	SCARLETT STEVENSON
DATE	1/26/16



Continuous Improvement Customer Service

CITY OF MEDFORD

Revised Date: 1/27/2016

File Numbers: LDS-15-118/E-16-001

PUBLIC WORKS DEPARTMENT STAFF REPORT WEST VIEW VILLAGE (Formally West Meadows Village)

Project: Consideration of a tentative plat application for a mixed-use development to be known as West View Village, consisting of a total of 13 lots on 9.14 acres within a SFR-10 (Single-Family Residential – 10 dwelling units per gross acre) MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) with PUD (Planned Unit Development) Zoning Overlay. Subject tentative plat consists of 5 single-family lots, 5 duplex lots, 2 commercial lots, and 1 multi-family lot.

Location: The site is generally located on the east side of Lozier Lane on the north and south sides of Meadows Lane.

Applicant: David & Elahe Young Family Trust, (Richard Stevens & Associates, Inc., Agent). Desmond McGeough, Planner.

Applicability: The Medford Public Works Department’s conditions of Preliminary Plan Approval for West Meadows Village PUD were adopted by Order of the Medford Planning Commission on August 28, 2008 (PUD-03-198). The PUD was amended by the Site Plan and Architectural Commission’s approval of AC-11-095 on October 7, 2011. The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.

NOTE: Items A - B Shall be Completed and Accepted Prior to Approval of the Final Plat, unless noted otherwise.

A. STREETS

1. Dedications

Lozier Lane is classified as Major Collector Street with a required right-of-way width of 74-feet. The required right-of-way will be dedicated as part of the City’s capital improvement project P1806. However, the developer shall provide a 10-foot Public Utility Easement (PUE) adjacent to the new right-of-way line.

Lozier Court is classified as a Minor Residential Street within the Medford Land Development Code (MLDC), Section 10.430. The developer shall dedicate for public right-of-way, a 36-foot wide right-of-way, 27.5-feet north and 8.5-feet south of the proposed centerline. Based on County records, it appears the existing right-of-way varies from 19.70-feet on the west end to 38.61-feet on the east end. **The amount of additional right-of-way needed will vary. (MLDC 10.451). The Developers surveyor shall verify the amount of additional right-of-way required. In addition, at the intersection of Lozier Court and Moody Lane, a 100-foot radius shall be provided or a knuckle with a 45-foot radius to the right-of-way.**

An **exception request** has been submitted, which includes a reduction of the half width of right-of-way dedication along the northern side of the Lozier Court from 27.5-feet to 23.5-feet. This 4-foot reduction will provide adequate right-of-way for all the components of a Minor Residential Street with the exception of the 8-foot planter strip. A 4.5-foot planter strip is proposed, which if approved, will also eliminate the 0.5-foot strip between the back of the sidewalk and the right-of-way for monumentation. **Public Works supports this exception with the condition that the reduced planter strip be revised from 4.5-feet to 4-feet to allow space for monumentation. If the exception request is denied the Developer shall dedicate the additional right-of-way as noted above, per MLDC 10.430.**

Vick Lane is proposed as a Standard Residential Street within the MLDC, Section 10.430 which requires a total right-of-way width of 63-feet. The developer shall dedicate for public right-of-way, sufficient width of land along the east boundary of lot 7 to comply with the half width of right-of-way, which is 31.5-feet to then transition to the full right-of-way width of 63-feet in the southeast corner of lot 7 (MLDC 10.451).

The **Medford Parks & Recreation Commission** has approved the Developers request to locate the centerline of the street along the common boundary line with the park land (Lewis Park) and also to improve Vick Lane with full street improvements with the exception of the park strip and sidewalk adjacent to the park (See Exhibit "G"). Therefore, prior to the approval of the Final Plat, the Parks Department shall dedicate for public right-of-way, sufficient width of land along the entire west boundary of the park land to comply with the remaining half width of right-of-way required, which appears to be 19-feet per Exhibit "G". If the Parks Department does not dedicate their portion of the right-of-way prior to Final Plat submittal, then the Developer shall dedicate sufficient right-of-way to provide a half plus 12-foot improvement, which is 44.5-feet.

Meadows Lane, see conditions of approval for PUD-03-198.

Moody Lane, see conditions of approval for PUD-03-198.

Streets, as shown on the Tentative Plat, in which any portion terminates to a boundary line of the subdivision shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee, 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).

A **15-foot corner radius** shall be provided at the right-of-way lines of all intersecting streets (MLDC 10.445).

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

2. Public Improvements

a. Public Streets

The portion of **Lozier Lane**, along this development's frontage, will be improved as part of the City's capital improvement project P1806.

Lozier Court is classified as a Minor Residential Street, which includes a 28-foot wide paved section, complete with curbs, gutters, 8-foot wide park strips and 5-foot wide sidewalks in accordance with MLDC 10.430. **The Developer shall improve the north half plus 8-foot south of the proposed centerline along the frontage of this development and shall provide a minimum 18-foot wide paved full structural section from Lozier Lane to the west boundary of the development.** If a knuckle is provided at the intersection of Lozier Court and Moody Lane, a 3-foot radius shall be provided.

As previously stated, an **exception request** has been submitted for a reduction of the half width of right-of-way dedication along the northern side of the Lozier Court. **Public Works supports this exception with the condition that the reduced planter strip be revised from 4.5-feet to 4-feet to allow space for monumentation. If the exception request is denied the Developer shall construct the improvements as noted above, per MLDC 10.430.**

Vick Lane is classified as a Standard Residential Street, which includes a 36-foot wide paved section, complete with curbs, gutters, 8-foot wide park strips and 5-foot wide sidewalks in accordance with MLDC 10.430. **The Developer shall improve the west half plus 19-foot east of the proposed centerline** along the east boundary of lot 7 to then transition to the full width improvements in the southeast corner of lot 7 of this development in accordance with Exhibit "G" and MLDC 10.430. If the Parks Department does not dedicate their portion of the right-of-way prior to Final Plat submittal, then the Developer shall improve the west half plus 12-foot east of centerline along the east boundary of lot 7 then transition to the full width improvements in the southeast corner of lot 7 of this development.

Meadows Lane, see conditions of approval for PUD-03-198.

Moody Lane, see conditions of approval for PUD-03-198.

b. Minimum Access Drive

The minimum access drives shall be improved to a minimum width of 18 feet with AC pavement. The minimum TI for the structural section shall be 3.5, the minimum AC section shall be 3" thick, and the base aggregate shall extend one foot beyond the edge of pavement.

P: Staff Reports LDS 2015 LDS-15-118 West Meadows Village LDS-15-118 West meadows Village - Staff Report Revised.docx Page 3

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us

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

The minimum access drive shall be designed by a civil engineer licensed in the State of Oregon and plans submitted to the Public Works-Engineering Division for approval. A drainage system shall be incorporated into the paved access design to capture stormwater and direct it to the storm drain system.

c. Street Lights and Signing

All street lights and signing for public streets shall be installed to City of Medford specifications.

The following street lighting and signing installations will be required:

Street Lighting - Developer Provided & Installed

- A. 6 – 100W street lights
- B. 3 – 100W street lights with base mounted cabinet (Vick Lane Only)

Traffic Signs and Devices - City Installed, paid by the Developer

- A. 4 – street name signs
- B. 2 – stop signs
- C. 1 – dead end sign
- D. 3 – dead end barricades

All street lights shall be operating and turned on at the time of the final “walk through” inspection by the Public Works Department.

d. Pavement Moratoriums

There will be a pavement cutting moratorium in effect along this frontage on Lozier Lane after the completion of the improvements referenced above, for a duration of five (5) years. No street cuts will be allowed during this period without prior approval from the City Engineer.

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.

e. Soil Testing

The Developer's engineer shall obtain soil testing data 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.

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4 of 9

B. STORM DRAINAGE

1. Stormwater Detention and Water Quality Treatment

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

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

2. Wetlands

The Developer shall contact the Division of State Lands for the approval and/or clearance of the subject property with regards to wetlands and/or waterways.

3. Mains and Laterals

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.

C. 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. 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 Planning Commission's Final Order, together with all pertinent details and calculations. 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.

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

3. Phasing

The Tentative Plat shows that the subdivision will be developed in phases. In general, the public improvements corresponding to a particular phase shall be constructed at the time such phase is being developed, and the public improvements that are not included within the geometric boundaries of any phase being developed, but are needed to serve each respective phase, shall be constructed with each phase as needed, unless noted otherwise.

In an email dated 1/26/2016 to Desmond McGeough and included in this report, the Developer has identified both Phases 1 and 2 as the first project phases for development. The full improvements to Meadows Lane and the Phase 1 and Phase 2 frontage improvements to Moody Lane shall be constructed with Phase 1 and/or Phase 2 including, but not limited to, frontage improvements along Lots 1 - 7.

The improvements to Lozier Court and the Phase 6 frontage improvements to Moody Lane, as outlined in this report, shall be constructed with Phase 6 and/or Phase 7, including but not limited to, frontage improvements along Lots 8 -13.

The full improvements to Vick Lane, as outlined in this report, shall be constructed with Phase 5.

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. System Development Charges

Buildings in this development are subject to sewer treatment and street systems development charges. 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. A portion of the storm drain system development charge shall be collected at the time of the approval of the final plat

Prepared by: Doug Burroughs

✓H-11'
Loofg

SUMMARY CONDITIONS OF APPROVAL WEST VIEW VILLAGE

LDS-15-118

A. Streets

1. Street Dedications to the Public:

- Dedicate Lozier Court right-of-way 36-feet or 32-feet with exception.
- Dedicate Vick Lane right-of-way 31.5-feet to 63-feet wide. Parks to dedicate additional 19-feet.
- Dedicate Meadow Lane right-of-way 63-feet wide.
- Dedicate Moody Lane right-of-way 30-feet wide.
- Dedicate Minimum Access Drive easement.
- Dedicate 10 foot public utility easements (PUE).

2. Improvements:

a. Public Streets

- Construct Meadows Lane and Vick Lane to Standard Residential Street standards.
- Construct Moody Lane to Residential Lane standards.
- Construct Lozier Court to Minor Residential Street standards.
- Construct Minimum Access Drives to standards.

b. Lighting and Signing

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

c. Provide pavement moratorium letters.

d. Provide soil testing.

e. Sanitary Sewer:

- A private lateral shall be constructed to each lot prior to Final Plat. RVSS District.

f. Storm Drainage:

- Provide an investigative drainage report.
- The site requires water quality and detention facilities.
- A comprehensive grading plan is required for the project and made part of the public improvement plans.
- A storm drain lateral shall be constructed to each tax lot. In the event lots drain to the back, a private system will be required.
- The developer shall contact Division of State Lands for approval and/or clearance of the development with regards to wetlands.

- Erosion Control Permit from DEQ required for this project prior to public improvement plan approval.

g. Survey Monumentation

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

h. General Conditions

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

The above summary is for convenience only and does not supersede or negate the full report in any way. If there is any discrepancy between the above list and the full report, the full report shall govern. Refer to the full report for details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection.

"H-1"
8079

From: [Clark](#)
To: [Desmond M. McGeough](#); [Kelly A. Akin](#); [Douglas E. Burroughs](#); [Alex T. Georgevitch](#); [Rodney L. Grehn](#); [Eric C. Johnson](#)
Cc: [TJ Bossard](#); "Young, David"; sunrise1@ccountry.com
Subject: Phasing
Date: Tuesday, January 26, 2016 12:27:40 PM
Attachments: [image001.png](#)

Hello, Desmond,

I just spoke with Dr. Young and he is in agreement to stub facilities within both Phases 1 and 2 as the first project area for development and will stipulate.

Dr. Young is desiring to construct the full Meadows Lane requirements to be "shovel" ready for future construction of these lots. Once we have SPAC review for the commercial and Multi-Family areas we will deal with facilities at that time.

We are preparing the tentative to reflect one parcel for the multi-family area. Darrell at Hoffbuh's stated that he will have ready by 3:00 today.

I hope this helps and included all persons in the email.

Thanks for your help.

--

Clark Stevens



RICHARD STEVENS & ASSOCIATES, INC.
100 EAST MAIN ST., SUITE 0
MEDFORD, OR 97501
541-773-2646
www.rsaregon.com

"H-1"
9 of 9



BOARD OF WATER COMMISSIONERS
Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDS-15-118

PARCEL ID: 372W26DA TL's 2200 & 2900; 372W26DD TL's 900 & 1000

PROJECT: Consideration of a tentative plat application for a mixed-use development to be known as West Meadows Village, consisting of a total of 15 lots on 9.14 acres within a SFR-10 (Single-Family Residential – 10 dwelling units per gross acre) MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) with PUD (Planned Unit Development) Zoning Overlay. Subject tentative plat consists of 5 Single-family lots, 5 duplex lots, 2 commercial lots, and 3 multi-family lots. The site is generally located on the east side of Lozier Lane on the north and south sides of Meadows Lane; David & Elahe Young Family Trust, Applicant (Richard Stevens & Associates, Inc., Agent). Desmond McGeough, Planner.

DATE: January 27, 2016

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. Phase 1 will require the installation of a new 12-inch water line in Meadows Lane between Lozier Lane and Moody Lane. The 12-inch water line is required in multifamily developments to facility the required level of fire protection within future Phase 5 of the development.
4. Phase 1 will also require the installation of a new 8-inch water line in Moody Lane between Meadows Lane and the south property line of Lot 1.
5. Phase 1 will also require the installation of a 12-inch water line stubbed to the north right-of-way line of Meadows Lane at the proposed new entrance into the multifamily development on Lot 7 in Phase 5.
6. Phase 2 will require that water meters are installed to Lots 3 and 4 during the installation of water facilities in Phase 1.

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BOARD OF WATER COMMISSIONERS
Staff Memo

Continued from Previous Page

7. Phase 3 & 4 will require the applicant or their civil engineer to coordinate with MWC engineering staff for water meter sizes and locations prior to the construction of the City of Medford's Lozier Lane Road Improvement project.
8. Phase 5 will require the installation of a 12-inch water line through the proposed multi-family development on Lot 7. This phase will require an "off-site" water line connection to the existing 12-inch water line located in W 8th Street approximately 125-feet north of the northerly boundary of Lot 7 adjacent to Lewis Street Park.
9. Phase 6 and 7 will require the installation of an 8-inch water line in Moody Lane and Lozier Court between the 8-inch water line installed in Moody Lane with proposed Phase 1, and shall extend west to the "future" 12-inch water line in Lozier Lane that will be installed during the City of Medford Road Improvement Project to begin Summer 2016.
10. Dedication of a 10-foot wide (minimum) easement for access and maintenance to MWC over all water facilities located outside of public right-of-way is required. Easement shall be submitted to MWC for review and recordation prior to construction.
11. Installation of an MWC 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 tester. See MWC website for list of certified testers at the following web link <http://www.medfordwater.org/Page.asp?NavID=35>.

COMMENTS

1. Off-site water line installation is required. (See Condition 8 above)
2. On-site water facility construction is required. (See Condition 3-5, and above)
3. MWC metered water service does exist to these properties.
 - a. There's an existing ¾-inch water meter (currently vacant) in Lozier Court that serves 2292 Lozier Ct.
 - b. There's an active ¾-inch water meter that serves the existing home located at 241 Lozier Lane.
 - c. There's currently two (2) ¾-inch water meters (currently vacant) in Meadows Lane.
 - d. There's an active ¾-inch water meter that serves the existing home located at 2226 Meadows Lane.
 - e. There's an active ¾-inch water meter that serves the existing home located at 2210 Meadows Lane.
4. Static water pressure is expected to be between 72-78 psi.

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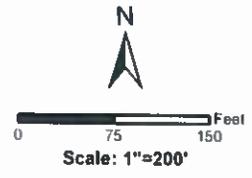
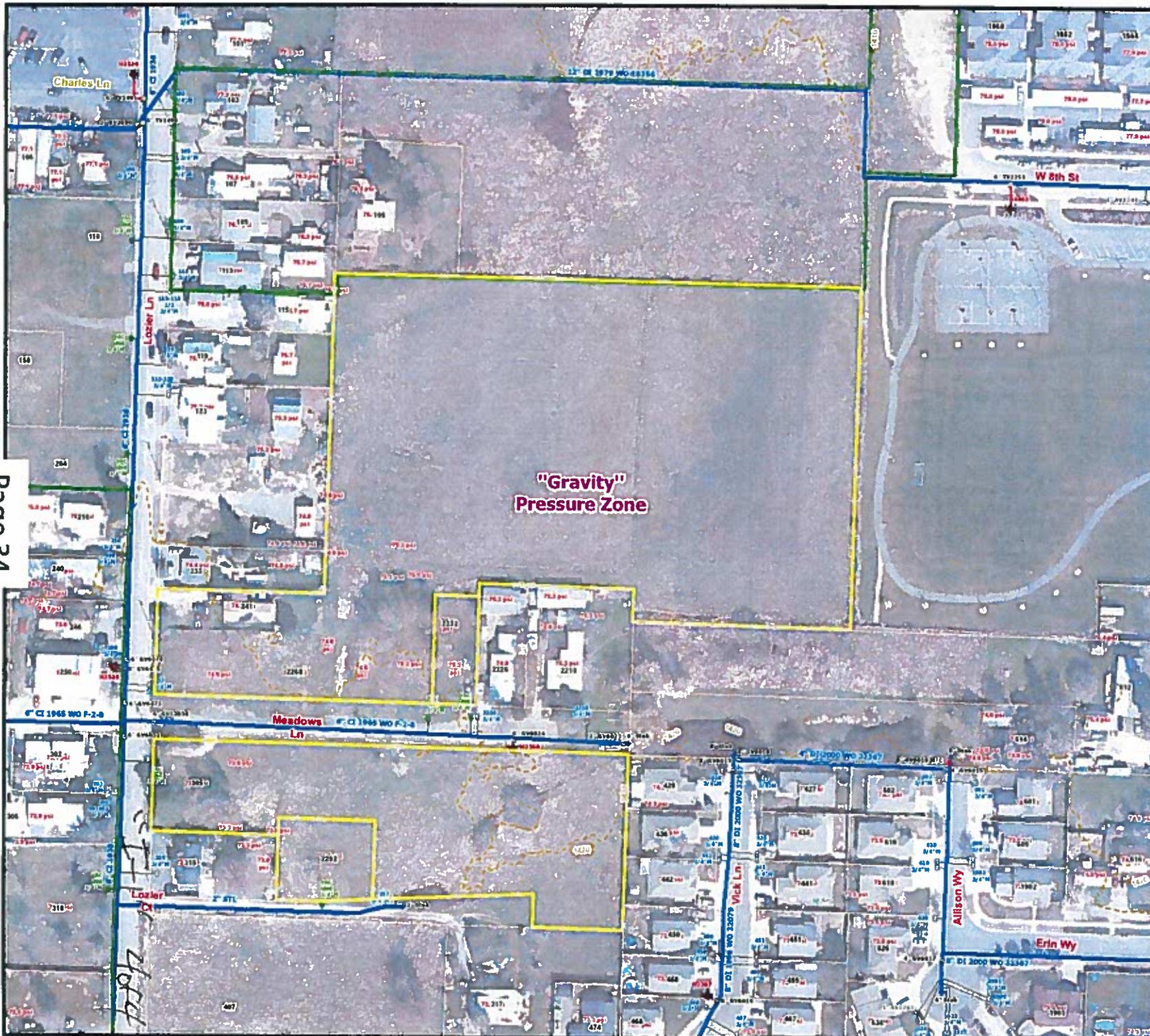


BOARD OF WATER COMMISSIONERS
Staff Memo

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5. Access to MWC water lines is available. Currently, there is a 6-inch water line in Lozier Lane. The City of Medford is improving Lozier Lane over the next two summer construction seasons (2016 & 2017). During the City of Medford road construction project, MWC is installing a new 12-inch water line in Lozier Lane between W Main Street and Stewart Avenue. There is an existing 2-inch steel water line in Lozier Court, this line serves one (1) ¾-inch water meter that serves the existing home located at 317 Lozier Court; there is also an existing 6-inch water line in Meadows Lane. There is a 12-inch water line in W 8th Street.

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**Water Facility Map
for
LDS-15-118
(West Meadows Village)**

Legend

- Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plugs-Caps

Water Meters:

- Active Meter
- On Well
- Unknown
- Vacant

Water Valves:

- Butterfly Valve
- Gate Valve
- Tapping Valve

Water Mains:

- Active Main
- Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

Boundaries:

- Urban Growth Boundary
- City Limits
- Tax Lots

MWC Facilities:

- Control Station
- Pump Station
- Reservoir



This map is based on an aerial photograph. Medford Water Commission is not responsible for any errors or omissions. Medford Water Commission is not responsible for any damage or injury resulting from the use of this map. Medford Water Commission is not responsible for any damage or injury resulting from the use of this map.

January 9, 2016

To whom it may concern,

I am writing in regard to the tentative development proposal known as West Meadows Village. As an adjacent property owner it has come to my attention that this proposal is being put forward without addressing several issues pertaining to adjacent properties. With regard to my own property, as an adjacent property owner, I have not been formerly or directly contacted by the developer or his agents regarding the numerous and potentially harmful impacts the proposed development would have on our property. While we have been a party to discussions pertaining to neighboring properties, the impacts of this development on our properties have not been discussed. Furthermore, assurances that we would continue to have access to a yet to be partitioned lot have not been substantiated in writing. We would be willing to support the application only if certain conditions are met. These conditions including the following:

- Mitigation in consideration of increased traffic volume and noise due to proposed multi-family density sited at a considerable distance from the nearest collector street, Lozier Lane.
- Developer ensures the mitigation of the impacts of site improvements and heavy equipment to adjacent property owners during development to include traffic volume, noise, pollution, roadway blockage, drainage, and other typical by-products of development.
- Developer currently proposes a plan which may preclude the future development of adjacent property; it is currently unclear whether we will continue to have access to both our current home and a future lot yet to be partitioned.
- We would not be in support of vacating the public right of way located on Lozier Court adjacent to our property which has the potential to eliminate access and creates a potential future private road maintenance burden on adjacent property owners.
- We would also request screening of mechanical equipment and noise attenuation

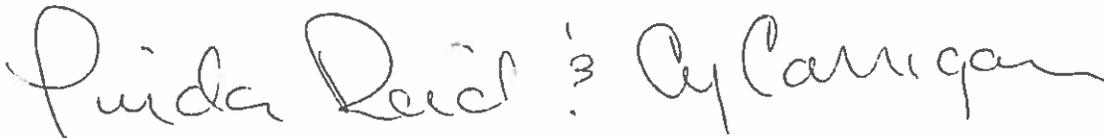
CITY OF MEDFORD
EXHIBIT # 12
File # WDS-15-118 / E-14-001
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measures either through mechanical equipment placement and/or landscaping. Any public facilities improvements, which disproportionately impact adjacent property owners, are compensated for, in the current proposal it is unclear whether or not proposed improvements are located on our property as they were in previously submitted plans. At this time neither the developer, nor his agents have spoken with us about these potential impacts.

- Lastly, we also ask that adjacent property/developer communicate and negotiate in good faith, which thus far has not been the case as the developer has failed to communicate, coordinate, or negotiate with us regarding proposed public right of way and private road improvements which greatly impact the current and future enjoyment and development of our property.

Thank you for your time and consideration

Sincerely,

Handwritten signature in cursive script that reads "Linda Reid & Cy Carrigan".

Linda Reid and Cy Carrigan

317 Lozier Lane

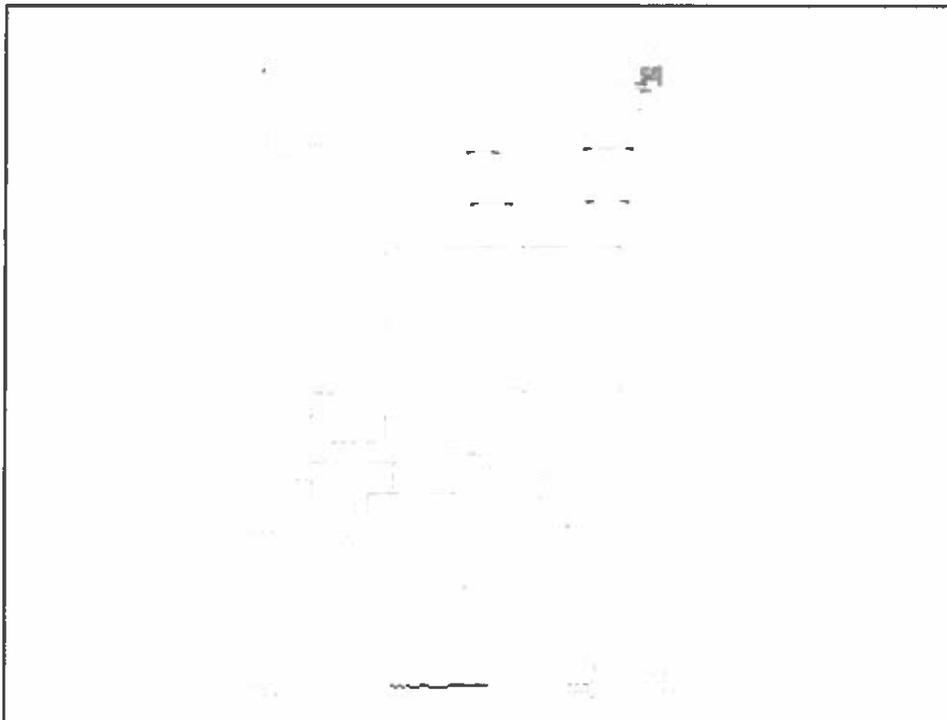
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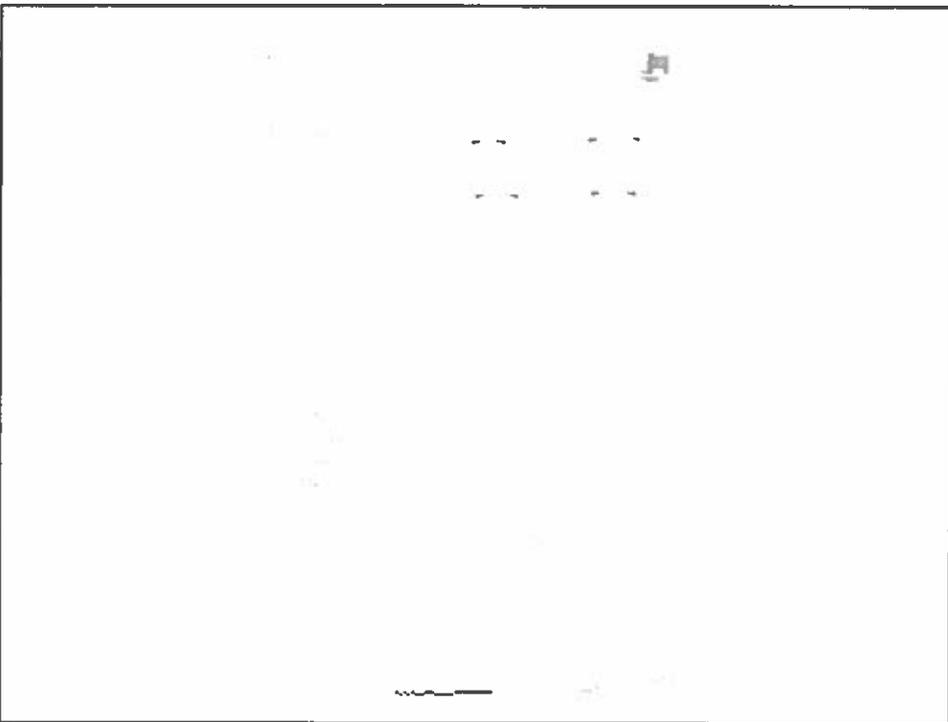
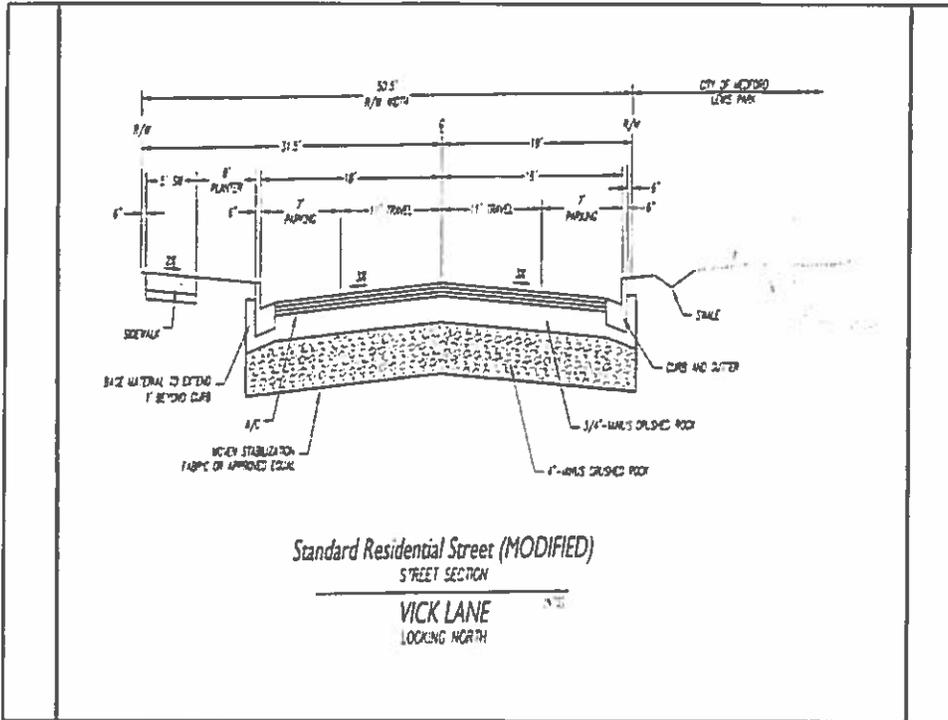


Richard Stevens & Associates, Inc.

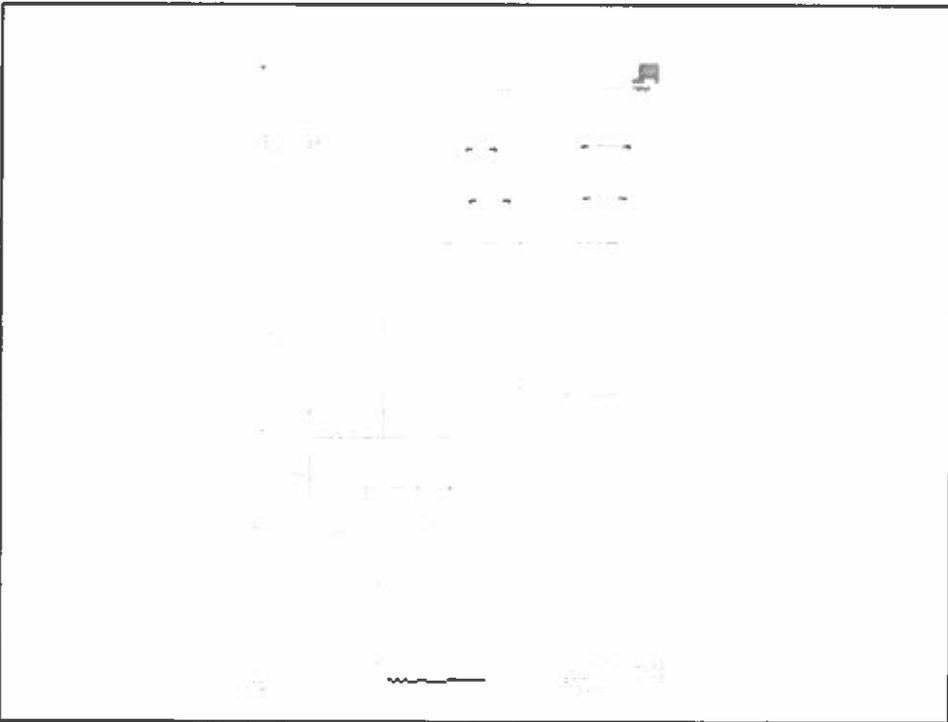
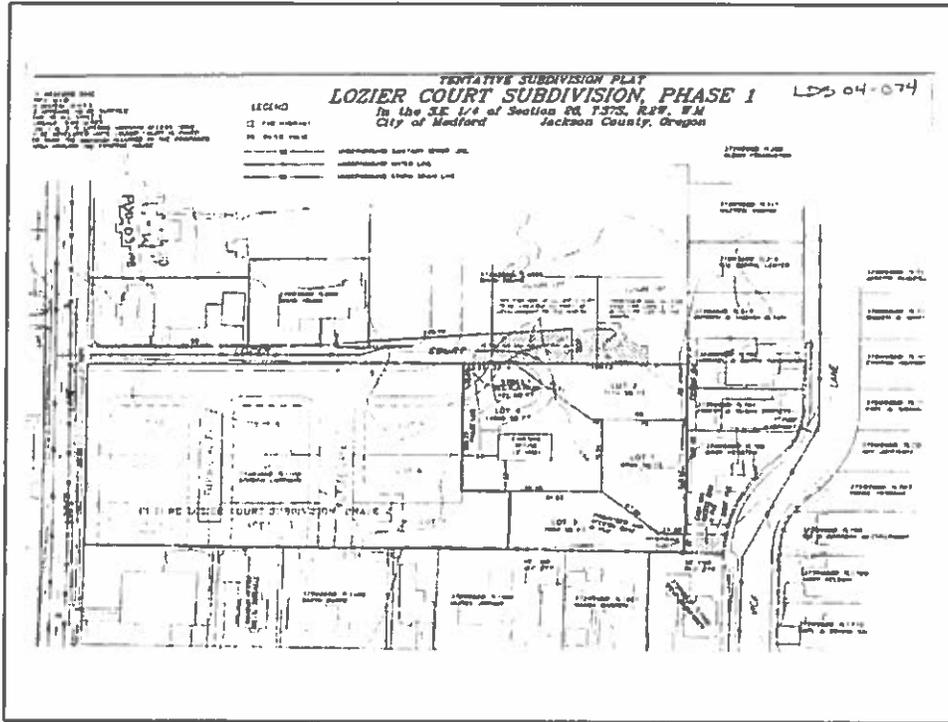
Land Use Consultants



CITY OF MEDFORD
EXHIBIT # S 1093
File # LS-15-118/E-16-001



5 2 of 3



5383



Planning Commission

Minutes

from Public Hearing on **January 28, 2016**

The regular meeting of the Planning Commission was called to order at 5:32 PM in the City Hall Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present

David McFadden, Chair
Tim D'Alessandro
David Culbertson
Norman Fincher
Joe Foley
Bill Mansfield (departed at 6:30 p.m.)
Mark McKechnie
Jared Pulver

Staff Present

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

Commissioner Absent

Patrick Miranda, Vice Chair, Excused Absence

10. Roll Call

20. Consent Calendar/Written Communications.

20.1 LDS-15-121 Final Order for a tentative plat for a 21-lot residential subdivision on a 3.4 acre parcel located at the eastern terminus of Hondeleau Lane (200 feet east of the intersection of Springbrook Road and Hondeleau Lane), within the SFR-6 zoning district. (Hondeleau LLC, Applicant; Steven Swartsley, Agent)

Motion: Adopt the consent calendar.

Moved by: Commissioner Mansfield

Seconded by: Commissioner Fincher

Voice Vote: Motion passed, 8-0.

30. Minutes

30.1. The minutes for January 14, 2016, were approved as submitted.

40. Oral and Written Requests and Communications. None.

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

50. Public Hearings – New Business

50.1 LDS-15-118 / E-16-001 Consideration of a tentative plat application for a mixed-use development to be known as West Meadows Village, consisting of a total of 15 lots on 9.14 acres within a SFR-10 (Single-Family Residential – 10 dwelling units per gross acre) and MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) zoning district, with the PUD (Planned Unit Development) Zoning Overlay, and associated exception application requesting reduced right-of-way dedication and reduced landscape planter strip for the north side of Lozier Court. Subject tentative plat consists of 5 Single-family lots, 5 duplex lots, 2 commercial lots and 3 multi-family lots; generally located on the east side of Lozier Lane on the north and south sides of Meadows Lane. (David & Elahe Young Family Trust, Applicant; Richard Stevens & Associates, Inc., Agent)

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

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

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

Chair McFadden requested that Mr. McGeough explain the connection issues to the north. Mr. McGeough reported that Vick Lane may terminate into 8th Street or unless the City purchases property it could terminate at West Main Street. Currently the City does not do Local Improvement Districts for the purchase of local roads. The block standard from the intersection of West Main Street and Lozier down to West Meadows then up to Vick Lane would exceed the block length requirements.

Commissioner McKechnie stated that Mr. McGeough reported that Lozier Court would be a minor residential street at 33 feet. How much of the 33 feet is constructed with this project and how much would be constructed if the property to the south was developed? Mr. McGeough reported that the normal cross-section for minor residential street is 55 feet. The centerline is being proposed 8 ½ feet north of the current southern boundary of Lozier Court right-of-way. The north side would have 35 feet of improvement. However, the applicant is requesting for a reduction of the planter strip to bring it to 31 ½ feet.

Commissioner McKechnie asked if the property to the south was developed would their portion of the street be 19 ½ feet or would the City want to make up the extra 4 feet. Mr. McGeough stated that the property to the south would just need to construct the standard section to the centerline. They would need less right-of-way on the south portion because the right of way has moved to the north. Mr. McGeough deferred the question to Alex Georgevitch, City Engineer.

Commissioner McKechnie stated that he can see why the applicant was looking to make this smaller because the house on the corner of Lozier Court and Lozier Lane encroaches on what would be right-of-way. There is no mechanism to either purchase the additional to make it go through or just have to live with it until that property develops. Is that correct? Mr. McGeough reported that is a correct statement. In the meantime there would be a sidewalk in front of those lots that front Lozier Court. There would probably be a blockade at the end of it. The asphalt will match.

Commissioner McKechnie asked if there was a subdivision or plat on file for the property to the south of this project or to the north of the On Track property? Mr. McGeough stated that there was no site plan for the property to the north. There is interest from the property owner to the south but have not received any submittals.

The public hearing was opened.

a. Clark Stevens, Richard Stevens & Associates, Inc., P. O. Box 4368, Medford, Oregon, 97501-0168. Mr. Stevens reported that he was present tonight representing the applicant, Dr. David Young for the applications of a subdivision and an exception request for a planter strip on Lozier Court. The staff report is thorough even with the changes staff has done an excellent job addressing the updates to the plans for the Commission's review this evening. A lot of these changes were based on comments during the Land Development meeting that was held in October. What the Commission is seeing tonight are changes in numbers as far as lot numbers, phasing and a slight movement of Moody Lane.

The applicant has received approval from the Parks Department to put the centerline of Vick Lane on the property line with the Park property to build out their half street improvement plus additional right-of-way towards the Park side. The applicant is providing a parking area adjacent to the Park with a curb and gutter so that people cannot drive onto the Park lands and destroy the Park.

The relocation of Moody Lane could address some of the concerns to the property owners to the south. Lozier Court will be extended further east before heading north. The property owners will have more frontage on Lozier Court. The Lozier Court centerline was 8 feet south of the current property line. The applicant proposes the centerline be 8 to 8 ½ feet north of the property line so that they can install their facilities and required pavement to provide sufficient access and development to the site.

All the duplexes previously on the east side are now relocated to the south. It is the same number of dwelling units. It is in conformance with the underlying Planned Unit Development.

There was a comment about whether or not there was an approved plan. The Lozier Court Subdivision, Phase I development plan has expired but is the plan that the

applicant originally based their plan on as far as the location of Lozier Court being south of the property line and the future Moody Lane heading back towards the north. Now the centerline is north of the property line for the applicant to develop.

The Lozier Court exception will not have any significant impacts. Public Works has requested that the applicant's proposal be from 4 ½ feet to 4 feet so that there is sufficient room for monumentation. The applicant is in full agreement. They are trying to do the minimum necessary for the exception. The applicant is in agreement with all the conditions and revised conditions by Public Works and the Water Commission.

Commissioner McKechnie asked if the reason for the exception is because there was a problem meeting the lot depths. Mr. Stevens replied lot depth and width.

b. Cy Carrigan, 317 Lozier Lane, Medford, Oregon, 97501. Mr. Carrigan testified that he does not believe he has seen the plan that was being presented this evening. The information that he is about to give may be outdated. What he is basing his comments on is what he has seen. His concern is that the plan proposes a private drive at the end of Lozier Court. This private drive will be the main access for a future lot located on his property and potentially for the house that he currently resides. He does not know if he will be responsible for the future maintenance of the private drive. He is hesitant to approve a vacation of the current public right-of-way that is the only access to his residence in favor of a road which must pay to maintain and which may limit the future development of his property. He has a lot that he would like to partition in the future but with the limited access points of the private drive he may not be able to partition the land. He has been verbally notified that under this proposal he will be granted access to the lot he wants to partition. He has not received any assurances in writing. In the previous and current plan it is proposed that a knuckle for public improvements at Lozier Court and Moody Lane meet is shown to be partially located on his property. It is his understanding that this knuckle will be required by the City to facilitate fire truck access to the proposed development. The developer has not approached Mr. Carrigan about dedicating any land for this public right-of-way. He does not believe he will be required to provide any land for this knuckle because he is not proposing any development at this time. He has concerns with the screening and placement of mechanical equipment. In earlier drawings it is shown to be located adjacent to his residence. He does not believe his concerns have been addressed due to a lack of communication with the developer. Mr. Carrigan thanked City staff for being helpful in answering his questions and providing him with information and materials.

Chair McFadden asked Mr. Carrigan when did he talk with City staff? Mr. Carrigan reported that when he talked to City staff the proposal was that the applicant was going to abandon Lozier Court and he would have not access to his residence. That was approximately 1 to 1 ½ months ago. His biggest concern is the lack of communication with the developer.

Mr. Stevens reported that Mr. Carrigan's lots will have public street frontage. There is no longer a private road it is a minimum access easement to provide the frontage. There is potential for three homes to access. There was never at any point access to be denied. It would have been off the minimum access easement.

Mr. Stevens addressed the comments about communication. The applicant had and invitation to all family members to a meeting in December about some of this proposal. It was held at the applicant's realtor's office. He is not sure who was present since he was not a party to that meeting. What the applicant is proposing will answer all of Mr. Carrigan's questions. The applicant is not dependent on any of Mr. Carrigan's properties for infrastructure.

c. Gordon Carrigan, 1447 Flower Street, Medford, Oregon, 97504. Mr. Carrigan stated that he is 50% owner of the property to the south of the proposed subdivision. When he went to the meeting that the applicant's realtor sponsored the realtor mentioned that the applicant was not going to do the half street and install all the utilities there. Mr. Carrigan's concern is when they do Lozier Court that all the utilities and the pavement is installed so that when he develops his property he will continue it to Lozier Lane. Perhaps Mr. Stevens could comment to his concern. Mr. Carrigan also stated that at the realtor's meeting it was stated that the applicant was going to wait to develop Lozier Court until the end of the development rather than at the beginning. Mr. Carrigan feels that in order for him to develop the applicant would have to do Lozier Court first.

Commissioner D'Alessandro asked Alex Georgevitch, City Engineer if there were any concerns with the traffic generated from the development onto Lozier? Mr. Georgevitch reported that the original Planned Unit Development approved all this. There is no evaluation at this time. There are no concerns.

Mr. Stevens stated that staff, Public Works and his presentation of the tentative plat demonstrates that with the centerline moved north on Lozier Court that the applicant will be constructing the half plus 8 feet when they develop that portion of those phases. Yes, they will be constructing the majority of that street. All of the duplexes will be facing Lozier Court and they will extend all utilities.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of LDS-15-118 and E-16-001 per the staff report dated January 21, 2016, including Exhibits A through Q, replacing Exhibit B with Exhibit B-1, Exhibit H with Exhibit H-1, Exhibit I with Exhibit I-1 and adding Exhibit R.

Moved by: Commissioner McKechnie

Seconded by: Commissioner Mansfield

Voice Vote: Motion passed, 8-0.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner D'Alessandro reported that the Site Plan and Architectural Commission met on Friday, January 15, 2016. The Site Plan and Architectural Commission approved a 30,570 square foot expansion of the Delta Center Phase II. It is north of Sportsman's Warehouse and Buffalo Wild Wings. There was concern regarding the access on Excel Drive. At the last Planning Commission meeting the Commissioner's forwarded a favorable recommendation to the City Council regarding exempting the airport from Site Plan and Architectural Commission review. Several members of the Site Plan and Architectural Commission had issues about not having input of reviewing potential buildings. It was discovered that there are some public use of some of the buildings.

Kelly Akin, Principal Planner, reported that the Site Plan and Architectural Commission will have more discussion on this at their next meeting. The Comprehensive Plan amendment portion of that application will be heard by the City Council on Thursday, February 4, 2016. The code amendment portion has been delayed until March. If necessary, it will be brought back to the Planning Commission.

Chair McFadden asked if Commissioner D'Alessandro would be interested in remaining on the Site Plan and Architectural Commission as the Planning Commission Liaison. Commissioner D'Alessandro replied that he would like to remain the Planning Commission Liaison on the Site Plan and Architectural Commission.

60.2 Report of the Joint Transportation Subcommittee.

Commissioner Pulver reported that the Joint Transportation Subcommittee met on Wednesday, January 27, 2016. The City Engineering Department has contracted a consultant to update the Transportation System Plan (TSP). They want the Joint Transportation Subcommittee to provide guidance on some of the goals of what the City's vision is for that plan. Commissioner Pulver is sort of struggling with the vastness of the project and how to provide constructive feedback. They reviewed the existing goals and policies and agreed to study it more to see if there needs to be items added, removed or modified. The Subcommittee requested more brainstorming to see what staff is asking from them. They have decided to start meeting monthly.

60.3 Planning Department

Kelly Akin, Principal Planner, reported that the next Planning Commission study session is scheduled for Monday, February 8, 2016. Discussion will be on multiple family design standards.

There is business scheduled for the Planning Commission through March.

The election of officers and appointments/reappointments for Site Plan and Architectural Commission and the Joint Transportation Subcommittee will be on Thursday, February 11, 2016. Commissioner D'Alessandro is the Planning Commission liaison for the Site Plan and Architectural Commission. He is also on the Joint

Transportation Subcommittee along with Commissioner Fincher and Commissioner Pulver.

The Planning Department did not have any business for the City Council meeting on Thursday, January 21, 2016.

On Thursday, February 4, 2016, the City Council will hear the Airport Master Plan but not the related text amendments. They will also consider the Medford School District 549C Long Range Facility Plan Update. City Council will have a study session on February 25, 2016, regarding the Urban Growth Boundary project.

70. Messages and Papers from the Chair.

70.1 Chair McFadden reminded the Planning Commission that the Boards and Commissions luncheon is scheduled for tomorrow, Friday, January 29, 2016.

80. Remarks from the City Attorney.

80.1 Mr. McConnell reported that City Attorney, John Huttli has left the employment of the City of Medford. He has moved to Curry County as their County Counsel. Mr. Huttli served as the City of Medford, Attorney for almost 15 years. He had changes in his life and decided to move on. Mr. Huttli attended countless Site Plan and Architectural Commission, Planning Commission and City Council meetings over the years. He was instrumental in resolving the Cherry Creek development issues. He was also one of the lead Attorney's in the Walmart versus Siporen case. It was one of the most important land use cases in the last 15 years. It is beneficial to municipalities. The Court of Appeals reversed the Land Use Boards of Appeals (LUBA) decision, holding that the City's interpretation of the relevant Medford Land Development Code provisions was plausible and that LUBA and the Court of Appeals therefore were required to accept that interpretation for purposes of review. Mr. Huttli was a good City employee and the best attorney that Mr. McConnell had an opportunity to come across.

90. Propositions and Remarks from the Commission. None.

100. Adjournment

The meeting was adjourned at 6:42 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Rozzana
Recording Secretary

David McFadden
Planning Commission Chair

Approved: February 11, 2016



STAFF REPORT

for a Class-B decision: (Alley) Vacation

Project Dakota Alley Vacation

Applicant Public Works Department

File no. SV-15-160

To Planning Commission

for 02/11/2016 hearing

From Carla Angeli Paladino, Planner IV

Reviewer John Adam, AICP, Principal Planner

Date February 4, 2016

BACKGROUND

Proposal

The City of Medford Public Works Department requests to vacate a 404 foot long public alley that runs north from Dakota Avenue. The alley is in between Park Avenue on the west and Oakdale Avenue on the east. (Exhibit A)



History

The alley is located in southwest Medford and borders the South Oakdale Historic District on the west. The existing public right-of-way is adjacent to the rear or side yards of twelve properties, five of which are in the historic district. The surface of the alley is unpaved, covered in grass, and includes fences and trees along its borders. Overhead power lines serve the residences and an Avista gas line is located underneath. The Public Works Department seeks to vacate the alley and remove it from the City's right-of-way inventory. The alley serves the adjacent property owners but does not provide a transportation network to the neighborhood. Per comments received from Avista gas representatives, if the alley is vacated a perpetual public utility easement will need to be maintained over the entire area of the alley. The construction of structures including fences will be prohibited and the property owners will need to keep the alley free and clear for passage by utility companies. The action of vacating will revert the land back to the property owners but use of the alley will be limited in order to accommodate the needs of public utilities. (Photos, Exhibits B & C)

Committee Comments

The proposal was presented to both the Historic Buildings and Sites Commission (HBSC) and the Bicycle and Pedestrian Advisory Committee (BPAC) for feedback and comments. The HBSC asked questions about the benefit of returning this land back to the adjacent property owners and the property owners' responsibility for keeping the alleyway free of obstructions. They do not want issues related to possible dumping of garbage or materials to negatively impact the historic district or become a financial burden to the homeowners.

The discussion of the proposal with the BPAC led to a suggestion to maintain a pedestrian and bicycle easement for future use.

Agency Comments

The following agencies did not have any concerns or issues with the proposal: Medford Fire Department, Rogue Valley Sewer Services, Medford Water Commission, and the Oregon Department of Transportation. Pertinent comments received from Avista Gas, Medford Public Works Department, and the Jackson County Assessor's office are incorporated in the report and attached. (See Exhibits D-F)

Authority

This proposed project is a Class-B approval for the vacation of an alley. The Planning Commission is authorized to recommend, and the City Council to approve vacations under Medford Municipal Code §§10.102-122, 10.165, and 10.185.

ANALYSIS

The Public Works Department has requested vacating the alley and returning the land to the adjacent property owners. This alley is 20 feet wide and dead-ends 404 feet from its starting point at Dakota Avenue. The right-of-way provides function and access to property owners and several utility companies but does not serve a larger transportation network in the neighborhood. As stated above, the retention of an unobstructed easement over the land being vacated is required and necessary in order to accommodate use of the land by the utility companies. The unpaved, green space that currently exists will remain the same in look and function but have new ownership. If the City finds the retention of a utility easement is adequate to ensure uninterrupted access and maintenance to the utility companies then the alley vacation can be approved. The City may inform the property owners about the terms of the easement upon adoption of the ordinance.

FINDINGS AND CONCLUSIONS

The criteria that apply to code amendments are in Medford Municipal Code §10.202. The criteria are rendered in italics; findings and conclusions in roman type.

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

10.202(1). Compliance with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan.

Findings

A review of the goals and policies in the Comprehensive Plan that relate to public facilities and transportation do not specifically address the topic of right-of-way vacation. In general, the proposal will not impact the greater transportation system or governmental utility lines such as water, sewer, or storm drain. The effect of the vacation reverts the public right-of-way back to adjacent property owners for ownership and maintenance. However, the overall look of the alley will remain the same as other utility providers (e.g. Avista Gas) have lines within the boundaries. The encroachment and use of the land by property owners will need to remain free of obstructions or structures including fences. The applicant's findings identify transportation goals and policies that support the alley vacation. (Exhibit G)

Conclusions

Generally, the goals and policies support the vacation of the alley as there are no direct links to vacating right-of-way. The criterion is satisfied.

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

Findings

The application was not initiated by petition; therefore the findings required by ORS 271.120 are not applicable.

Conclusions

This criterion is not applicable to the project.

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

The proposal will comply with the requirement of ORS 271.130 if the City Council can make the following findings:

- a. That the owners of more than 50% of the affected area do not object in writing; and*
- b. That the vacation will not substantially affect the market value of any abutting property where the owner objects, unless the City provides for paying damages to the owner.*

Findings

The City Council initiated the vacation on Thursday, January 7, 2016, by Resolution 2016-05. The Public Works Department mailed letters and consent forms to affected property owners in November 2015. Five consent forms were received in favor and one e-mail was received in opposition of the vacation request. A map showing the location of property owner responses is attached. (Exhibit H) The City has heard from half of the twelve affected property owners with the majority of responses in favor of the alley vacation. (Exhibits I-N)

Based on a preliminary discussion with the Jackson County Assessor's office, the alley vacation should not have a substantial effect on the market values of the subject properties. (Exhibit F)

Conclusions

Due to an increase in land area to the individual properties adjacent to the alley, an increase in market value is possible but a substantial effect positively or negatively is not likely. The criterion is satisfied.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the approval criteria are met or are not applicable, forward a favorable recommendation to the City Council for approval of the alley vacation per the staff report dated February 4, 2016, including Exhibits A through N.

EXHIBITS

- A Legal description and map showing alley location
- B Photo of the alley looking north
- C Photo of the alley looking south
- D Avista Utilities comments
- E Public Works Department comments
- F Jackson County Assessor's office comments
- G Applicant's findings of fact
- H Map showing property owner responses to request
- I E-mail dated July 15, 2015 from Aaron Thayer opposing the vacation
- J Consent form from Ursula Robichaud
- K Consent form from Arthur Peterson Jr.
- L Consent form from Jeff & Susan Fish
- M Consent form from Alison & Dimitrios Kalemkeris
- N Consent form from Phyllis Couch
Vicinity Map

PLANNING COMMISSION AGENDA: FEBRUARY 11, 2016

Exhibit A

Legal Description and Map showing alley location [Cover sheet]

RECEIVED
NOV 19 2015
PLANNING DEPT.

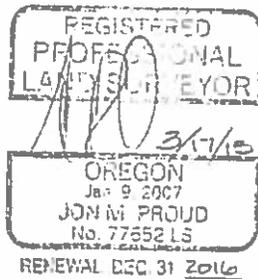


EXHIBIT A

ALLEY TO BE VACATED
FROM 371W30CC, CITY OF MEDFORD
March 16, 2015

THE 20 FOOT WIDE ALLEY EXTENDING FROM THE NORTH RIGHT-OF-WAY LINE OF DAKOTA AVENUE, NORTH 404 FEET TO THE SOUTHERLY LINE OF CITY OF MEDFORD ORDINANCE NUMBER 3802 RECORDED AS VOLUME 257 PAGE 50 OF THE JACKSON COUNTY OFFICIAL RECORDS, BEING 7 FEET NORTH OF THE EXTENDED COMMON SOUTH LINE OF LOTS 2 AND 5 OF BLOCK 2 IN DODGE ADDITION TO THE CITY OF MEDFORD AS SHOWN ON THE OFFICIAL PLAT AS RECORDED IN VOLUME 1, PAGE 42 OF PLATS, IN JACKSON COUNTY, OREGON. THE INTENT OF THIS DESCRIPTION IS TO VACATE THE SOUTH 139 FEET OF ALLEY AS DEDICATED IN BLOCK 2 OF SAID DODGE ADDITION, AND THE ENTIRE ALLEY DEDICATED IN BLOCK 1 OF TUTTLES SUBDIVISION AS SHOWN ON THE OFFICIAL PLAT AS RECORDED IN VOLUME 1, PAGE 161 OF PLATS, IN JACKSON COUNTY, OREGON.

THE GRAPHIC DEPICTION OF THE ABOVE DESCRIPTION IS SHOWN ON EXHIBIT "B" ATTACHED HERETO.



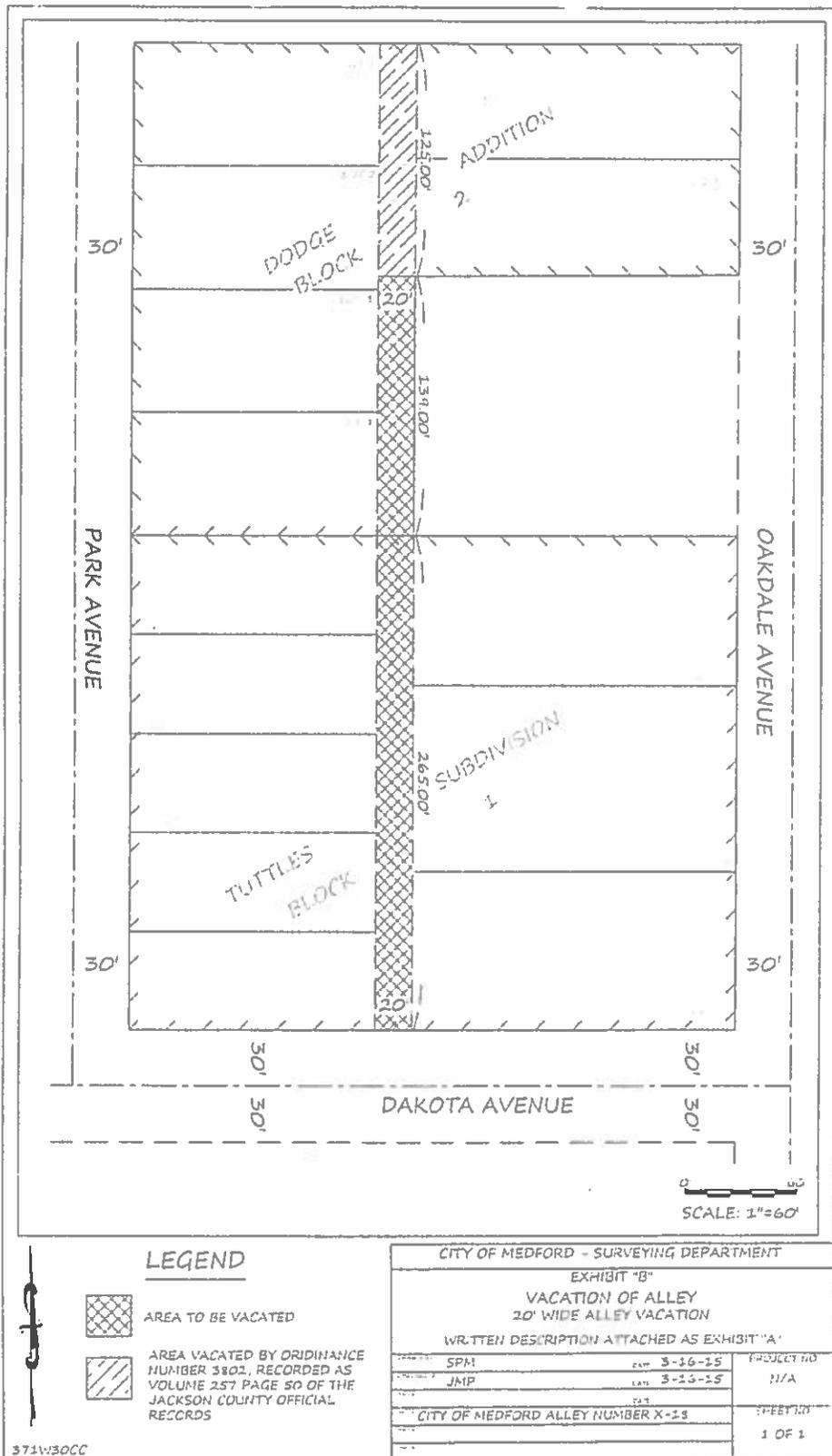


Exhibit B

Photo of Alley looking North



Exhibit C

Photo of Alley looking South



Exhibit D

Avista Utilities Comments (12/18/2015)

Carla G. Paladino

From: McFadden, David <David.McFadden@avistacorp.com>
Sent: Friday, December 18, 2015 2:01 PM
To: Carla G. Paladino
Subject: SV-15-160 Comments Avista

Ms Paladino

Avista Utilities has a natural gas service main and at least 15 services to the residences that are adjacent and contiguous to this alley-way. I believe the City refers to this as being alley "A-99-X-18". FYI, The City's "Exhibit B" does not match the lot-line configurations provided Avista by the County.

Avista asks that if the City approves this Alley Vacation; that the City follow standard procedures; and create a Public Utility Easement over the whole area of the alley. This PUE should prohibit the construction of buildings, sheds, and fences on or over the vacated alley way, and require that the homeowners keep this alley passable.

Thank You
David McFadden,
Avista, Medford

A THOUGHT FOR TODAY:

A man of courage never needs weapons, but he may need bail. -Lewis Mumford, writer and philosopher (19 Oct 1895-1990)

A man is like a fraction whose numerator is what he is and whose denominator is what he thinks of himself. The larger the denominator, the smaller the fraction. -Leo Tolstoy, novelist and philosopher (9 Sep 1828-1910)

Wise sayings often fall on barren ground; but a kind word is never thrown away. -Arthur Helps, writer (10 Jul 1813-1875)

"A great nation is not saved by wars, it is saved 'by acts without external picturesqueness; by speaking, writing, voting reasonably; by smiting corruption swiftly, by good temper between parties; by the people knowing true men when they see them, and preferring them as leaders to rabid partisans or empty quacks.'" -William James, American Philosopher & Psychologist, 1842-1910

Exhibit E

Public Works Department Comments (01/20/2016)



Continuous Improvement Customer Service

CITY OF MEDFORD

Date: 1/20/2016
File Number: SV-15-160

PUBLIC WORKS DEPARTMENT STAFF REPORT Dakota Alley Vacation

Project: Request to vacate a public alley located between Oakdale Avenue and Park Avenue that extends northerly 402 feet from Dakota Avenue.

Applicant: City of Medford Public Works, Applicant (Peter Mackprang, Agent). Carla Paladino, Planner.

Public Works concurs with the request to vacate the subject existing right-of-way, with the condition that an easement over the entire area shall be reserved for unidentified public utilities that may existing therein. The easement shall include the right to access, maintain, and construct these utilities within the easement area.

Prepared by: Doug Burroughs

P:\Staff Reports\SV\2015\SV-15-160 Alley off Dakota\SV-15-160 Staff Report.docx

Page 1

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us

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

Exhibit F

Jackson County Assessor's Office Comments (01/29/2016)

Carla G. Paladino

To: Angela Stuhr
Subject: RE: Alley Vacation

From: Angela Stuhr [<mailto:StuhrAA@jacksoncounty.org>]
Sent: Friday, January 29, 2016 12:00 PM
To: Carla G. Paladino
Subject: RE: Alley Vacation

Carla,
It appears that some of the lots will see very small increases in market value assuming their lots increase. They are

705 Park Av (Thayer)
706 Oakdale Av (Curphey)
704 Oakdale Av (Fish)
620 Oakdale Av (Defty)

Because I don't know the amount of land that could possibly accrue to them (and we haven't completed our analysis of values for the current year), I can't be specific. The remaining lots do not appear to be subject to an increase in value, but again, without knowing how much land would accrue, we can't be certain. What I feel confident about is that, if these lots each accrue land according to their frontage on the alley, there should be no substantial affect on their market values.

Hope this helps.

ANGELA STUHR
PROPERTY APPRAISER III
LEAD RESIDENTIAL APPRAISER
JACKSON COUNTY OREGON
DEPARTMENT OF ASSESSMENT
10 S OAKDALE AV, ROOM 300
MEDFORD OR 97501
(541) 774-6051 PHONE
(541) 774-6701 FACSIMILE

From: Carla G. Paladino [<mailto:Carla.Paladino@cityofmedford.org>]
Sent: Friday, January 29, 2016 10:51 AM
To: Angela Stuhr <StuhrAA@jacksoncounty.org>
Subject: Alley Vacation

Hi Angela,

Thank you for your time this morning to discuss market value regarding vacation of an alley. The project I am working on is a north/south public alley that starts on Dakota Avenue in between Park and S. Oakdale Avenues in Medford.

I am trying to understand and answer the following criterion:
"That the vacation will not substantially affect the market value of any abutting property where the owner objects, unless the City provides for paying damages to the owner."

To date, I have one property owner who objects.

Exhibit G

Applicant's Findings of Fact

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

IN THE MATTER OF: An Application for Vacation of a Public Right-of-Way

RECEIVED
FEB 19 2015
PLANNING DEPT.

FINDINGS OF FACT

I. Factual Evidence Pertaining to the Application:

Applicant: City of Medford
411 W. 8th St.
Medford, OR 97501

Legal Description: A 20 foot wide alley located in the southwest quarter of Section 30, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon in the City of Medford, Jackson County, Oregon lying between Dakota Avenue, 11th Street, Oakdale Avenue, and Park Avenue, and more particularly described as follows:

The 20 foot wide alley extending from the north right of way line of Dakota Avenue, north 404 feet to the southerly line of City of Medford Ordinance Number 3802 recorded as volume 257 page 50 of the Jackson County official records, being 7 feet north of the extended common south line of lots 2 and 5 of block 2 in Dodge Addition to the City of Medford as shown on the official plat as recorded in Volume 1, page 42 of plats, in Jackson County, Oregon.

Agent: Cory Crebbin, P.E., Director of Public Works
City of Medford
411 W. 8th St.
Medford, OR 97501

Location: Mid-block parallel and between South Oakdale Avenue and South Park Avenue, extending from its South terminus at Dakota Avenue to its North terminus 404 feet North of Dakota Avenue.

Zoning: The zoning designation in this area is SFR-10.

Area to be Vacated: 20-feet in width and approximately 404 feet in length measured from the North edge of the Dakota Avenue right-of-way to the southerly line of lots 2 and 5 in the Dodge Addition.

Public Facilities: Public facilities apparently in place are overhead electric power, and possibly overhead communications cables. Underground facilities apparently in place are Avista Gas There are no other apparent underground facilities such as water, storm drainage, or sanitary sewer. A public utility easement will be reserved for existing public utilities.

Comprehensive Plan: The Comprehensive Plan designation for this area is Urban Residential.

II. Proposal

Vacations of streets and public rights-of-way are a means to return unneeded public streets and alleys to adjacent property owners, thus reducing the amount of land the City is responsible and liable for.

In this case before the City Council, City staff is recommending the City vacate the described alley in its entirety from its South terminus at Dakota Avenue to its North terminus at the South line of lots 2 and 5 in the Dodge Addition to the City of Medford. In the alternative, the City Council may disregard this recommendation and City staff can implement Medford Municipal Code 6.360 which forbids obstructions in right-of-way, thus returning this alley to public use.

III. Approval Criteria

Sections 10.200 through 10.202 of the Medford Land Development Code govern the vacation of public right-of-way.

Section 10.200 states: "A request to vacate a public street, alley, easement, plat, or public place shall, in addition to the requirements contained herein, be subject to ORS Chapter 271. Vacation shall be initiated either by petition under ORS 271.080 or by City Council under ORS 271.130. [Amd. Sec. 26, Ord. No. 7659, June 2, 1994.]"

This application requests that the City Council initiate vacation. The requirements of ORS 271.130 are that the Council find that:

- a. The owners of more than 50% of the affected area do not object in writing; and,
- b. The vacation will not substantially affect the market value of any abutting property where the owner objects, unless the City provides for paying damages to the owner.

Section 10.201 requires the following:

"Petitioners or persons requesting council initiation of a vacation shall file an application. A vacation application shall contain the following items:

- (1) Vicinity Map drawn at a scale of 1" = 1,000' identifying the proposed area of vacation.
- (2) Legal description of area proposed to be vacated emailed or on a CD, in Microsoft Word format.

(3) Assessor's maps of the proposed vacation area identifying abutting and affected properties. The assessor's maps shall identify those parcels for which consents to vacate have been acquired.

(4) Consent to vacate forms completed and signed by all consenting property owners within the abutting and/or affected area.

(5) Names and addresses of all abutting and/or affected property owners, including map and tax lot numbers typed on mailing labels.

(6) Findings prepared by the applicant or applicant's representative.

[Amd. Sec. 27, Ord. No. 7659, June 2, 1994.]”

Section 10.202 allows the request for vacation to be favorably considered if the following criteria have been addressed:

“A request to vacate shall only be favorably considered by the approving authority (City Council) when the following criteria have been addressed:

(1) Compliance with the Public Facilities Element of the Comprehensive Plan.

(2) If initiated by petition under ORS 271.080, the Council shall make the findings required by ORS 271.120.

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

[Amd. Sec. 28, Ord. No. 7659, June 2, 1994.]”

Subparagraph (2) of Section 10.202 does not apply to this application because this request is for Council initiation of a vacation.

IV. Demonstration of Compliance:

This application is initiated by City Council under the authority of ORS 271.130 in accordance with Medford Land Development Code 10.200.

The notices and postings required by ORS 271.110 were accomplished not less than 14 days prior to the public hearing.

Approval of this vacation will not substantially affect the market value of any abutting property. All properties abutting the alley have access to public streets.

FINDING:

The City Council finds that the City has the authority to initiate vacation without a petition as authorized by ORS 271.130.

APPLICATION FORM:

Medford Land Development Code 10.201 requires that a vacation application include:

1. Vicinity Map drawn at a scale of 1" = 1,000' identifying the proposed area of vacation.
2. Legal description of area proposed to be vacated emailed or on a CD, in Microsoft Word format.
3. Assessor's maps of the proposed vacation area identifying abutting and affected properties. The assessor's maps shall identify those parcels for which consents to vacate have been acquired.
4. Consent to vacate forms completed and signed by all consenting property owners within the abutting and/or affected area.
5. Names and addresses of all abutting and/or affected property owners, including map and tax lot numbers typed on mailing labels.
6. Findings prepared by the applicant or applicant's representative.

FINDING:

The City Council finds that the required information has been submitted.

NOTICE REQUIREMENTS AND MARKET VALUE EFFECT:

ORS 271.130 authorizes the governing body to initiate vacation proceedings authorized by ORS 271.080 and make such vacation without a petition or consent of property owners. ORS 271.130 requires:

- (1) Notice to be given as provided by 271.110, and
- (2) Vacation shall not be made before the date set for hearing.

In order to vacate, ORS 271.130 requires that the following conditions be met:

(a) The owners of a majority of the area affected, computed on the basis provided in ORS 271.080, do not object in writing thereto, and

(b) Consent of any abutting properties is required if the vacation will substantially affect the market value of such property unless the city governing body provides for paying damages.

FINDING:

The City Council finds that the notice requirements of ORS 271.110 have been fulfilled based on the evidence in the record.

The City Council finds that a majority of the affected property owners as determined by ORS 271.080 have not objected in writing to proposed vacation based on the lack of such objections filed at the conclusion of the public hearing on this matter.

The City Council finds that the market value of no abutting properties will be substantially affected by the proposed vacation. All properties abutting the alley have access to public streets.

COMPREHENSIVE PLAN:

Medford Municipal Code 10.202 requires compliance with the Public Facilities Element of the Comprehensive Plan in order to favorably consider a vacation.

Applicable goals and policies of the Transportation System Plan Element of the Comprehensive Plan are:

Goal 1: To provide a multi-modal transportation system for the Medford planning area that supports the safe, efficient, and accessible movement of all people and goods, and recognizes the area's role as the financial, medical, tourism, and business hub of Southern Oregon and Northern California.

Discussion - All affected properties are served by interconnected local streets. The right-of-way proposed for vacation does not currently support the transportation system.

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

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

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

Discussion - The affected area is presently served by a grid network of lower order streets in the absence of transportation improvements on the right-of-way proposed for vacation. All affected properties currently have appropriate access to existing improved lower order streets.

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

Implementation 2-C(4): Involve affected citizens in an advisory role in transportation project design.

Discussion - All travel modes currently are safely and efficiently served on existing improved streets. Additional transportation improvements to the right-of-way proposed for vacation will not enhance any mode of travel. All affected citizens (e.g. 'affected properties' defined by state law) have been notified in writing of this proposed right-of-way vacation. Public Works Department staff have contacted all property owners abutting the alley by letter requesting that they fill out and return a consent form. To date three consent forms were returned and one email in opposition.

Implementation 2-C(9): Limit cul-de-sac streets, minimum access streets, and other "dead end" development to situations where access cannot otherwise be made by a connected street pattern due to topography or other constraints.

Discussion - The proposed vacation will not create cul-de-sac, minimum access, or dead end development; and access is currently provided by a connected street pattern.

SUMMARY AND CONCLUSIONS

Based upon an analysis of the Medford Comprehensive shown above, and information included in the application, the Medford City Council can conclude:

This vacation does not prejudice the public interests, and the City of Medford hereby vacates the described public right-of-way consistent with the information contained in these findings. Furthermore, the vacation is in the public interest.

Respectfully submitted this ___ day of _____, 2015.

City of Medford Public Works Department
Cory J. Crebbin, P.E., Public Works Director

P: STAFF FOLDERS PETER Alley Vacations Alley X-43

Exhibit I

E-mail dated July 15, 2015, from Aaron Thayer opposing the vacation

Peter T. Mackprang

From: Aaron Thayer <athayersbd@gmail.com>
Sent: Wednesday, July 15, 2015 6:06 PM
To: Peter T. Mackprang
Subject: Proposed vacating of alley

RECEIVED

NOV 19 2015

PLANNING DEPT.

Dear Sir,

I am very much opposed to the city vacating the alley as described in your letter of July 13, 2015. It may not be of value to the City of Medford Transportation system but it still has value to the property owners who abut it.

You state in your letter that the adjoining property owners could extend fences to the center of the alley. You also state correctly that it must remain a utility easement. There is a natural gas feeder line located down the approximate center of the alley and Pacific Power has a power line running on the east edge of the alley. If fences were to be moved it would effectively close off access to these utilities for maintenance and repair. Further, there are many large trees on each side of the alley which must be kept trimmed away from the power line on a periodic basis. Trees Inc. (the contractor for Pacific Power) could not get access for their bucket trucks and chipper if there are fences in the way.

In addition, some of the adjoining property owners use the alley as a means of access to the back of their properties for such purposes as unloading of firewood, disposal of downed limbs, etc.

If the City of Medford has considered these issues and can give a rational, logical explanation of how they would be handled I would be interested in seeing it in writing. I personally maintain the alley (mowing grass, trimming trees, etc.) where it abuts my property and would very much like to keep access.

Thank you for your consideration.

Aaron R. Thayer
705 Park Ave.
Medford, OR 97501

Exhibit J

Consent form from Ursula Robichaud

Consent

The undersigned hereby gives full consent to vacation by the City of Medford through its City Council of an alley approximately 404 feet in length located north of Dakota Ave between Oakdale Ave and Park Ave, described as:

THE 20 FOOT WIDE ALLEY EXTENDING FROM THE NORTH RIGHT-OF- WAY LINE OF DAKOTA AVENUE, NORTH 404 FEET TO THE SOUTHERLY LINE OF CITY OF MEDFORD ORDINANCE NUMBER 3802 RECORDED AS VOLUME 257 PAGE 50 OF THE JACKSON COUNTY OFFICIAL RECORDS, BEING 7 FEET NORTH OF THE EXTENDED COMMON SOUTH LINE OF LOTS 2 AND 5 OF BLOCK 2 IN DODGE ADDITION TO THE CITY OF MEDFORD AS SHOWN ON THE OFFICIAL PLAT AS RECORDED IN VOLUME 1, PAGE 42 OF PLATS, IN JACKSON COUNTY, OREGON. THE INTENT OF THIS DESCRIPTION WAS TO VACATE THE SOUTH 139 FEET OF ALLEY AS DEDICATED IN BLOCK 2 OF SAID DODGE ADDITION, AND THE ENTIRE ALLEY DEDICATED IN BLOCK 1 OF TUTTLES SUBDIVISION AS SHOWN ON THE OFFICIAL PLAT AS RECORDED IN VOLUME 1, PAGE 161 OF PLATS, IN JACKSON COUNTY, OREGON.

THE GRAPHIC DEPICTION OF THE ABOVE DESCRIPTION IS SHOWN ON EXHIBIT "B" ATTACHED HERETO.

Property owner(s) signature Ursula Robichaud

STATE OF Oregon)

COUNTY OF Jackson) ss.

Personally appeared the above named Ursula Robichaud

And acknowledged the forgoing instrument to be a voluntary act and deed.



Sheila M. Giorgetti

Notary Public for Oregon

My commission expires 3-13-16

Exhibit K

Consent form from Arthur Peterson Jr.

Consent

The undersigned hereby gives full consent to vacation by the City of Medford through its City Council of an alley approximately 404 feet in length located north of Dakota Ave between Oakdale Ave and Park Ave, described as:

THE 20 FOOT WIDE ALLEY EXTENDING FROM THE NORTH RIGHT-OF- WAY LINE OF DAKOTA AVENUE, NORTH 404 FEET TO THE SOUTHERLY LINE OF CITY OF MEDFORD ORDINANCE NUMBER 3802 RECORDED AS VOLUME 257 PAGE 50 OF THE JACKSON COUNTY OFFICIAL RECORDS, BEING 7 FEET NORTH OF THE EXTENDED COMMON SOUTH LINE OF LOTS 2 AND 5 OF BLOCK 2 IN DODGE ADDITION TO THE CITY OF MEDFORD AS SHOWN ON THE OFFICIAL PLAT AS RECORDED IN VOLUME 1, PAGE 42 OF PLATS, IN JACKSON COUNTY, OREGON. THE INTENT OF THIS DESCRIPTION WAS TO VACATE THE SOUTH 139 FEET OF ALLEY AS DEDICATED IN BLOCK 2 OF SAID DODGE ADDITION, AND THE ENTIRE ALLEY DEDICATED IN BLOCK 1 OF TUTTLES SUBDIVISION AS SHOWN ON THE OFFICIAL PLAT AS RECORDED IN VOLUME 1, PAGE 161 OF PLATS, IN JACKSON COUNTY, OREGON.

THE GRAPHIC DEPICTION OF THE ABOVE DESCRIPTION IS SHOWN ON EXHIBIT "B" ATTACHED HERETO.

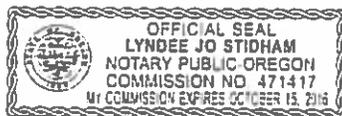
Property owner(s) signature Arthur G. Peterson Jr.

STATE OF Oregon)

COUNTY OF Jackson) ss.

Personally appeared the above named Arthur G. Peterson Jr.

And acknowledged the forgoing instrument to be a voluntary act and deed.



Lyndee J. Stidham
Notary Public for _____

My commission expires October 15, 2016

Exhibit L

Consent form from Jeff and Susan Fish

RECEIVED

NOV 19 2016

PLANNING DEPT.

Consent

The undersigned hereby gives full consent to vacation by the City of Medford through its City Council of an alley approximately 404 feet in length located north of Dakota Ave between Oakdale Ave and Park Ave, described as:

THE 20 FOOT WIDE ALLEY EXTENDING FROM THE NORTH RIGHT-OF- WAY LINE OF DAKOTA AVENUE, NORTH 404 FEET TO THE SOUTHERLY LINE OF CITY OF MEDFORD ORDINANCE NUMBER 3802 RECORDED AS VOLUME 257 PAGE 50 OF THE JACKSON COUNTY OFFICIAL RECORDS, BEING 7 FEET NORTH OF THE EXTENDED COMMON SOUTH LINE OF LOTS 2 AND 5 OF BLOCK 2 IN DODGE ADDITION TO THE CITY OF MEDFORD AS SHOWN ON THE OFFICIAL PLAT AS RECORDED IN VOLUME 1, PAGE 42 OF PLATS, IN JACKSON COUNTY, OREGON. THE INTENT OF THIS DESCRIPTION WAS TO VACATE THE SOUTH 139 FEET OF ALLEY AS DEDICATED IN BLOCK 2 OF SAID DODGE ADDITION, AND THE ENTIRE ALLEY DEDICATED IN BLOCK 1 OF TUTTLES SUBDIVISION AS SHOWN ON THE OFFICIAL PLAT AS RECORDED IN VOLUME 1, PAGE 161 OF PLATS, IN JACKSON COUNTY, OREGON.

THE GRAPHIC DEPICTION OF THE ABOVE DESCRIPTION IS SHOWN ON EXHIBIT "B" ATTACHED HERETO.

Property owner(s) signature

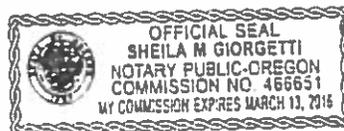
Jeff Fish
Susan Fish

STATE OF Oregon)

COUNTY OF Jackson) ss.

Personally appeared the above named Jeff Fish and Susan Fish

And acknowledged the forgoing instrument to be a voluntary act and deed.



Sheila M. Giorgetti
Notary Public for Jackson County

My commission expires 3-13-16

Exhibit M

Consent form from Alison & Dimitrios Kalemkeris

RECEIVED
NOV 19 2015

Consent

PLANNING DEPT.

The undersigned hereby gives full consent to vacation by the City of Medford through its City Council of an alley approximately 404 feet in length located north of Dakota Ave between Oakdale Ave and Park Ave, described as:

THE 20 FOOT WIDE ALLEY EXTENDING FROM THE NORTH RIGHT-OF- WAY LINE OF DAKOTA AVENUE, NORTH 404 FEET TO THE SOUTHERLY LINE OF CITY OF MEDFORD ORDINANCE NUMBER 3802 RECORDED AS VOLUME 257 PAGE 50 OF THE JACKSON COUNTY OFFICIAL RECORDS, BEING 7 FEET NORTH OF THE EXTENDED COMMON SOUTH LINE OF LOTS 2 AND 5 OF BLOCK 2 IN DODGE ADDITION TO THE CITY OF MEDFORD AS SHOWN ON THE OFFICIAL PLAT AS RECORDED IN VOLUME 1, PAGE 42 OF PLATS, IN JACKSON COUNTY, OREGON. THE INTENT OF THIS DESCRIPTION WAS TO VACATE THE SOUTH 139 FEET OF ALLEY AS DEDICATED IN BLOCK 2 OF SAID DODGE ADDITION, AND THE ENTIRE ALLEY DEDICATED IN BLOCK 1 OF TUTTLES SUBDIVISION AS SHOWN ON THE OFFICIAL PLAT AS RECORDED IN VOLUME 1, PAGE 161 OF PLATS, IN JACKSON COUNTY, OREGON.

THE GRAPHIC DEPICTION OF THE ABOVE DESCRIPTION IS SHOWN ON EXHIBIT "B" ATTACHED HERETO.

Property owner(s) signature

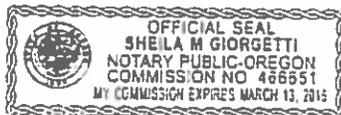
A Kalemkeris
D Kalemkeris

STATE OF Oregon)

COUNTY OF Jackson) ss.

Personally appeared the above named Alison Kalemkeris and Dimitrios Kalemkeris

And acknowledged the forgoing instrument to be a voluntary act and deed.



Sheila M. Giorgetti
Notary Public for Jackson County, Oregon
My commission expires 3-13-16

Exhibit N

Consent form from Phyllis Couch

RECEIVED

NOV 19 2016

PLANNING DEPT.

Consent

The undersigned hereby gives full consent to vacation by the City of Medford through its City Council of an alley approximately 404 feet in length located north of Dakota Ave between Oakdale Ave and Park Ave, described as:

THE 20 FOOT WIDE ALLEY EXTENDING FROM THE NORTH RIGHT-OF- WAY LINE OF DAKOTA AVENUE, NORTH 404 FEET TO THE SOUTHERLY LINE OF CITY OF MEDFORD ORDINANCE NUMBER 3802 RECORDED AS VOLUME 257 PAGE 50 OF THE JACKSON COUNTY OFFICIAL RECORDS, BEING 7 FEET NORTH OF THE EXTENDED COMMON SOUTH LINE OF LOTS 2 AND 5 OF BLOCK 2 IN DODGE ADDITION TO THE CITY OF MEDFORD AS SHOWN ON THE OFFICIAL PLAT AS RECORDED IN VOLUME 1, PAGE 42 OF PLATS, IN JACKSON COUNTY, OREGON. THE INTENT OF THIS DESCRIPTION WAS TO VACATE THE SOUTH 139 FEET OF ALLEY AS DEDICATED IN BLOCK 2 OF SAID DODGE ADDITION, AND THE ENTIRE ALLEY DEDICATED IN BLOCK 1 OF TUTTLES SUBDIVISION AS SHOWN ON THE OFFICIAL PLAT AS RECORDED IN VOLUME 1, PAGE 161 OF PLATS, IN JACKSON COUNTY, OREGON.

THE GRAPHIC DEPICTION OF THE ABOVE DESCRIPTION IS SHOWN ON EXHIBIT "B" ATTACHED HERETO.

Property owner(s) signature Phyllis Couch

STATE OF Oregon)

COUNTY OF Jackson) ss

Personally appeared the above named Phyllis Couch

And acknowledged the forgoing instrument to be a voluntary act and deed.



Sheila M. Giorgetti
Notary Public for Jackson Co., Oregon
My commission expires 3-13-16

Vicinity Map

	City of Medford Planning Department	Vicinity Map	File Number: SV-15-160
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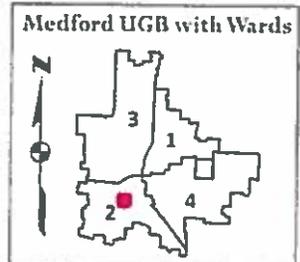
Project Name:
**Medford Public Works Department -
Alley Vacation**

Map/Taxlot:
N/A

0 250 500
Feet

11/24/2015

-  Subject Area
-  Medford Zoning
-  Historic
-  Tax Lots





STAFF REPORT

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

PROJECT Panther Landing Subdivision
Applicant: Tommy Malot
FILE NO. LDS-15-141/E-15-142
TO Planning Commission for February 11, 2016 hearing
FROM Sarah Sousa, Planner IV
REVIEWER Kelly Akin, Principal Planner *KA*
DATE February 4, 2016

BACKGROUND

Proposal

Proposed tentative plat for Panther Landing Subdivision, a seven lot residential subdivision, with an exception to reduce the street dedication requirement for South Columbus Avenue and an exception to the number of units allowed to take access off a minimum access easement, for an 0.86 acre parcel located on the east side of South Columbus Avenue, approximately 120 feet north of Garfield Street, within a SFR-10 (Single Family Residential – 10 dwelling units per gross acre) zoning district (1579 S. Columbus Avenue – 372W36CA2200)

Subject Site Characteristics

Zoning: SFR-10 (Single Family Residential – 10 dwelling units per gross acre)
GLUP: UR (Urban Residential)
Use: Duplex

Surrounding Site Characteristics

North

Zoning: SFR-6 (Single Family Residential – 6 dwelling units per gross acre)
Use: Single Family homes

South

Zoning: SFR-10
Use: Duplexes

East

Zoning: SFR-10
Use: Single Family Homes

West

Zoning: SFR-6
Use: Single Family Homes / High School

Related Projects

ZC-05-127 Zone Change
LDS-06-317 Land Division (expired)

Applicable Criteria

Medford Land Development Code §10.270, Land Division Criteria

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

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;
- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;
- (4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;

- (5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;
- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

Medford Land Development Code §10.253, Exception Criteria

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

- (1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The Planning Commission/Site Plan and Architectural Commission shall have the authority to impose conditions to assure that this criterion is met.
- (2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.
- (3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.
- (4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

ISSUES AND ANALYSIS

Project Summary

The tentative plat submitted consists of a single phase development with seven lots (Exhibit B). Lot 1 contains an existing duplex that is proposed to remain. Lots 2, 3, and 7 are shown as single family lots, while Lots 4-6 are proposed to have attached row housing. In addition, the applicant has submitted an exception to the required right-of-way dedication for a portion of South Columbus Avenue and an exception to the number of units that can take access of a minimum access easement.

All proposed lots conform to the standards of the Medford Land Development Code for length, width, square footage, and lot frontage.

Density

The standard density calculation for the SFR-10 zone is between six and ten dwelling units per acre. The permitted density range for the subject subdivision is between six to ten dwelling units. The applicant is proposing seven lots (and eight units), which meet the minimum and does not exceed the maximum number of units.

Street Circulation

The subject property fronts upon South Columbus Avenue. The tentative plat does not include the creation of new streets, as only a minimum access easement is proposed. Lots 1 and 7 have frontage on South Columbus Avenue but will obtain vehicular access from the minimum access easement as Medford Land Development Code Section 10.550 restricts direct access on higher order streets when a lower order street is abutting.

Medford Land Development Code Section 10.450 states minimum access easements shall only be permitted when the approving authority finds that any of the following conditions exist: excess slope, presence of a wetland or other body of water which cannot be bridged or crossed, existing development on adjacent property, or the presence of a freeway or railroad. It also allows the approving authority to allow minimum access easements when it is not possible to create a street pattern which meets the design requirements for streets. In this case, the creation of a new street does not seem practical due to existing development to the north, south, and east, which consists of newly built homes.

Exceptions

The applicant has submitted for two exceptions in conjunction with the land division. The first is to the required right-of-way dedication for a portion of South Columbus

Avenue around the existing duplex. The second is to the number of units that can take access of a minimum access easement.

Reduced Right-of-Way Dedication

South Columbus Avenue is classified as a Major Arterial Street, which requires a 100 foot wide right-of-way. As a result, the applicant would typically be required to dedicate 20 feet along the frontage of the development to comply with the half width standard. The applicant proposes to dedicate the full amount (20-feet) along the southern portion of the property and then narrow the dedication to 12 feet on the northern half due to the location of the existing structure. The Public Works Report explains this will still allow for the adequate right-of-way for all the components of a Major Arterial Street with the elimination of the 10-foot planter strip (Exhibit G).

The Applicant's Findings explain that the duplex on the property originally met setbacks (Exhibit F). However, right-of-way acquisitions have reduced the setbacks. If the full dedication is required, the structure would be located within the right-of-way.

Minimum Access Easement (maximum number of units)

Medford Land Development Code Section 10.430A(1) limits the number of units that can take vehicular access of a minimum access easement to three dwelling units. The applicant is requesting an exception to allow eight units to take access off the proposed minimum access easement.

The first submittal the applicant made with the subject application included the proposal for a Residential Lane to dead end at the eastern terminus of the project. The Public Works Department was not in support of the original design of the Residential Lane as it was not proposed with a cul-de-sac bulb (with a 45-foot radius) as required for public dead-end streets. However, the Public Works Department was not opposed to a private street with the same configuration. For example, a public street sweeper is able to sufficiently maneuver a street that includes a cul-de-sac with a 45-foot radius. But a private street does not require this type of City maintenance.

Medford Land Development Code Section 10.010 (Definitions) specifies that private streets are only allowed within Planned Unit Developments. The same section clarifies that minimum access easements are not considered streets. Since the Public Works Department could not support a public street without a cul-de-sac, the applicant has requested a minimum access easement.

Minimum access easements allow for infill properties, such as the subject project, to develop. They are described as an easement containing a shared driveway having the sole purpose of providing direct access to immediately adjacent residentially zoned land.

They are required with a 20-foot width and a turnaround but do not include space for sidewalks, planter strips, or parking.

The Applicant's Findings provide the rationale for the Commission to allow a minimum access easement (Exhibit F). The existing development of adjacent properties would not allow for a street to be stubbed to the east as the adjoining properties contain newer homes within a developed subdivision. Since a street cannot be stubbed, a cul-de-sac configuration (required with a Residential Lane) would make the development of lots impossible.

In addition to the constraints caused by surrounding development, the Commission can also consider allowing a minimum access easement based upon how it would be built. The minimum access easement is actually proposed to be constructed to the standards of a Residential Lane (without the cul-de-sac). It is shown on the tentative plat with a 33-foot width. It would also include a sidewalk and parking on one side, consistent with the Residential Lane standards. So although a minimum access easement is proposed to allow for private ownership, it would function much like a Residential Lane, which allows access for up to eight dwelling units.

Turnaround

Minimum access easements are required to have a turnaround consistent with Medford Land Development Code Section 10.746(11). The tentative plat does not show a turnaround as required and the exception findings do not specifically address the elimination of a turnaround. Staff has included a condition requiring a turnaround to be shown on the final plat (Exhibit A).

FINDINGS AND CONCLUSIONS

Staff has reviewed the Applicant's Findings and recommends the Commission adopt the findings as presented.

RECOMMENDED ACTION

Direct staff to prepare a Final Order of Approval per the staff report dated February 4, 2016, including Exhibits A through M.

EXHIBITS

- A Conditions of Approval dated February 4, 2016
- B Tentative Plat received January 15, 2016
- C Conceptual Grading & Utility Plan received January 15, 2016
- D Building Elevations received October 14, 2015
- E Applicant's Findings of Fact (Land Division) received January 15, 2016

- F Applicant's Findings of Fact (Exception) received January 15, 2016
- G Public Works Report received January 6, 2016
- H Medford Fire Department Report received January 6, 2016
- I Medford Building Department memo received January 6, 2016
- J Address Technician memo received January 19, 2016
- K Medford Water Commission memo received January 28, 2016
- L Rogue Valley Sewer Services letter received December 23, 2015
- M Jackson County Assessor's Map received October 14, 2015
Vicinity map

PLANNING COMMISSION AGENDA:

FEBRUARY 11, 2016

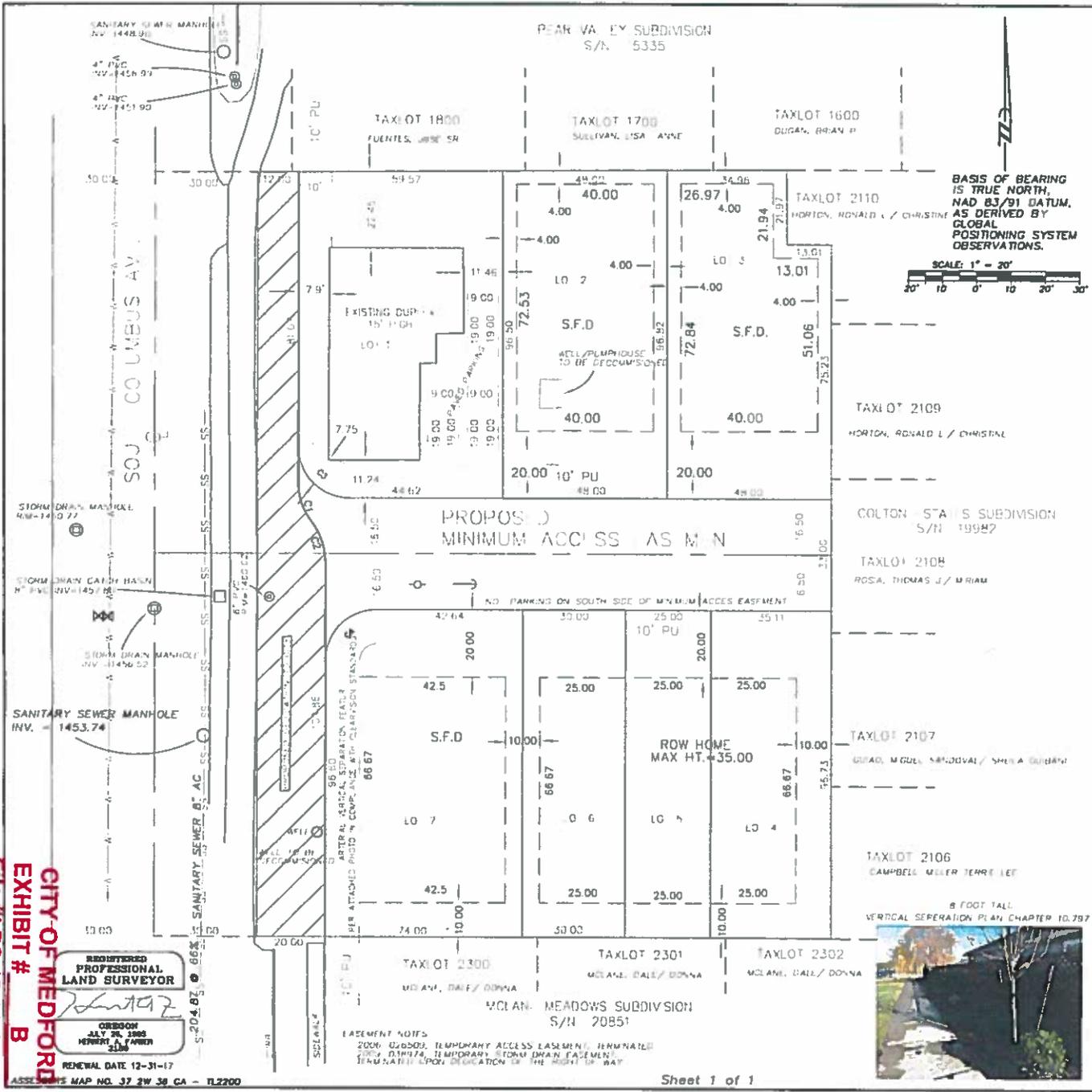
EXHIBIT A

Panther Landing Subdivision
LDS-15-141/E-15-142
Conditions of Approval
February 4, 2016

CODE CONDITIONS

1. Prior to Final Plat approval, the applicant shall:
 - a. Submit a revised tentative plat showing a turnaround consistent with the requirements listed in Medford Land Development Code Section 10.746(11);
 - b. Submit CC&Rs or other document that ensures the maintenance of the minimum access easement;
 - c. Comply with the Public Works Department Report received January 6, 2016 (Exhibit G);
 - d. Comply with the Fire Department Report received January 6, 2016 (Exhibit H);
 - e. Comply with the Address Technician Memo received January 19, 2016 (Exhibit J);
 - f. Comply with the Medford Water Commission memo received January 28, 2016 (Exhibit K);
 - g. Comply with the Rogue Valley Sewer Services memo received December 23, 2015 (Exhibit L).

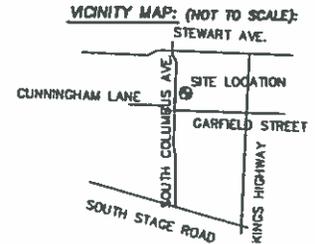
CITY OF MEDFORD
 EXHIBIT # B
 File #LDS-15-141/E-15-142



TENTATIVE SUBDIVISION PLAN
 of
PANTHER LANDING
 located in the
 SOUTHWEST QUARTER OF SECTION 36,
 TOWNSHIP 37 SOUTH, RANGE 2 WEST,
 WILLAMETTE MERIDIAN, IN THE CITY OF MEDFORD
 JACKSON COUNTY, OREGON
 for
TOM MALOT CONSTRUCTION Co Inc.



situs
 1579 SOUTH COLUMBUS AVE
 MEDFORD, OREGON 97501



BASIS OF BEARING
 IS TRUE NORTH,
 NAD 83/91 DATUM,
 AS DERIVED BY
 GLOBAL
 POSITIONING SYSTEM
 OBSERVATIONS.



LEGEND:

- — MINIMUM SETBACK
- — S.F.D. = SINGLE FAMILY DWELLING
- ⊙ — PVC INV. SIZE AS NOTED
- — SANITARY SEWER MANHOLE
- ⊕ — MANHOLE STORM DRAIN
- ⊠ — STORM DRAIN CATCH BASIN
- ⊗ — WATER VALVE
- ⊖ — POWER POLE (PPAL)
- — GUY WIRE

CURVE TABLE:

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	36°32'23"	11.56	18.00	S167°35'0"E	11.39
C2	36°41'20"	14.00	22.00	N181°46'W	13.65
C3	80°05'15"	23.60	18.00	S44°56'17"E	21.24
C4	86°32'08"	23.53	15.00	S45°02'53"W	21.18

NOTES:
 ZONING - SFR-10
 IRRIGATION DISTRICT - MEDFORD
 SCHOOL DISTRICT - MEDFORD
 FIRE DISTRICT - MEDFORD
 SANITARY SEWER DISTRICT - RIVSS

FLOOD PLAIN DATA
 PROPERTY IS NOT SUBJECT TO INUNDATION / 100 YR FLOOD PLAIN
 AREA
 GROSS=44,595 SQ. FT. = 10 units (Max) 6 units (Min) (Per Fact)
 NPL= 33,945 SQ. FT. (GROSS MINUS PROPOSED DEDICATED TO OPEN SPACE)

Surveyed by:
FARBER & SONS, INC.
FARBER SURVEYING
 PO BOX 5286
 431 OAK STREET
 CENTRAL POINT, OREGON 97502
 (541) 664-5599

DATE: OCTOBER 12, 2015
 JOB NO.: 2223-14
 DRAWING FILE: J005\Medford_SW\South Columbus\Subdiv 5 Columbus\
 MorsSurvey\TENTATIVE_072815.dwg
 DRAWN BY: JRM DATE: 10/12/2015 CHECKED BY: DATE:

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 OREGON
 JULY 26, 1988
 HERBERT J. FARBER
 2100

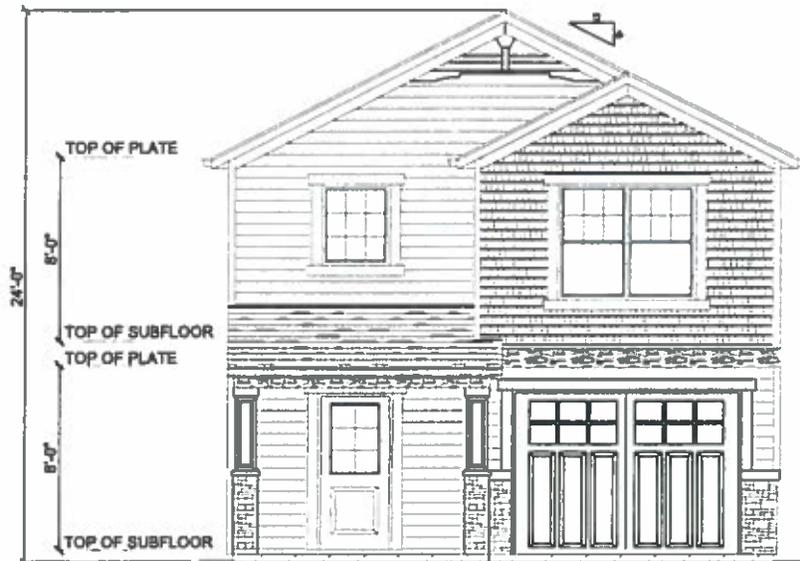
EASEMENT NOTES:
 2006 020600, TEMPORARY ACCESS EASEMENT, TERMINATED
 2014 030714, TEMPORARY STORM DRAIN EASEMENT,
 TERMINATED UPON DECOMMISSION OF THE WELL OR PUMP.



RECEIVED

JAN 15 2016
 PLANNING DEPT.

RECEIVED
OCT 14 2015
PLANNING DEPT.



FRONT ELEVATION

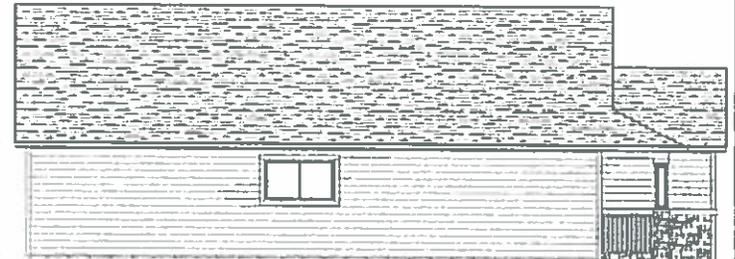
CITY OF MEDFORD
EXHIBIT # D
File # LDS-15-141/E-15-142
1 of 2



FRONT ELEVATION



RIGHT ELEVATION



LEFT ELEVATION



REAR ELEVATION

NOTES:

DATE	CHANGES

TITLE:
FLOOR PLAN
SCALE: 1/8\"/>

FILE:
 DRAWN BY: JWC DATE: 8/20/15
 CHECKED BY: JMT DATE: 8/20/15
 DRAWING INDEX NO:
A0.1

SHEET 4 OF 12

PROJECT:
 87 D.G.
 LOT 8, BANTON LANDING
 MEDFORD, OR 97501
 FOR: TOM MALOT CONSTRUCTION

CUSTOMER/
 GEN. CONTRACTOR
 TOM MALOT CONSTRUCTION
 P.O. BOX 694
 CENTRAL POINT, OR 97104
 541-321-0221

DATE SET
 OWNER:

 **design residential**
 Design Residential, Inc.
 P.O. Box 2022
 Medford, OR 97501
 541-426-2222
 www.designresidential.com

RECEIVED
 OCT 14 2015
 PLANNING DEP

CITY OF MEDFORD
 EXHIBIT # D
 File # LDS-15-141/E-15-142
2 of 2

RECEIVED
JAN 15 2016
PLANNING DEPT.

Findings of Fact

for
Panther Landing a subdivision of
Tax lot 2200, Assessor's map no. 37 2W 36 CA

A LAND DIVISION APPLICATION IN THE
CITY OF MEDFORD, OREGON

ADDRESSING THE CRITERIA OF MLDC §10.270

December 9, 2015
Amended January 14, 2016

PREPARED BY:
FARBER SURVEYING
431 Oak Street
Central Point, OR 97502

- *Text bulleted and italicized represents the findings per § 10.270*

10.270 Land Division Criteria

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

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

- *Yes; there are adequate facilities consisting of traffic volume, domestic water, sanitary sewer and storm drainage services available to the property. The development will have a residential lane at the only location that will work to allow this site. The design complies with the urban residential designation and meets the zoning standard for SFR-10 zoning with proposed improvements to City of Medford Standards with the exception requested by separate findings.*

(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;

- *No, the intention of this subdivision is to re-configure the existing land and improvements to be consistent with the abutting properties that are already developed.*

(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;

- *Name approval has been applied for to the County Surveyor's office.*

(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;

- *N/A; no change to existing street pattern are planned.*

(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;

- *N/A; The minimum access street created in this application, will be constructed as a residential lane, and conforms to City of Medford Land Development Code 10.430 except for the variation request attached to this application.*

(6) Contains streets, if applicable, and lots which are oriented to make maximum effective use of passive solar energy; exceptions to this provision may be granted whenever it is impractical to comply due to: (a) The configuration or orientation of the property; (b) The nature of surrounding circulation patterns, or other existing physical features of the site such as topography;

- *The minimum access street is designed to intersect S. Columbus Ave. at right angles, the lots are at right angles to the minimum access street. The lots are oriented North/South.*

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

- *N/A; all adjoiners are zoned for residential.*

[Amd. Sec. 4, Ord. No. 2004-259, Dec. 16, 2004.]

Respectfully submitted,



Herbert A Farber

Farber & Sons Inc
Dba., Farber Surveying
431 Oak Street
Central Point Oregon 97502

Phone: 541 664-5599

Email: herb@farbersurveying.com

Findings of Fact

for

Tax lot 2200, Assessor's Map No. 37 2W 36 CA
AN EXCEPTION APPLICATION IN THE
CITY OF MEDFORD, OREGON

ADDRESSING THE CRITERIA OF MLDC §10.253

- *Text bulleted and italicized represents the findings per § 10.251 & 10.253*

10.251 Application, Exception

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

- *This exception application is for a variation on Chapter 10.430 and 4.30(B) for the full street right of way and street section requirements for South Columbus Avenue. Meeting these standards due to the location of the existing dwelling as shown on the accompanying plot plan is not practical.*
- *This exception application is for a variation on Chapter 10.450 for the cul-de-sac and Minimum Access Easement requirement for the number of lots served by the easement. Strict application of this section will make this property undevelopable.*

10.253 Criteria for an Exception

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

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

- *The intent of Chapter 10.430 and 4.30(B) is to provide vehicle and pedestrian right of way for ingress and egress along the South Columbus right of way. This will be accomplished with a 35 foot half street centerline to curb line consistent with the existing street cross section and a 5 foot sidewalk as shown. The deviation will be*

excepting out the 8 foot planter in the area of conflict. There will also be a limited area for a PUE due to the location of the dwelling.

10.450 Cul-de-sacs, Minimum Access Easements and Flag Lots

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

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

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

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

- *(1) (a) The existing development of the adjacent property prohibits a standard street with connectivity or a cul-de-sac, with the only practical way to develop the property is by minimum access easement.*
- *(b) The development prohibits the street connectivity.*
- *(c) The standards in Section 10.464 provide for approval without additional pedestrian access for the following reasons directly from the LDO.*

10.464 Accessways

The purpose of an accessway is to provide safe and convenient pedestrian and bicycle access within and from new subdivisions, planned unit developments, shopping centers and industrial parks to nearby residential areas, transit stops and neighborhood activity centers such as schools, parks and shopping. A well connected street network is the primary means of providing this access. Accessways are reserved for situations where street connections are infeasible or inappropriate.

(1) Accessways shall be provided for cul-de-sacs, long blocks or dead-end streets except when the approving authority determines based on evidence in the record, that construction of a separate accessway is infeasible or inappropriate. Such evidence may consist of the following:
(b) when the nature of abutting existing development makes construction of an accessway impractical,

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

- *The approval of these exceptions will not allow any use that is not already allowed.*

(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.

- *This dwelling existed on the property at the time it was purchased by the applicants, Peter and Kathy Slusher. At the time the home was constructed in 1952 it complied with the standards in effect then. The property has been subsequently annexed into the City of Medford and road improvements and right of way acquisitions have reduced the setbacks to the dwelling. While this is an older home it still has value and the applicants plan on keeping it as is.*
- *The Slusher's purchased the property in April 2013. The property to the north was developed in 1997, the property to the east was developed in March of 2008 and the property to the South was developed in April 2011. With the surrounding property already platted they did not cause the resulting property configuration therefore did not create this hardship. The application of a cul-de-sac will result in non conforming lots and the inability to comply with the minimum number of lots for the SFR-10 zone thereby creating a hardship on this development.*

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

- *This property is the result of developed as approved by the City of Medford. Granting of this exception will not result in any illegal outcome. The resulting lots will be in compliance with all applicable standards except a requested by this exception. The granting of this exception will not result in an undue gain by the applicants; the approval of this exception will not allow any additional lots. The approval of this request will allow for development of affordable housing that would otherwise be a big non conforming lots with a couple of residences on it. Due to its present configuration it would not be able to meet density standards as a cul-de-sac would take up most of the lot.*

Respectfully submitted,



Herbert A Farber

Farber & Sons Inc
 Dba., Farber Surveying
 431 Oak Street
 Central Point Oregon 97502

Phone: 541 664-5599
 Email: herb@farbersurveying.com
 January 14, 2016



Continuous Improvement Customer Service

RECEIVED
JAN 06 2016
PLANNING DEPT.

CITY OF MEDFORD

LD Date: 1/6/2016
File Numbers: LDS-15-095/E-15-142

PUBLIC WORKS DEPARTMENT STAFF REPORT
Panther Landing Subdivision

Project: Proposed tentative plat for Panther Landing Subdivision, a seven lot residential subdivision, with an exception to reduce the street dedication requirement for South Columbus Avenue and an exception to the cul-de-sac requirement for Panther Lane, for an 0.86 acre parcel located on the east side of South Columbus Avenue.

Location: Approximately 120-feet north of Garfield Street, within a SFR-10 (Single Family Residential – 10 dwelling units per gross acre) zoning district (1579 S. Columbus Avenue – 372W36CATL2200).

Applicant: Tom Malot Construction Co. Inc., Applicant (Tommy Malot, Agent). Sarah Sousa, Planner.

NOTE: Items A - D Shall be Completed and Accepted Prior to Approval of the Final Plat.

A. STREETS

1. Dedications

South Columbus Avenue is classified as a Major Arterial Street within the Medford Land Development Code (MLDC), Section 10.428. The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this proposed subdivision to comply with the half width of right-of-way, which is 50-feet. Based on the proposed plans, it appears there is 30-feet of existing right-of-way east of centerline. **The amount of additional right-of-way needed appears to be 20-feet. (MLDC 10.451). The Developers surveyor shall verify the amount of additional right-of-way required.**

An **exception request** has been submitted to the Planning Commission, which includes a reduction of the half width of right-of-way dedication along the northern portion of the development (north of proposed Panther Lane and west of Lot 1) to 42-feet. This will provide

adequate right-of-way for all the components of a Major Arterial Street with the exception of the 10-foot planter strip. A 7-foot sidewalk adjacent to the curb will be required if this exception is approved. **Public Works supports this request. If the exception request is denied the Developer shall dedicate the additional right-of-way as noted above, per MLDC 10.428.**

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

Panther Lane is proposed as a Residential Lane with a right-of-way width of 33-feet. A cul-de-sac is required at the east terminus of this street per MLDC 10.430 (3) and 10.450.

An **exception request** has been submitted to the Planning Commission, which includes the elimination of the cul-de-sac requirement in MLDC 10.430 (3). **Public Works does not support this request** due to other public and/or private service vehicles requiring minimum curve radii to turn around. **Public works recommends denial of the exception and/or the application or adding the condition that Panther Lane be a private street and therefore will become the responsibility of the property owners to maintain.**

A **15-foot corner radius** shall be provided at the right-of-way lines of all intersecting streets. (MLDC 10.445).

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

The Applicant has noted in their findings for the **requested exception** that there will be a limited area for the PUE along a portion of the west side of Lot 1 due to the configuration of the existing dwelling. Per the proposed plans it appears the PUE will be approximately 7.9 feet wide along this section, and approximately 70-feet in length. **Public Works does not support this exception unless the public utilities benefitting from the PUE agree to the reduction.**

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; 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

South Columbus Avenue shall be improved to Major Arterial Street standards, which includes a 70-foot wide paved section, complete with curbs, gutters, 10-foot wide park strips, 5-foot wide sidewalks, 6' wide bike lanes in accordance with MLDC 10.428 (1). **The Developer shall improve the east half plus 12-feet east of the centerline, or to the far edge of the existing pavement, whichever is greater, along the frontage of this development.**

As an option, the Developer may elect to provide evidence of the existing structural section to Public Works for consideration in order to determine if the extent of construction may be reduced. Depending on the results, the Developer still may be responsible for the improvements noted above or at minimum improve the remainder of the east half of South Columbus Avenue from a point 1-foot inside the existing edge of pavement, plus a 10-foot park strip, 5-foot sidewalk along the frontage of this site.

An **exception request** has been submitted to the Planning Commission, which includes the elimination of the 10-foot planter strip along the northern portion of the development (north of proposed Panther Lane and west of Lot 1). A 7-foot sidewalk adjacent to the curb will be required if this exception is approved. **Public Works supports this request. If the exception request is denied the Developer shall construct the improvements as noted above.**

Panther Lane shall be built as a Residential Lane with a right-of-way width of 33-feet, consistent with MLDC 10.430 (3). A cul-de-sac is required at the east terminus of this street per MLDC 10.430 (3) and 10.450.

An **exception request** has been submitted to the Planning Commission, which includes the elimination of the cul-de-sac requirement in MLDC 10.430 (3). **Public Works does not support this request** due to other public and/or private service vehicles requiring minimum curve radii to turn around. **Public works recommends denial of the exception and/or the application or adding the condition that Panther Lane be a private street and therefore will become the responsibility of the property owners to maintain.**

b. Street Lights and Signing

All street lights and signing for public streets shall be installed to City of Medford specifications.

The following street lighting and signing installations will be required:

Street Lighting - Developer Provided & Installed

- A. 2 – 100W residential street lights

Traffic Signs and Devices - City Installed, paid by the Developer

- A. 1 – Street name signs
- B. 1 – Dead end barricades
- C. 1 – Dead end sign
- D. 1 – Stop sign

All street lights shall be operating and turned on at the time of the final “walk through” inspection by the Public Works Department.

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along this 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. Soil Testing

The Developer's engineer shall obtain soil testing data to determine if there is shrink-swell potential in the underlying soils in this development. If they are present, they shall be accounted for in the roadway and sidewalk design within this Development.

e. Access to Public Street System

South Columbus Avenue is classified at a Major Arterial Street. Therefore, access to the proposed development shall be restricted to Panther Lane for all Lots, and no access shall be taken directly from South Columbus Avenue. In addition, the Final Plat shall state that no lots shall have direct access to South Columbus Avenue.

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

(1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public

facilities and services so that the exaction will not result in a taking of private property for public use, or

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

Nexus to a legitimate government purpose

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

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

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

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

South Columbus Avenue and Panther Lane

In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square foot of right-of-way per dwelling unit for dedications to Panther Lane. The proposed development has 7 dwelling units and will improve approximately 155 lineal feet of roadway which equates to 22 lineal feet per dwelling unit. Also the development will dedicate approximately 5,214 square feet of right-of-way which equates to approximately 745 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Spring Meadows Subdivision Phase 1-5 located between Griffin Creek Road and Orchard Home Drive and Sunset Drive and South Stage Road and consisting of 66 dwelling units. The previous development improved approximately 3,048 lineal feet of roadway and dedicated approximately 151,756 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 46 lineal feet of road per dwelling unit and approximately 2,299 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 7 Lots within

the City of Medford and increase vehicular traffic by approximately 67 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 provide access and transportation connections at urban level of service standards for this development. Each Lot in this development will have direct access to a public street with facilities that will allow for safe travel for vehicles, bicycles and pedestrians. There is also sufficient space for on-street parking.
- c. 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.

The City assesses System Development Charges (SDC's) to help pay for acquisition of right-of-way and construction of additional Arterial & Collector street capacity required as a result of new development. Because a mechanism exists in the form of SDC credit for right-of-way dedication and street improvements in accordance with Medford Municipal Code (MMC) 3.815 and other applicable parts of the Code, to fairly compensate the applicant, the conditions of MLDC, Section 10.668 are satisfied.

B. SANITARY SEWERS

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

C. STORM DRAINAGE

1. Hydrology

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

2. Stormwater Detention and Water Quality Treatment

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

10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual per MLDC, Section 10.481.

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

3. Grading

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

4. Mains and Laterals

The Developer shall show all existing and proposed Storm Drain mains, channels, culverts, outfalls and easements on the Conceptual Grading and Drainage Plan and the final Construction Plans.

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

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

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

5. Erosion Control

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 the final "walk-through" inspection of the public improvements by City staff.

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

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

2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. 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 Planning Commission's Final Order, together with all pertinent details and calculations. The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

3. Phasing

The 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 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.

Where applicable, the Developer shall address all floodway, floodplain and riparian area issues with the proper Agencies and acquire all necessary permits for work within the floodway, floodplain or riparian areas.

6. System Development Charges

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

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

7. Construction and Inspection

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

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

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

Prepared by: Jodi Cope/Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Panther Landing Subdivision

LDS-15-141/E-15-142

A. Streets

1. Street Dedications to the Public:

- Dedicate approximately 20' of right-of-way on South Columbus Avenue unless otherwise approved with the requested exception.
- Dedicate full right-of-way for Panther Lane including a cul-de-sac unless otherwise approved with the requested exception.
- Dedicate 10-foot public utility easements (PUE) unless otherwise approved with the requested exception.

2. Improvements:

- a. Public Streets
 - Construct ½ plus 12' or greater of the east side of South Columbus Avenue.
- b. Lighting and Signing
 - Install 2, 100W residential street lights.
- c. Provide soil testing.
- d. No direct access to South Columbus Avenue.
- e. Provide pavement moratorium letters

B. Sanitary Sewer:

Contact RVSS. Provide a private lateral to each lot.

C. Storm Drainage:

- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide Erosion Control Permit from DEQ.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

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

The above summary is for convenience only and does not supersede or negate the full report in any way. If there is any discrepancy between the above list and the full report, the full report shall govern. Refer to the full report for details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection.



Medford Fire Department

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

RECEIVED

JAN 06 2016

PLANNING DEPT.

LAND DEVELOPMENT REPORT - APPLICANT

To: Sarah Sousa

LD Meeting Date: 01/06/2016

From: Greg Kleinberg

Report Prepared: 12/24/2015

Applicant:

File #: LDS - 15 - 141

Site Name/Description: Panther Landing Subdivision

Proposed tentative plat for Panther Landing Subdivision, a seven lot residential subdivision, with an exception to reduce the street dedication requirement for South Columbus Avenue and an exception to the cul-de-sac requirement for Panther Lane, for an 0.86 acre parcel located on the east side of South Columbus Avenue approximately 120 feet north of Garfield Street, within a SFR-10 (Single Family Residential - 10 dwelling units per gross acre) zoning district (1579 S. Columbus Avenue - 372W36CATL2200); Tom Malot Construction Co. Inc., Applicant (Tommy Malot, Agent), Sarah Sousa, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
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Requirement FIRE HYDRANTS

OFC

508.5

Fire hydrants with reflectors will be required for this project.

Hydrant locations shall be as follows: One fire hydrant is required near the corner of the intersection.

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

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

Requirement "NO PARKING-FIRE LANE" SIGNS REQUIRED

OFC

503.3

Parking shall be posted as prohibited on one side of Panther Lane.

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 50' intervals along the fire lane and at fire department designated turn-around's. The signs shall have red letters on a white background stating "NO PARKING FIRE LANE TOW AWAY ZONE ORS 98.810 to 98.812" (See handout).

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12).

This restriction shall be recorded on the property deed as a requirement for future construction.

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

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

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

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

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



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JAN 05 2016
PLANNING DEPT

Memo

To: Sarah Sousa, Planning Department
From: Mary Montague, Building Department
CC: Tom Malot Construction Co., Inc.
Date: 01/05/2016
Re: File No. LDS-15-141/E-15-142

Building Department:

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

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

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JAN 19 2016

PLANNING DEPT

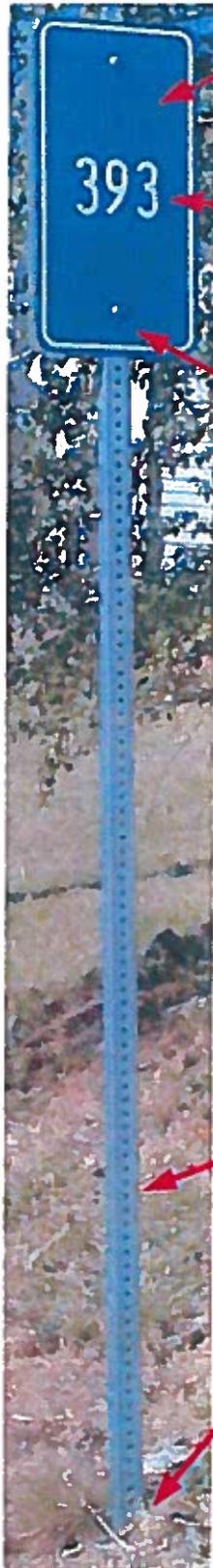
STAFF MEMO

To: Sarah Sousa
From: Jennifer Ingram, Address Technician
Date: 1/19/2016
Subject: Comments for revision of LDS-15-141

1. A minimum access drive address sign, displaying the addresses for lots 2, 3 & 4-6, will be required.
2. The address numbers for lots 1 & 7 either need to be visible from S Columbus Ave or will need to be added to the minimum access drive address sign.



Minimum Access Address Signs



SIGN:

Two sign faces (each minimum 0.080" thick aluminum) of engineering grade reflectivity, sandwiching the post facing perpendicular to the direction of traffic. The sign face shall have a white rounded border 1/2" wide centered 3/4" from the sign edge.

NUMBERS:

Numbers shall be white on green; numbers shall be four inches (4") as specified by the Federal Highway Administration (HTO-20). The message shall be centered on a 12" x 24" sign blank and shall be oriented with the long axis vertical. There shall be a maximum of four (4) digits horizontally. Multiple addresses shall be placed vertically on the sign.

BOLTS:

Mounting holes shall be 3/8" diameter located along the vertical axis, and centered 1 1/2" from the top and bottom edge. Bolts shall be 3/8" diameter with sufficient length to properly secure signs to the posts. Properly sized steel rivets may be substituted for bolts.

LOCATION of SIGN:

- Install sign at the junction of the provider street and the minimum access street/driveway.
- Locate sign at the back of sidewalk (as much as is practical) and outside the right of way if sidewalk does not exist.
- Sign shall be installed to the City of Medford Operations Division standards, and utility companies shall be notified 48 hours before digging by calling Rogue Basin Utilities at: 1-800-332-2344.

POST:

Galvanized steel square post, pre-punched, 2" square by 10'0" long.

SLEEVE:

Square 2 1/8" by 30" long galvanized steel square, pre-punched with 3/8" holes on 1" centers, anchor inserted into a 2 1/4" by 18" long square, pre-punched, galvanized steel sleeve forming a two piece anchor. The sleeve and the breakaway anchor are driven into the ground so that only 1- 2" of the top is sticking out of the ground. The sleeve and breakaway anchor are then driven into the ground with a sledgehammer. A 3/8" bolt is used to secure post to sleeve.

min. 7' 0"

RECEIVED

JAN 28 2016

PLANNING DEPT.



BOARD OF WATER COMMISSIONERS
Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDS-15-141 & E-15-142

PARCEL ID: 372W36CA TL 2200

PROJECT: Proposed tentative plat for Panther Landing Subdivision, a seven lot residential subdivision, with an exception to reduce the street dedication requirement for South Columbus Avenue and an exception to the cul-de-sac requirement for Panther Lane, for an 0.86 acre parcel located on the east side of South Columbus Avenue approximately 120 feet north of Garfield Street, within a SFR-10 (Single Family Residential – 10 dwelling units per gross acre) zoning district (1579 S. Columbus Avenue – 372W36CATL2200); Tom Malot Construction Co. Inc., Applicant (Tommy Malot, Agent). Sarah Sousa, Planner.

DATE: January 28, 2016

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The water services for Lots 1 thru 3 shall be located immediately north of the proposed handicap ramp on the north side of "Private Street", and meter boxes shall be located in the back of proposed sidewalk.
4. The water services for Lots 4 thru 7 shall be located immediately south of the proposed handicap ramp on the south side of "Private Street", and meter boxes shall be located in the back of proposed sidewalk.
5. The "proposed" fire hydrant shall be located 5-feet south of the water meters that serve Lots 4 thru 7.
6. The existing "Well" located on Lot 2 serving the existing home on Lot 1 is required to be abandoned per State of Oregon Regulations.

Continued to next page

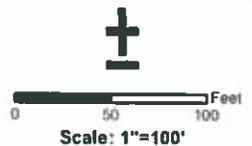


BOARD OF WATER COMMISSIONERS
Staff Memo

Continue from previous page

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is not required.
3. MWC-metered water service does not exist to this property.
4. The "private" water service line to each house shall be installed in a common trench that extends across the frontage of each lot and branches north to each home. It is recommended that "tracer wire" be installed along each service line to each home.
5. The "private" water service line to each house shall be installed in a common trench that extends across the frontage of each lot and branches north to each home. It is recommended that "tracer wire" be installed along each service line to each home.
6. "Private" easements shall be recorded at the County along the route of the water service lines to each home.
7. Access to MWC water lines is available. There is a 20-inch water transmission main in South Columbus Avenue.



Water Facility Map for LDS-15-141 & E-15-142

Legend

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



No warranty is made as to the accuracy of the information shown on this map. The user of this map is advised to verify the accuracy of the information shown on this map by field inspection. The user of this map is advised to verify the accuracy of the information shown on this map by field inspection.



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DEC 23 2015

PLANNING DEPT

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

December 23, 2015

Medford Planning Department
411 West 8th Street
Medford, Oregon 97501

Re: Panther Landing Subdivision, LDS-15-141, E15-142, Tax Lot 2200, Map 37 2W 36CA

ATTN: Sarah,

There is an 8 inch sewer main on South Columbus Avenue generally as shown on the tentative plat. The existing house is served by a connection to this main line. The proposed development will not affect this service.

There is also a service lateral near the center of the proposed Panther Lane that served a prior building at 1599 South Columbus. We do not have any record indicating that this service was properly abandoned when the house was removed.

Sewer service to Lots 2 through 6 will require a main line extension from the existing sewer main on South Columbus Avenue. Service to Lot 7 can be had either by connecting to the new sewer main or making a tap to the existing main.

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

1. Applicant must verify that the existing service lateral to 1599 South Columbus has been properly terminated.
2. Applicant must construct a sewer main extension on Panther Lane to serve lots 2-6. This sewer must be designed and constructed in accordance with RVSS standards.
3. The sanitary sewer system must be accepted as a public system by RVSS prior to the issuance of any building permits.
4. Applicant must obtain permits from RVSS for any new service connection to the existing sewer main.

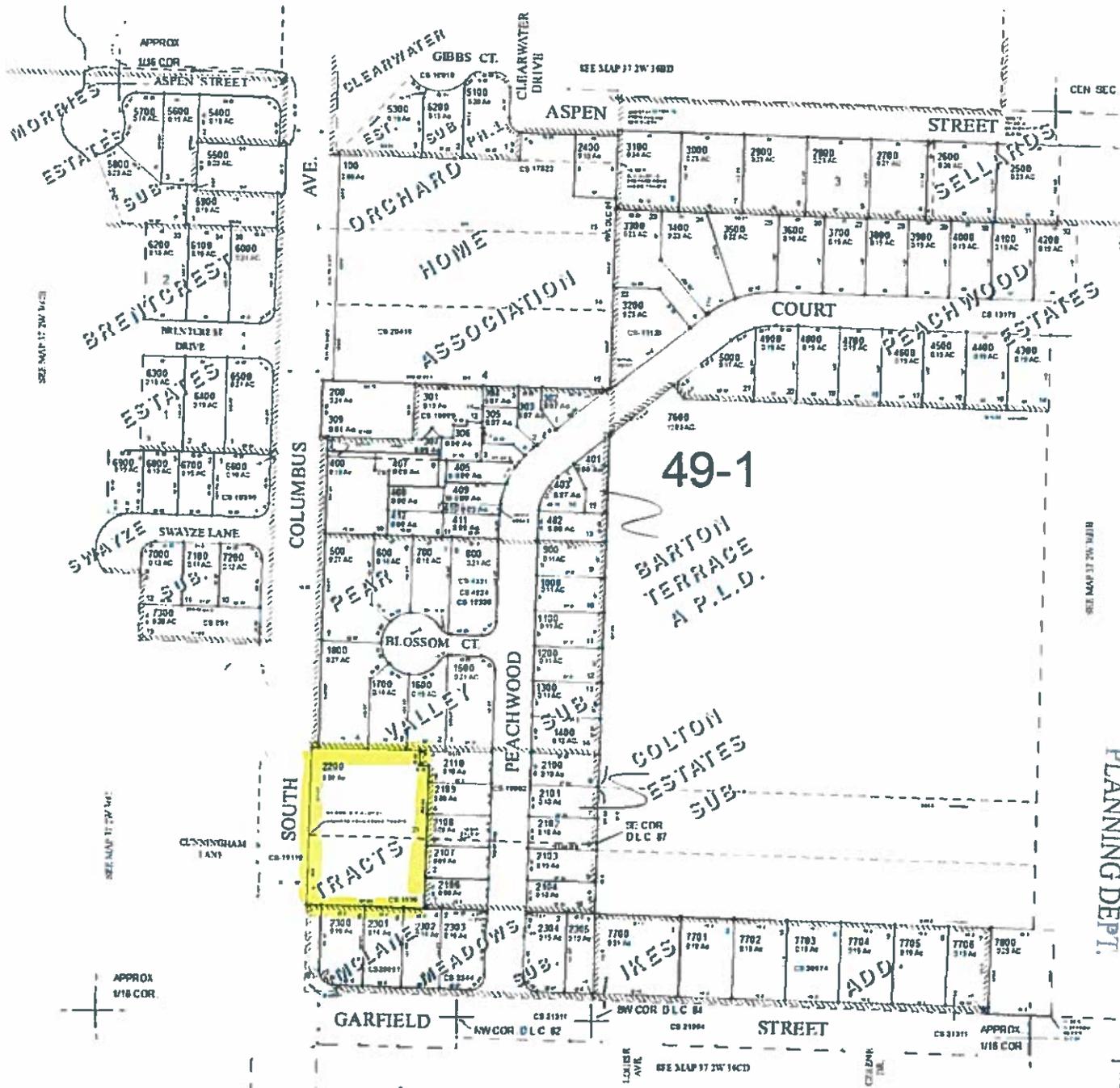
Feel free to call me if you have any questions regarding this project.

Sincerely,

Carl Tappert, PE
Manager

K:\DATA\AGENCIES\MEDFORD\PLANNING\LAND SUB\2015\LDS-15-141_PANTHER
LANDING.DOC

CITY OF MEDFORD
EXHIBIT # L
File # LDS-15-141/E-15-142



CANCELLED TAX LOT NUMBERS

1900 K.L. LED TO STREET
 2000 K.L. LED TO STREET
 2100 K.L. LED TO STREET
 200 ADDED TO 481
 300 ADDED TO 481
 400 ADDED TO 384
 400 ADDED TO 384
 700 ADDED TO 2390

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 OCT 14 2015
 PLANNING DEPT.

37 2W 36CA
 MEDFORD
 NEW MAP MARCH 14, 2009
 REV. FEBRUARY 15, 2011

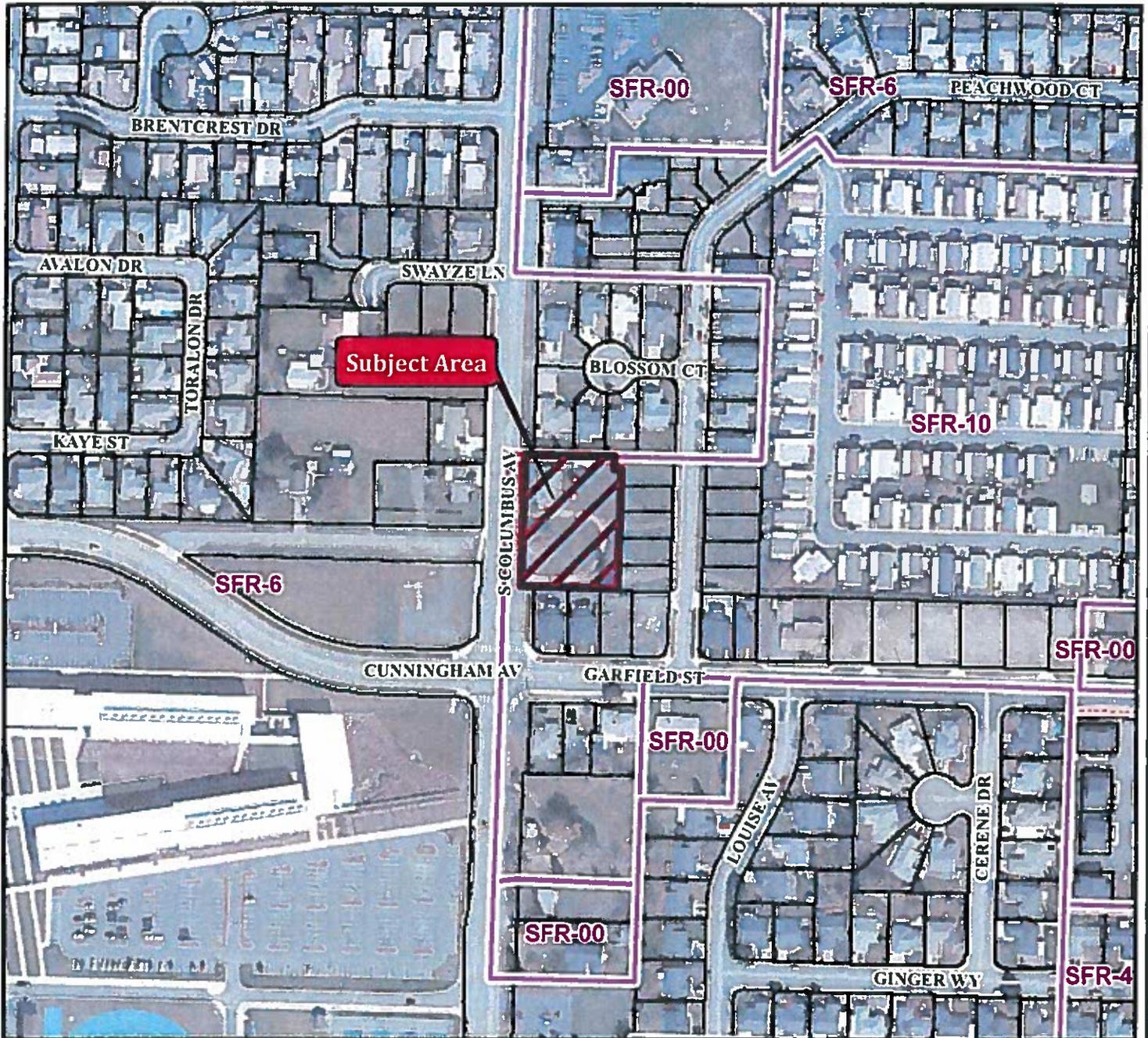
CITY OF MEDFORD
 EXHIBIT # M
 File #LDS-15-141/E-15-142



City of Medford
Planning Department

Vicinity
 Map

File Number:
LDS-15-141
E-15-142



Project Name:
**Panther Landing Subdivision
 & Exception**

Map/Taxlot:
372W36CA TL 2200



10/15/2015

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  PUD

