

PLANNING COMMISSION AGENDA MARCH 10, 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

March 10, 2016

5:30 PM

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

-
10. Roll Call
 20. Consent Calendar/Written Communications (voice vote)
 - 20.1 LDS-15-141 / E-15-142 Final Order for 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)
 30. Minutes
 - 30.1 Consideration for approval of minutes from the February 25, 2016, hearing.
 40. Oral and Written Requests and Communications
 50. Public Hearings – New Business
 - 50.2 LDS-15-167 Consideration of a request for tentative plat approval for The Ridge at the Highlands Phases 2 – 10, a 67 lot subdivision on approximately 37.34 acres located at the northerly termini of Cherry Lane, Bermuda Drive and Stardust Way and approximately 100 feet north of Cloudcrest Drive, within the SFR-4/PD (Single Family Residential, four dwelling units per gross acre/Planned Development Overlay) zoning district. (Ayala Properties, LLC, Applicant; Urban Development Services, LLC, 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)
)
PANTHER LANDING SUBDIVISION [LDS-15-141]) ORDER

ORDER granting approval of a request for tentative plat approval for Panther Landing Subdivision.

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 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), with the public hearing a matter of record of the Planning Commission on February 25, 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 Panther Landing Subdivision stands approved per the Planning Commission Report dated February 25, 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 February 25, 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 10th day of March, 2016.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

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

IN THE MATTER OF APPROVAL OF AN EXCEPTION FOR)
)
PANTHER LANDING SUBDIVISION [E-15-142]) **ORDER**

ORDER granting approval of a request for 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, and a seven lot residential subdivision 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).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.251 and 10.252; and
2. The Medford Planning Commission has duly held a public hearing on the request for 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, and a seven lot residential subdivision 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), with the public hearing a matter of record of the Planning Commission on February 25, 2016.
3. At the public hearing on said exception, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted exception approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the exception approval.

THEREFORE LET IT BE HEREBY ORDERED that the exception for Panther Landing Subdivision stands approved per the Planning Commission Report dated February 25, 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 exception approval is hereafter supported by the findings referenced in the Planning Commission Report dated February 25, 2016.

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 10th day of January, 2008.

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

PROJECT Panther Landing Subdivision
Applicant: Tommy Malot

FILE NO. LDS-15-141/E-15-142

DATE February 25, 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-1).

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.

Decision: The Commission approved the exception related to the reduced right-of-way dedication for South Columbus Avenue as requested.

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.

Decision: The Commission approved the exception to allow eight units to take access off the minimum access easement. A condition was added requiring a landscape area at the eastern end of the minimum access easement as a buffer between the project and the neighboring properties. Also, the applicant stipulated to adding two street lights and street signage to the minimum access easement.

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-1).

REVISED TENTATIVE PLAT

At the public hearing of February 11, 2016, the Commission questioned the applicant about a turnaround at the end of the proposed minimum access easement. There was some discussion; in the end the applicant requested a continuance so that the plat could be revised to reflect a turnaround in accordance with the Code. The revised plat was submitted on February 16, 2016, and is included as Exhibit B-1. Staff has included a condition of approval requiring a "NO PARKING" sign to be posted in the turnaround, and removed the condition requiring the turnaround to be shown on the final plat as noted above (Exhibit A-2).

FINDINGS AND CONCLUSIONS

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

ACTION TAKEN

Directed staff to prepare a Final Order of Approval per the Planning Commission Report dated February 25, 2016, including Exhibits A-2 through N.

EXHIBITS

- A-2 Conditions of Approval dated February 18, 2016
- B-1 Tentative Plat received February 16, 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-1 Public Works Report received February 5, 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
- N Letter from Miriam Rosia received February 25, 2016
Vicinity map

MEDFORD PLANNING COMMISSION

Patrick Miranda, Chair

PLANNING COMMISSION AGENDA:

FEBRUARY 11, 2016
FEBRUARY 25, 2016
MARCH 10, 2016

EXHIBIT A-2

Panther Landing Subdivision
LDS-15-141/E-15-142
Conditions of Approval
February 25, 2016

DISCRETIONARY CONDITIONS

1. A "NO PARKING" sign shall be posted in the turnaround area on the east end of the minimum access easement.
2. A landscape buffer is required to be installed at the eastern end of the minimum access easement.
3. Street lighting (two street lights per the City Standards) and street signage is to be installed as stipulated to by the applicant.

CODE CONDITIONS

4. Prior to Final Plat approval, the applicant shall:
 - a. Submit CC&Rs or other document that ensures the maintenance of the minimum access easement;
 - b. Comply with the Public Works Department Report received February 5, 2016 (Exhibit G-1);
 - c. Comply with the Fire Department Report received January 6, 2016 (Exhibit H);
 - d. Comply with the Address Technician Memo received January 19, 2016 (Exhibit J);
 - e. Comply with the Medford Water Commission memo received January 28, 2016 (Exhibit K);
 - f. Comply with the Rogue Valley Sewer Services memo received December 23, 2015 (Exhibit L).

RECEIVED

FEB 25 2016

PLANNING DEPT.

I am opposed to the exceptions being requested to reduce the dedication requirement for South Columbus Avenue and an exception to the number of units allowed to take access off a minimum access easement for the Panther Landing Subdivision. The proposed easement will be right up against our back fence. We have a very small backyard and 7 houses on such a small lot is going to create a number of parking and traffic issues. We will have lights shining into our house and no where for visitors to park for this subdivision. As it is there are already 6 duplexes located on Garfield just off this proposed development that have no where for guests to park or a place to leave their trash bins. There is barely any street parking on our street to begin with.

One of the reasons we bought our house was to have a lovely view of the mountains out our back door. With this proposed plan, we will have a 2 story triplex blocking our view of the mountains, practically in our backyard.

I understand that the lot will ultimately be developed in some way, however I would hope that the planning commission would reject the exception request for this proposal. There are reasons why there are rules in community planning and part of that reason is the quality of life. I urge the planning commission to reject this proposal.

Thank you,

Miriam Rosia
1168 Peachwood Ct.
Medford, OR 97501

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

*Submitted at meeting
on 2-25-16.*



Planning Commission

Minutes

from Public Hearing on **February 25, 2016**

The regular meeting of the Planning Commission was called to order at 5:33 PM in the City Hall Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present

Patrick Miranda, Chair
David McFadden, Vice Chair
Tim D'Alessandro
David Culbertson
Norman Fincher
Joe Foley
Mark McKechnie
Jared Pulver

Commissioner Absent

Bill Mansfield, Excused Absence

Staff Present

Kelly Akin, Principal Planner
John Adam, Principal Planner
Kevin McConnell, Deputy City Attorney
Alex Georgevitch, City Engineer
Terri Rozzana, Recording Secretary
Sarah Sousa, Planner IV

10. Roll Call

20. Consent Calendar/Written Communications. None.

30. Minutes

30.1. The minutes for February 11, 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 – Old Business

50.1 **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)

Chair Miranda inquired whether any Commissioners have a conflict of interest or ex parte communication they would like to disclose. Commissioner Culbertson stated that he works in the same office as Tiffany Malot but it would not affect his decision.

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

Sarah Sousa, Planner IV, read the land division and exception criteria and gave a staff report.

Vice Chair McFadden asked why was this project allowed as a minimum access street instead of a residential lane? Ms. Sousa reported that the applicant originally submitted the application as a residential lane. The exception originally was for the elimination of a cul-de-sac. The Public Works Department could not support that request as a public street. A public street needs to have a cul-de-sac in order for the City to maintain. Public Works was fine with it as a private street that they would not have to maintain. The Code is clear that private streets are only allowed in Planned Unit Developments. Technically a minimum access is not a street but it is the only type of private street that is allowed outside a Planned Unit Development. Now the exception is for how many units can take access off the minimum access easement.

Vice Chair McFadden asked if the two street lights requested by the Public Works Department will be on South Columbus? Ms. Sousa deferred the question to the City Engineer.

Alex Georgevitch, City Engineer, reported that South Columbus has adequate lighting. The Code states that a private street will be developed to City street standards and with eight homes on the minimum access easement it needed lights. It would be up to the Planning Commission or the applicant if they want to take exception to that.

Vice Chair McFadden asked if the City was going to maintain public lights on private property? Mr. Georgevitch replied it would be private lights on private property. The Public Works Department is recommending two lights to City standards.

Commissioner McKechnie asked if the additional lights were a requirement or a recommendation? Mr. Georgevitch reported they were a recommendation. The Code requires a street to be built to public standards. There is no requirement on a minimum access.

Commissioner McKechnie asked if the Planning Commission needs to address the lighting in their motion? Mr. Georgevitch stated that it is discretionary not a Code requirement.

Commissioner McKechnie stated that it appears that the duplexes on Garfield have access on the backside. Where does the five duplex lots access? Ms. Sousa replied they access from a driveway.

Commissioner McKechnie asked if they got by with just a driveway because it was a Planned Unit development? Kelly Akin, Principal Planner, stated that those were developed as a unit so those lots were not able to have access from Garfield because it is a classified street. It is a shared driveway. It serves almost like an alley. The driveway serves the units from the back.

Commissioner McKechnie asked if that was similar to the condition that the Planning Commission is requested to approve this evening? Ms. Akin reported that it is different because the lots that were created on Garfield have frontage on Garfield. The minimum access street creates lot frontage and shared access.

Commissioner Pulver asked if the minimum access easement was approved street lights would not be required unless specifically mentioned in the motion as well as traffic signs and devices? Mr. Georgevitch reported that Public Works is in support of the exception but they have to assume in their staff report that if the exception is denied but the land division is approved they have to have conditions to cover both sections. That is why it is written to account if it is a minimum access or a residential lane. If the exception is approved no additional requirements from Public Works for signing or lighting is required. He does recommend that the Planning Commission consider the lighting.

Commissioner D'Alessandro asked if there was a minimum height standard for the lighting or is it just the luminaire in a situation like this? Mr. Georgevitch stated that in a situation like this no. There is another section of the Code that requires dark skies. Lighting is supposed to be cut-off from the horizon for whatever elevation is in place for the luminaire.

Commissioner McKechnie stated that based on the development immediately to the south, on this development, there are two lots that have frontage on Columbus. There are five lots that have no frontage on anything. Is that correct? Ms. Akin replied that is correct on the minimum access easement. Commissioner McKechnie reported that there cannot be a driveway onto Columbus. If the townhouse was reconfigured as a single family home would the access not meet the requirements because there are three taking access off one common access and the other two have frontage on Columbus. Would that not meet the criteria? Ms. Akin reported that it is not all frontage it is access that becomes important. None of the units have access to Columbus because they have the opportunity to go to the street to the east.

The Public Hearing was opened.

a. Tommy Malot, 624 Lynn Lane, Central Point, Oregon, 97502-3735. Mr. Malot addressed the lighting stating that with his proposal he has designed two lights on site.

He would like to do decorative lighting instead of the big City lights that are on the main streets.

Commissioner D'Alessandro asked if Mr. Malot had details of the lights in terms of height or size? Mr. Malot reported that it would be standard to what the requirements are for decorative lighting.

Commissioner McKechnie asked if there was a reason that Mr. Malot elected not to do a Planned Unit Development and eliminate this issue? Mr. Malot stated that his original application had a City street. To meet the requirements based on putting in a street they would have had to put a cul-de-sac in the back. The cul-de-sac would have created a hardship on the property owner at that time. With staffs help and support the minimum access easement is what they came up with. Ms. Akin reported that the site is too small for a Planned Unit Development. It has to be at least an acre.

b. Miriam Rosia, 1168 Peachwood Court, Medford, Oregon, 97501. Ms. Rosia is opposed to the exceptions being requested to reduce the street dedication requirement for South Columbus Avenue and an exception to the number of units allowed taking access off a minimum access easement for the Panther Landing Subdivision. The proposed easement will be up against her back fence. Seven homes on a small lot are going to create a number of parking and traffic issues. With the proposed plan there will be a 2-story triplex blocking her view of the mountains. There are reasons why there are rules in community planning and part of that reason is the quality of life. Ms. Rosia read and submitted her testimony into the record.

Mr. McConnell stated that Ms. Rosia's testimony challenged Criterion 1 in Code Section 10.253. "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." Mr. McConnell recommended that the Planning Commission address that issue.

The public hearing was closed.

Motion: The Planning Commission directs staff to prepare a Final Order of approval for LDS-15-141 and E-15-142 per the Revised Staff Report dated February 18, 2016, including Exhibits A-1 through M and accepting the applicant's additions for consideration of street lighting and street signage along with the addition of landscaped buffer area on the east end of the minimum access easement to reduce lighting and other interactions with neighboring properties.

Moved by: Vice Chair McFadden **Seconded by:** Commissioner Fincher

Commissioner McKechnie asked Vice Chair McFadden if his motion requires the applicant to install street lights? Vice Chair McFadden replied yes but the street lighting would have to comply with City code.

Voice Vote: Motion passed, 7-1, with Commissioner McKechnie voting no.

50.2 CP-15-163 / ZC-15-164 Consideration of a request for a minor general land use plan map amendment from Urban Residential (UR) to Service Commercial (SC) and a zone change from SFR-4 (Single-Family Residential, four dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) for 5.72 acres located between Corona Avenue and Covina Avenue and between East McAndrews Road and Grand Avenue. (HATH LLC, Applicant; CSA Planning Ltd., Craig Stone, Agent)

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

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

John Adam, Principal Planner, reviewed the proposal, read the minor Comprehensive Plan amendment criteria, and gave a summary of analysis.

Commissioner Fincher asked how much more traffic would be expected on the roads and would those roads need additional improvements? Mr. Adam reported that development would be the trigger for improvements. Mr. Adam deferred the question to Mr. Georgevitch. Mr. Georgevitch stated that the development will generate 2,915 trips. The applicant's traffic engineer showed there were no impacts on any of the higher-order streets.

Vice Chair McFadden asked if the analysis was helped by the lot having access on both side streets. Mr. Georgevitch said traffic analyses are impacted by more distribution routes. A recent change to the Code allows a 10% increase in traffic at an intersection by changing the peak-hour factor.

Vice Chair McFadden stated that to the northwest there is a public school area and to the northeast is Crater Lake Avenue that is a busy street with no signal lights and Corona and McAndrews has no signal light. Is Mr. Georgevitch saying that the traffic study is stating that those intersections have the capacity to safely move the traffic? Mr. Georgevitch deferred the question to the applicant's traffic engineer; he said Engineering staff had reviewed the report and had no concerns. The Code requires Public Works to look at higher-order streets. Corona is a residential street coming onto McAndrews. It would not be considered a high level-of-service standard. If there is a concern at time of development for safety, Public Works will occasionally ask for a traffic analysis to see if it is safe to have full movement or if some other traffic control is required.

Vice Chair McFadden asked if this GLUP area is increased, plus other developments on the other side of the street, would that trigger development to improve the streets or would that be left up to the City when it changes from a residential street to a commercial street. Mr. Georgevitch stated that when this develops and comes in for a Site Plan and Architectural Commission application, Public Works will require all frontages to be improved. If there is development at the same time on the other side of the street, Public Works would require their frontages to be improved. Improvements are only made when there is vertical construction occurring and it is only across their frontage. If the traffic study showed a need for additional Category "A" facilities, Public Works would have made recommendations for those facilities. There are none on this application.

Commissioner Pulver asked at time of development what type of street will they end up with on Corona and Covina? Mr. Georgevitch reported that under the Code if it is a residential street there are several classifications from a lower standard to a residential standard which is a 36-foot-wide street. If it is commercial there is one standard that is also a 36-foot width. In an area like this where there is mixed developments, Public Works would request improvements along the frontage to meet commercial street standards. If it stays residential or as it transitions into residential it becomes a residential street and could drop to a minor residential street.

Commissioner Pulver asked with the neighboring residential development are there buffer standards? Mr. Adam stated that there are development standards for buffering when commercial is adjacent to residential. There are separations of distance and also screening requirements.

The public hearing was opened.

a. Craig Stone, CSA Planning, Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504-9173. Mr. Stone requested that the applicant's findings and conclusions of law be entered into the record along with the additional evidence that they submitted with it. They went to some length to perform special directed studies in certain areas. One had to do with the sanitary sewer system, another with the storm drainage system and a traffic impact study with the author, Ms. Kimberly Parducci that is in the audience this evening. He will submit Ms. Parducci with questions relating to traffic. They analyzed nine surrounding intersections and found those to operate acceptably under the standards of the City. The Comprehensive Plan's Economic Element identifies that the City of Medford has a high competitive advantage with respect to medical facilities. This application focuses on the area in and around Providence Medical Center. The lands around it have become occupied with offices with a general business nature. There is not much land remaining in or around Providence Medical Center. There is some additional land on their campus but when the applicant examined the surrounding area about a half mile they were able to identify only five potential parcels none of which worked well. They were either too

small or they have problems with access. The applicant believes that there is a community need to have space for medical offices in near proximity to a regional hospital and to allow those spaces to also accommodate retirement housing.

Commissioner McKechnie asked if the traffic study was based on how many square feet of offices and how many square feet of residential units in the development? Mr. Stone stated that they did not go at it that way. They took a broader look because they do not know exactly how many square feet. In the City Code it prescribes that one uses a factor of 500 trips per day per acre for service commercial and commercial land. That is the worst case scenario and that is what they used.

Commissioner McKechnie asked if the traffic study was based on service commercial and not residential? Mr. Stone replied yes.

b. Kimberly Parducci, Southern Oregon Transportation Engineering, LLC, 112 Monterey Drive, Medford, Oregon, 97504. Ms. Parducci reported that they generated traffic for this study based on the City's methodology that has a certain generation of traffic for professional office commercial. They generated traffic based on a 500 trip per acre number. Fifty of those trips per acre are generated in the pm peak hour. They generated 292 trips for this site. They distributed out onto the local street system according to what the traffic showed. They took the trips to and from McAndrews, Crater Lake Avenue, Poplar, and such, according to the existing traffic load. They evaluated every intersection that was a higher-order street that had 25 or more peak-hour trips. That resulted in the nine study area intersections that were in the study as well as the two driveways. Ms. Parducci also pointed out that Corona is a local street and they did not initially include that because there is no facility adequacy standard for that street. Public Works in their first review asked her to include Corona. They did an addendum, included that intersection, and evaluated it. That intersection operates acceptably.

Commissioner Pulver stated that the traffic study was not included in the Planning Commission's agenda packets. Vice Chair McFadden stated that usually the results are included in the agenda packet but the study is lengthy and too mathematically inclined for most people's taste.

c. Jami Ronda, 1244 Covina Avenue, Medford, Oregon, 97504-5358. Ms. Ronda has concerns with semi-trucks of food and other supplies coming down Covina. This area enjoys a "country feel" and Ms. Ronda is concerned that it could be negatively impacted. She experiences a lot of traffic clogs from Crater Lake Avenue going onto Covina Avenue and McAndrews and Corona. There is a traffic problem at Corona and Royal.

Chair Miranda stated that he knows the next testifier but it will not influence his decision on this application.

d. James Ronda, 1210 Covina Avenue, Medford, Oregon, 97504-5358. Mr. Ronda stated that his view from his living room will be impacted by the development. The unknown of what is going to be developed concerns him a lot. There is a traffic problem at the intersection of Covina and Crater Lake Avenue. There is always a bottle-neck there. He also is concerned with trucks coming and going on Covina. There is nothing prohibiting them from using that street. There are no sidewalks, curbs or gutters on Covina and Corona. He is concerned that since he is the corner lot on Covina he will have to pay for the improvements on his lot. There are too many unknowns.

e. Lucille Nichols, 1325 Covina Avenue, Medford, Oregon, 97504-5361. Ms. Nichols reiterated what has already been said about the narrowness of the streets and no sidewalks, curbs or gutters. Wilson Elementary School is right there and children walk up and down Grand Avenue before and after school. They also walk along Covina Avenue and it is very difficult to get out of Covina Avenue onto Crater Lake Avenue. At the back of her house she can look out at the mountains but her concern is that a building will block her view. She would like some thought given to heights and walls.

Vice Chair McFadden stated that the City does have a limit on heights. In an area between a commercial designation and a residential designation there will be buffering. There will be other hearings to have the same type of input as what was testified this evening to make sure their livability is maintained.

Mr. Adam said commercial building within 150 feet of a residential zoning district are restricted to the residential height limit of 35 feet. He reported that the uses allowed in that area is mostly office uses. There is very little retail allowed in the C-S/P zoning district. The area in question does not have the visibility that would be attractive to retail uses.

Chair Miranda stated that when the development comes in and they have to do the street improvements, the street improvements will be restricted to the development's frontage. What impact, if any, will that have on any other developments in the area? His presumption is none. Mr. Georgevitch reported that is correct. The conditions that are placed on a development are to build a half street plus 12 feet or to the edge of pavement depending on the width of the road. This development would be required to build only their frontage. It could be the entire width of the street and it may be beyond that—depending on how wide it is—to City standards, or show the existing facility meets standards and then widen it to the appropriate width on their side only.

Mr. Stone addressed the concern regarding a property owner paying for his side of the street improvement stating that the answer is no. Mr. Stone reiterated the Local Improvement District that Mr. Georgevitch mentioned. In this instance there are no other consenting property owners. The applicant will improve their frontage of the street. The Plan amendment and the rezoning are the first steps. The detailed development plans for the property will either come before the Planning Commission or

the Site Plan and Architectural Commission with notice to neighboring property owners for an opportunity to testify.

Mr. Stone addressed the 35 foot height requirement stating that Mr. Adam mentioned that when a building is 150 feet from a residential zoning district that the height has to be 35 feet or less. That is the standard throughout most of Medford. As far as view blockage, this is flat land, the neighborhood is equally on level terrain and just about anything that is developed in that area over eye level is going to block someone's view. There is nothing in the Comprehensive Plan or Land Development Code that guarantees against a view being blocked. That is something that comes with living in an urban environment.

Ms. Parducci addressed the traffic to Covina Avenue stating that Southern Oregon Transportation Engineering, LLC., had the same concerns when they first looked at this. Covina Avenue is a small local street and it does not carry a lot of traffic currently. They did not generate a lot of traffic on Covina Avenue for that same reason. The two-story title company has access onto Covina Avenue as well as one that is directly off McAndrews. The traffic that goes to Covina Avenue is significantly less. They made the conclusion that most of the traffic has the option to go to either Corona Drive or Covina Avenue and will probably take Corona Drive directly to McAndrews or go north to Grand to Crater Lake Avenue.

Mr. McConnell expounded on a comment from Mr. Stone that later in the process when this development goes before the Site Plan and Architectural Commission, one of the criteria is that the development is compatible with the uses and development that exist on adjacent land. The citizens will have another opportunity to testify their concerns.

The public hearing was closed.

Motion: For the Minor Comprehensive Plan (GLUP Map) Amendment the Planning Commission forwards a favorable recommendation for approval of CP-15-163 to the City Council per the staff report dated February 18, 2016, including Exhibits A through C.

Moved by: Vice Chair McFadden Seconded by: Commissioner McKechnie

Commissioner D'Alessandro thanked the residents for coming forward to voice their concerns in this early stage of the process. It is rare to see people at this level of a development. It is a pleasure to have the citizens present.

Voice Vote: Motion passed, 8-0.

Mr. Adam read the zone change approval criteria and gave a staff report.

Commissioner McKechnie stated that he sat through this when it when to the Land Development Committee meeting and there was an issue with water on either Covina

Avenue or Corona Drive. He did not see anything in the agenda packet referencing that. Does Mr. Adam have any comments on that? Mr. Adam reported that there were no major conditions with the facility that could not be solved at the time of development.

Commissioner McKechnie stated that he thought the lines on Covina Avenue and Corona Driver were old or too small for the development but they were also in different service districts. That does not allow them to cross back and forth and to bring this up in the staff report. Commissioner Pulver stated that he also was at the Land Development Committee meeting. It does address it in the report. It was not an insurmountable problem. It is more of a fact than a problem.

Mr. Adam reported that staff did leave out the traffic impact analysis due to its size. It was his intention to have it hyperlinked on the website and include that in the staff report for the Planning Commission to use. It was an oversight on his part and he apologized for that.

The public hearing was opened.

a. Craig Stone, CSA Planning, Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504-9173. Mr. Stone reported that he does not have additional testimony but given the Planning Commission divided this into two proceedings he requested that the earlier testimony of him and Ms. Parducci be incorporated into the record of the zone change as well.

Mr. Stone addressed the waterline issue brought up by Commissioner McKechnie. This property is in two different pressure zones on either side of the Hopkins Canal that traverses the property. In his initial interview with Eric Johnson, City of Medford Water Commission Engineer, Mr. Johnson indicated that the applicant might be able to cross it and do other things. By the time of the Land Development Committee meeting Mr. Johnson had done some additional thinking and believes no they will not be able to cross it. It is not an issue without solution. The water system is sufficient in the area. It was just simply a question of whether the applicant ties the two together or serves them separately from Covina Avenue and Corona Drive.

The public hearing was closed.

Motion: For the Zone Change the Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of ZC-15-164 per the staff report dated February 18, 2016, including Exhibits C through F, provided the City Council approves the GLUP map amendment.

Moved by: Vice Chair McFadden Seconded by: Commissioner D'Alessandro

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, February 19, 2016. The Site Plan and Architectural Commission heard Aspen Dental located across from the mall where the Old Farmhouse Restaurant used to be. The Site Plan and Architectural Commission approved that application. They also heard 5 Guys Restaurant on Center Drive across from the south Walmart. It is a 4,100 square foot restaurant and retail shop. That application was approved.

60.2 Report of the Joint Transportation Subcommittee.

Commissioner Pulver stated that the Joint Transportation Subcommittee met yesterday, Wednesday, February 24, 2016. They continued updating the Transportation Systems Plan (TSP).

60.3 Planning Department

Kelly Akin, Principal Planner, reported that the Planning Commission's next study session is scheduled for Monday, March 14, 2016. There is no business scheduled at this time but will keep the Planning Commission updated.

There is business scheduled for the Planning Commission on Thursday, March 10, 2016 and Thursday, March 24, 2016.

Today the City Council had a study session with the Planning Department staff regarding the Urban Growth Boundary project. Staff had prepared four different options that the City Council reviewed. City Council directed the Planning Department staff to bring the item forward to their March 17, 2016, public hearing for their consideration.

Last week the City Council initiated a right-of-way vacation.

On March 3, 2016, the City Council will hear the Airport Masterplan related text amendments. They will also hear the alley vacation north of Dakota between Park and Oakdale that the Planning Commission heard at their last meeting.

Vice Chair McFadden stated that he keeps getting notices about the APA Conference in Phoenix, Arizona. Has the City funded any Planning Commissioners to attend the Conference? Ms. Akin reported she would research that.

John Adam, Principal Planner, stated that Planning Department policy is when someone wants to initiate a code amendment staff will review it and do an evaluation of how much staff time or capacity there might be, take that information to a Planning Commission study session to ask if the Commission would like to initiate. In this particular case someone would like to initiate a code amendment to allow craft distilleries. It would be similar to the "brewery-public house" uses put into the Code last year. It would be a limited-size production facility with a bar and restaurant. On Monday, March 14, 2016, staff will have a memorandum for the Planning Commission and recommendation on whether staff has capacity or not to move forward at this time.

Chair Miranda asked if the previous one was for actual brewing which he equates to beers and ales, is this for hard liquor? Mr. Adam replied that is correct.

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

The meeting was adjourned at 7:34 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

Patrick Miranda
Planning Commission Chair

Approved: March 10, 2016

AC-97-100 SPAC approval of landscaping for common areas (expired)
PUD-97-090 Revision to PUD Plan – PP&L Site
LDP-04-231 Two-lot Partition – PP&L Site
AC-06-260 SPAC approval of landscaping for Phase 1 common areas
AC-08-045 SPAC approval of attached garden homes for Phase 1

Applicable Criteria

Medford Municipal 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.*

Corporate Names

The Oregon Secretary of State Corporation Division records list Laz Ayala as the Registered Agent and Member of Ayala Properties, LLC.

ISSUES AND ANALYSIS

Background

Chronology of Prior Approvals

1. The Preliminary PUD Plan for the entire 221-acre Highlands site was approved by the Planning Commission on April 3, 1995 (PUD-95-1 – Exhibit L). The approval included a restaurant site and 972 attached and detached single family dwelling units.
2. The Tentative Plat for the two phases (Phases 1 and 2) that make up Planning Area 1 was approved by the Planning Commission in 1996 (LDS-96-34).
3. The Final Plan for Phases 1 and 2 of Planning Area 1 was approved by the Planning Commission in 1996 (LDS-96-34).
4. The Preliminary PUD Plan for the entire Highlands development was revised by the Planning Commission in 1997 primarily to make a change to the street design within Phase 1 of Planning Area 1, which resulted in the reduction of three dwelling units within that phase, to a maximum total of 969 units for the entire development (Exhibit M). The remainder of the project remained the same as the original approval. This approval carried forth almost all of the conditions from the original 1995 approval.
5. The Tentative Plat for Phases 1 and 2 of Planning Area 1 was revised by the Planning Commission in 1997 to reflect the changes made to the Revised PUD-95-1 (LDS-97-89, Exhibit B 10 of 10).
6. The Final Plat for Phase 1 of Planning Area 1, comprised of 15 lots for detached single family residences and seven lots for garden homes (single family attached) was approved in September 2007.
7. A *de minimis* revision to allow an increase in dwelling units from 60 to 83 in Phase 2 and the division of Phase 2 into five phases was approved on January 16, 2008 (Exhibit N). It should be noted that a tentative plat application did not follow this approval. The Planning Commission was advised of the *de minimis* revision, but did not consider a corresponding application.
8. A *de minimis* revision to allow the construction of detached dwelling units in Phase 1 in lieu of the seven attached garden homes was approved in September 2014.

The Highlands PUD

The Highlands PUD contains nine specific Planning Areas as shown on the Preliminary Development Site Plan approved as part of the Preliminary PUD Plan (Exhibit B, 9 of 10). The uses and number of dwelling units for each housing type were defined for each of the nine Planning Areas. Page 2 of the Planning Commission's Revised Commission Report dated August 14, 1997 (#4 above, attached as Exhibit M) includes the following statement:

"The 221-acre site is now proposed to have 969 dwellings (previously 972 units) which is three units less than the maximum allowed, including the 10 percent density bonus. The minimum density requirements of the code are also applicable, particularly as the applicant has indicated that some variation in the type and mix of dwellings may occur as a result of market demand. The minimum of 2.5 units per acre would require that a minimum of 552 units be developed over the entire project site. Therefore, at the time of each phase is developed (e.g. final plan approval), the applicant shall demonstrate that the project remains within the densities required by code."

The Planning Commission realized that because of the large size of the development, a certain amount of flexibility needed to be "built in" to their approval. Each of the planning areas identified in the Preliminary PUD Plan has its own land uses and maximum number of dwellings. This flexibility is the reason that the addition of 23 dwelling units to Phase 2 was able to be approved administratively.

Current Proposal (Exhibit B)

The applicant has thoroughly described the proposal in the Findings (Exhibit C). In summary, the applicant proposes the following:

- Create 67 lots for residential development (reduced from 83);
- Create eight open space tracts and increase the overall open space area;
- Create ten sub-phases in lieu of the previously approved five;
- Replace the attached units with detached units; and
- Revise certain street connections due to hillside constraints.

Rather than submitting an application to revise the Final PUD Plan via the public hearing process as a Planning Commission decision, the applicant has requested that the revisions be made administratively via the *de minimis* revision provisions in Medford Land Development Code Section 10.245(A)(4). It appears that the requested revisions could be considered to be *de minimis* with the exception of the removal of the Bermuda Drive connection to the north (see discussion in *Access* below). If the Commission agrees with the applicant and finds the proposal to be substantially consistent with the

approved PUD, staff will rely on the Planning Commission decision on this application in rendering a *de minimis* decision.

Conditions of Approval

Conditions of approval for this proposal have been included in Exhibit A. Previously applied conditions related to PUD-95-1 and PUD-95-1 Revised (Exhibits L and M) are still applicable unless specifically amended.

Density

The Preliminary PUD Plan allows for a maximum of 969 units overall with 111 dwelling units in Planning Area 1. The approved Final PUD Plan design showed 85 units in Planning Area 1, while the 2008 *de minimis* revision allowed for a maximum of 105 units (22 in Phase 1 and 83 in Phase 2). The applicant is proposing to reduce the number of units in Phase 2 from 83 to 67, for a loss of 16 units. The approved 22 Phase 1 units combined with the 67 proposed Phase 2 units would result in a total of 89 units for Planning Area 1.

Overall, the Highlands PUD density range is 552 to 969 units. The proposal reduces the overall approved density to 953, which is within the range approved by the Planning Commission.

The majority of the 16 units proposed to be removed from Phase 2 are in the westerly end of the site. At the northwesterly corner of the project on the north side of Stardust Way, the applicant is proposing five lots where the approved plan showed 11. On the south side of Stardust Way at the southwesterly corner of the project, the applicant is proposing four lots where the approved plan showed 10. The remaining four units will be removed from the center of the phase. No change is proposed to the number of lots that front on Cherry Lane, although the configuration is different.

Open Space

As noted above, six lots are proposed to be removed from the northwesterly area of Planning Area 1, which will be incorporated into common open space areas to accommodate the power lines. No open space areas are proposed to be reduced.

The applicant has proposed to include a stormwater detention basin at the drainage swale at the westerly end of the project site. Staff noted that a portion of the basin is proposed to be on Lots 63 and 64 and recommended to the applicant that the entire basin be included in the open space area. The applicant agrees, and also agreed to extend the open space area across the swale, which would connect Open Space Areas 4 and 5. The adjacent lots will still conform to lot size standards after the adjustments. A condition has been added to reflect these changes on the final plat.

The proposal also includes a trail system that loops through the open space areas. The final design will include seat benches for resting, mile markers, and tree plantings for shade opportunities. As required with the original PUD-95-1 and subsequent revisions, the final design will be reviewed and approved by the Site Plan and Architectural Commission.

Phasing

The applicant proposes to construct the remainder of Planning Area 1 in Phases 2 through 10. There is nothing in the approved PUD or the Land Development Code that prohibits this request.

Attached v. Detached Units

The original PUD approval identified a variety of attached and detached housing types. Planning Area 1 included a mix of garden homes, patio homes and single family detached homes on standard and estate lots. The original intent of clustering and attaching units may have been to minimize the amount of hillside disturbance; however, The Highlands was approved with a nod towards flexibility in design. Whether attached or detached, the units are single family and able to be individually sold. In staff's opinion the number of units is more important than their configuration.

Access

The street layout of the project is proposed to change, beginning with the elimination of the shared driveway in the northwesterly corner of the project from Stardust Way. The redesign of this area allows the five proposed lots to front and take access directly from Stardust Way and eliminates the need for the shared drive. Next, the applicant proposes to eliminate the off-street parking areas south of Cherry Lane. The Findings indicate that the purpose of removing this additional paved area is to reduce the amount of hillside excavation and scarring.

Claywood Court, the east-west running cul-de-sac between Cherry Lane and Stardust Way is also proposed to be eliminated. It was originally designed to provide access to the lots fronting Stardust Way from the uphill side. The current proposal will result in some design challenges for those lots taking access from the north side of Stardust Way; however, the applicant has indicated that access across the steep slopes can be addressed through shared driveways and access easements.

Finally, the applicant proposes to eliminate the connection of Bermuda Drive with Stardust Way in the center of the site. This particular connection was a condition of approval in the original PUD decision. The applicant's findings state, in part (p. 11, Exhibit C):

“Secondly, Bermuda Drive (off Cloudcrest Drive) is proposed to no longer connect with the future extension of Stardust Way due to the physical constraints it too would encounter such as slopes exceeding 35%. Similar to the purpose of removing the looped roads noted above, because Bermuda Drive was planned to intersect with Stardust Way at a 90 degree angle, its intersection would have been excessively steep and require excessive amounts of earth movement in not only the area of the intersection, but also existing and proposed adjacent lots. As proposed, Bermuda Drive will now serve 14 single family homes where it had previously served 10. Overall, it is the applicant’s opinion the street revisions are slight as the burden of additional vehicle trips onto local residential streets is lessened and the revisions are inherently safer as vehicles existing onto the streets have an improved line-of-sight.”

Staff has considered the connection and does not object to its elimination. In 2009, the City Council adopted a Hillside Ordinance that allows the Planning Commission to alter street standards in areas with steep slopes. Removing this connection is consistent with the provisions of the ordinance.

The original Highlands design included limited, common access driveways to Cherry Lane and incorporated off-street parking areas. The applicant proposes to remove this feature, citing reduced damage to the hillside.

In 1997, the City Council modified the Planning Commission decision on the revised PUD-95-1. The Council affirmed the on-street parking restriction on streets under 28 feet in width and allowed half of the driveway spaced in front of garages to be credited to one off-street parking space per dwelling unit (Exhibit M).

Compliance with Land Development Code and PUD Standards

In approving The Highlands PUD, the Planning Commission authorized modified development standards (Table 2, Exhibit L). The PUD standards are largely the same as the Land Development Code standards in Section 10.710, except the lot size minimums are higher and there is not a maximum. For example, the medium density detached units have a minimum lot size of 10,000 square feet, where the minimum lot size for the SFR-4 zone is 6,500 square feet. The lots as proposed meet the modified standards.

Agency Comments

Public Works Department (Exhibit D)

The Public Works Department Staff Report outlines the requirements for infrastructure provisions for this development. It also notes that there was a requirement in the 1995

PUD decision to fully improve Stardust Way from Cloudcrest Drive to the southwest corner of the subdivision.

Medford Fire Department (Exhibit F)

The Fire Department Land Development Report notes the requirement for residential fire sprinklers for all units. Wildfire Risk Area mitigation measures are also included.

Jackson County Roads (Exhibit G)

Jackson County Roads notes that Stardust Way, Highcrest Drive or the County's portion of Cloudcrest Drive shall not be used for construction traffic. If the applicant does use these streets, the applicant shall be required to overlay the roads with two inches of A.C. As noted above, the original PUD decision included a requirement to fully improve Stardust Way from Cloudcrest Drive.

Committee Comments

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

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit C) 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-15-167 per the staff report dated March 3, 2016, including Exhibits A through N.

EXHIBITS

- A Conditions of Approval, dated March 3, 2016
- B Maps
 - 1 of 10 Tentative Plat with contours
 - 2 of 10 Tentative Plat without contours
 - 3 of 10 Conceptual Grading and Drainage Plan
 - 4 of 10 Conceptual Utility Plan
 - 5 of 10 Conceptual Road Sections
 - 6 of 10 Existing Topographical Slope Analysis
 - 7 of 10 Conceptual Pedestrian Trail Plan
 - 8 of 10 Conceptual Trail Plan on Aerial Photo

- 9 of 10 Approved Preliminary Site Development Plan for The Highlands
- 10 of 10 Revised Tentative Plat (LDS-97-89 – Expired)
- C Applicant’s Project Description and Findings of Fact
- D Public Works Department Staff Report received March 2, 2016
- E Medford Water Commission Staff Memo received February 24, 2016
- F Medford Fire Department Land Development Report received February 17, 2016
- G Jackson County Roads letter received February 5, 2016
- H Addressing Staff Memo received February 17, 2016
- I Building Safety Department Memo received February 17, 2016
- J Parks Department e-mail received February 16, 2016
- K ODOT e-mail received February 18, 2016
- L Final Order and Attachments, PUD-95-1, dated April 13, 1995
- M Resolution 8514, Final Order and Attachments, PUD-95-1 Revised, dated October 16, 1997
- N *De minimis* Revision dated January 16, 2008
Vicinity map

PLANNING COMMISSION AGENDA:

MARCH 10, 2016

EXHIBIT A

Ridge at the Highlands, Phases 2 - 10

LDS-15-167

Conditions of Approval

March 3, 2016

All conditions of approval from PUD-95-1 and PUD-95-1 Revised shall apply except as amended.

DISCRETIONARY CONDITIONS

1. The Commission authorizes a 5-year approval period allowed for phased projects as per Medford Land Development Code Section 10.269(2).
2. Prior to approval of the Final Plat, the applicant shall to show the detention basin wholly located within the Open Space Areas 4 and 5 and removed from Lots 63 and 64. Open Space Areas 4 and 5 shall be connected by incorporating the sanitary sewer and storm drain easements on Lots 59, 60 and 61.

CODE CONDITIONS

Prior to approval of the final plat for the first phase:

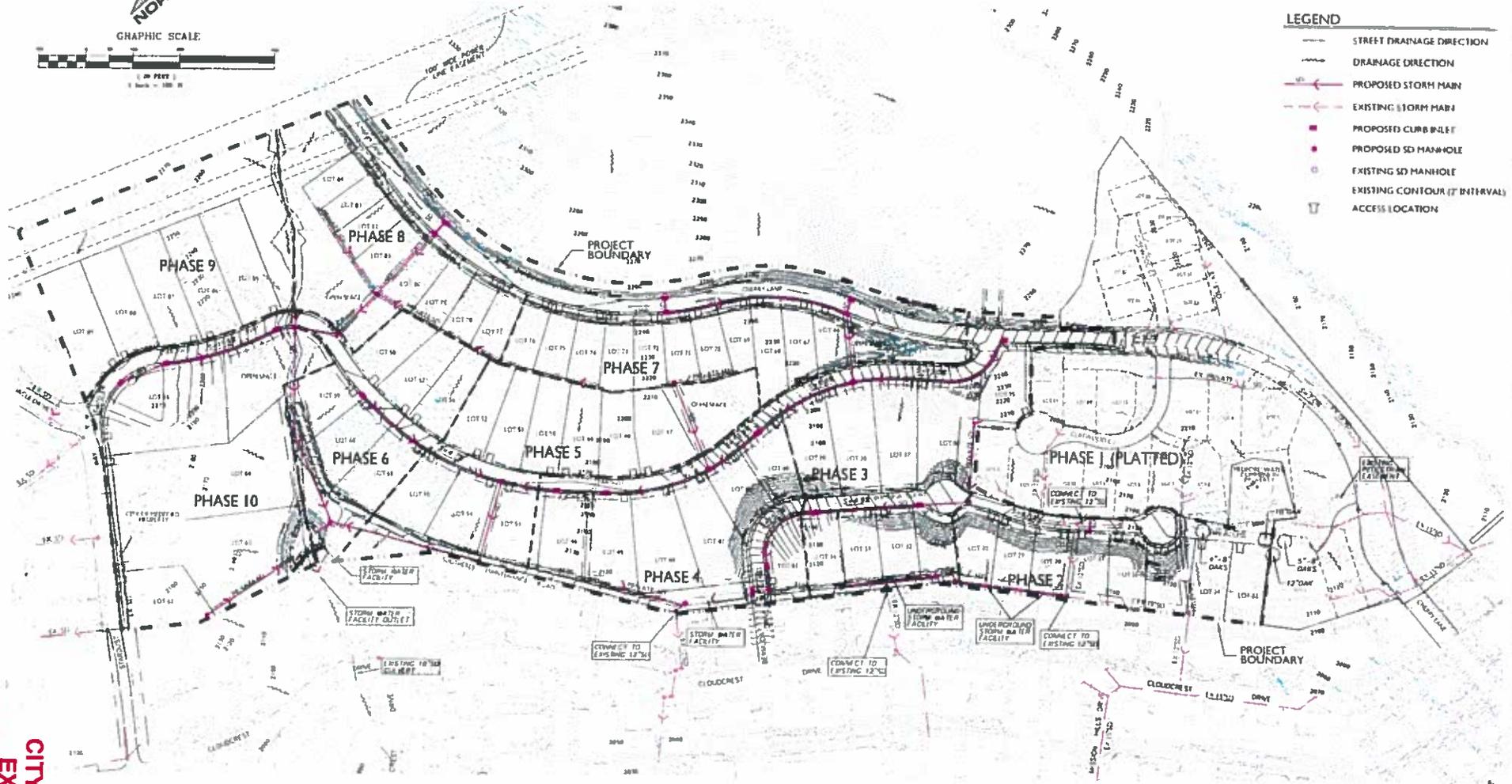
1. The applicant shall receive approval of the Site Plan and Architectural Commission for the landscaping of open spaces and trail system including benches, mile markers, etc.

Prior to approval of the final plat for each phase, the applicant shall:

2. Comply with the Public Works Department Staff Report received March 2, 2016 (Exhibit D).
3. Comply with the Medford Water Commission Staff Memo received February 24, 2016 (Exhibit E).
4. Comply with the Medford Fire Department Land Development Report received February 17, 2016 (Exhibit F).
5. Comply with the Jackson County Roads letter received February 5, 2016 (Exhibit G).
6. Comply with the Addressing Staff Memo received February 17, 2016 (Exhibit H).



- LEGEND**
- STREET DRAINAGE DIRECTION
 - DRAINAGE DIRECTION
 - PROPOSED STORM MAIN
 - EXISTING STORM MAIN
 - PROPOSED CURB INLET
 - PROPOSED SD MANHOLE
 - EXISTING SD MANHOLE
 - EXISTING CONTOUR (2' INTERVAL)
 - ACCESS LOCATION



Page 38

File # LBS-15-107

CITY OF MEDFORD
EXHIBIT # B 3 of 10

EXHIBIT C.1



P.O. BOX 1794 - MEDFORD, OREGON 97501
PH (541) 770-6200 FAX (541) 770-3130

DRAWN BY	MSW	DATE	08/15/15
CHEKED BY	MSW	DATE	08/15/15
		DATE	
		DATE	
		DATE	

NO.	REVISION	DATE	BY



CITY OF MEDFORD

THE RIDGE AT THE HIGHLANDS
CONCEPTUAL
GRADING AND DRAINAGE PLAN

RECEIVED
PLANNING DEPT
AUG 20 2016

NOTE
FIRE HYDRANT PLACEMENT SHALL BE COORDINATED WITH
CITY OF MEDFORD FIRE DEPARTMENT REQUIREMENTS

- LEGEND**
- EXISTING WATER MAIN
 - PROPOSED WATER MAIN
 - PROPOSED SEWER MANHOLE
 - EXISTING SEWER MANHOLE
 - PROPOSED SANITARY SEWER MAIN
 - EXISTING SANITARY SEWER MAIN
 - PROPOSED STREET LIGHT

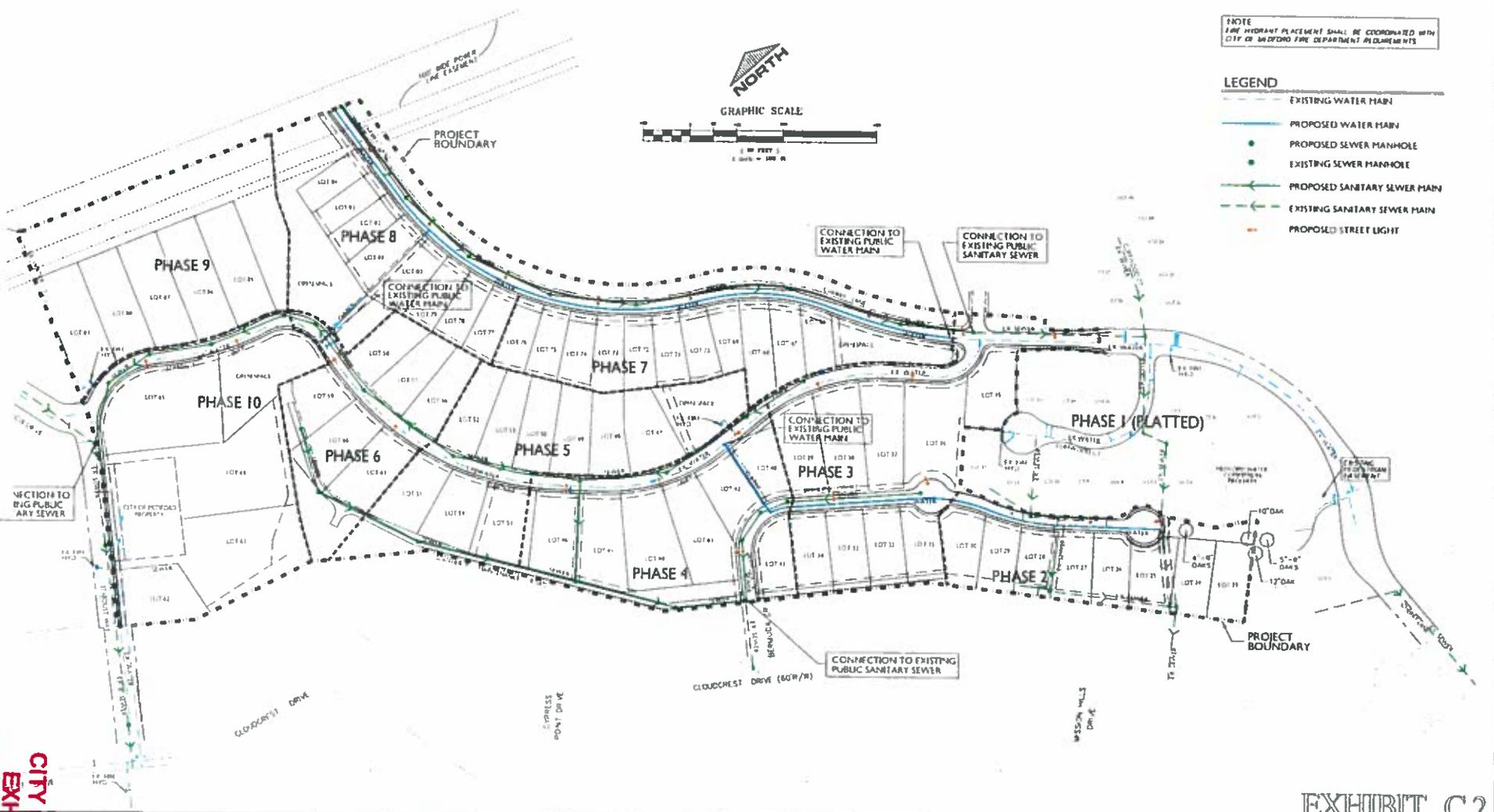


EXHIBIT C.2

CITY OF MEDFORD

THE RIDGE AT THE HIGHLANDS
CONCEPTUAL
UTILITY PLAN



DRAWN BY	WJH	DATE	01/13/15
CHECKED BY	AMH	DATE	01/14/15
DATE		DATE	
DATE		DATE	
DATE		DATE	

NO.	REVISION	DATE	BY

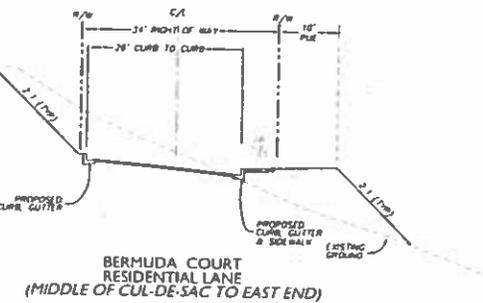
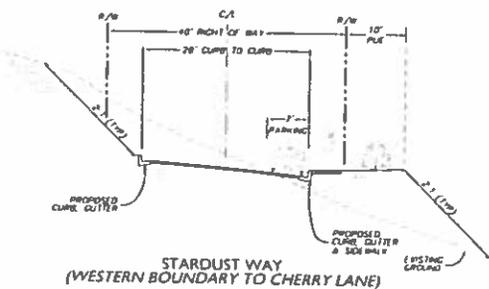
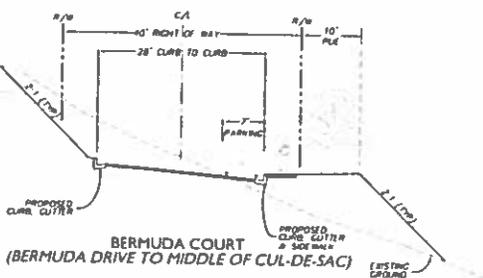
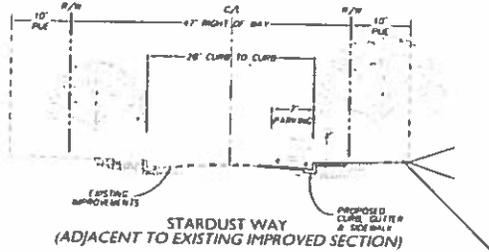
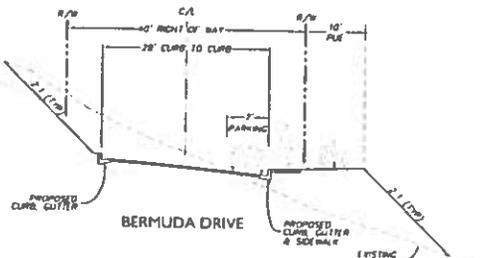
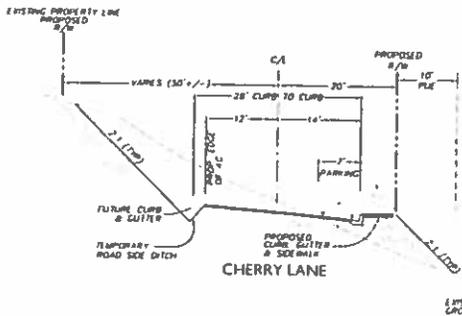


APR 26 2015

RECEIVED

CITY OF MEDFORD
EXHIBIT C3

5 of 10



GEO TECHNICAL NOTES:
 1. CUT AND FILL (OVER) SLOPES NOTED ARE PER THE GEO TECHNICAL ENGINEERS RECOMMENDATIONS
 2. SEE GEO TECHNICAL REPORT FOR ADDITIONAL PROJECT GRADING REQUIREMENTS

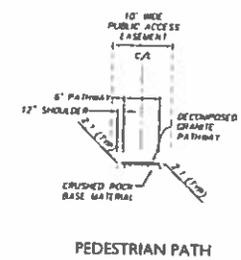
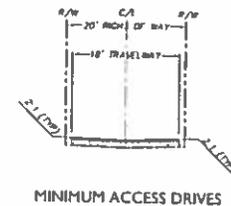


EXHIBIT C3

CITY OF MEDFORD

THE RIDGE AT THE HIGHLANDS
CONCEPTUAL ROAD SECTIONS



P.O. BOX 1724 - MEDFORD, OREGON 97501
 PH: (541) 779-5268 FAX: (541) 779-3139

DRAWN BY	BSH	DATE	09/15/15
CHECKED BY	AMR	DATE	09/15/15
		DATE	
		DATE	
		DATE	

NO	REVISION	DATE	BY



PLANNING DEPT

JAN 20 2016



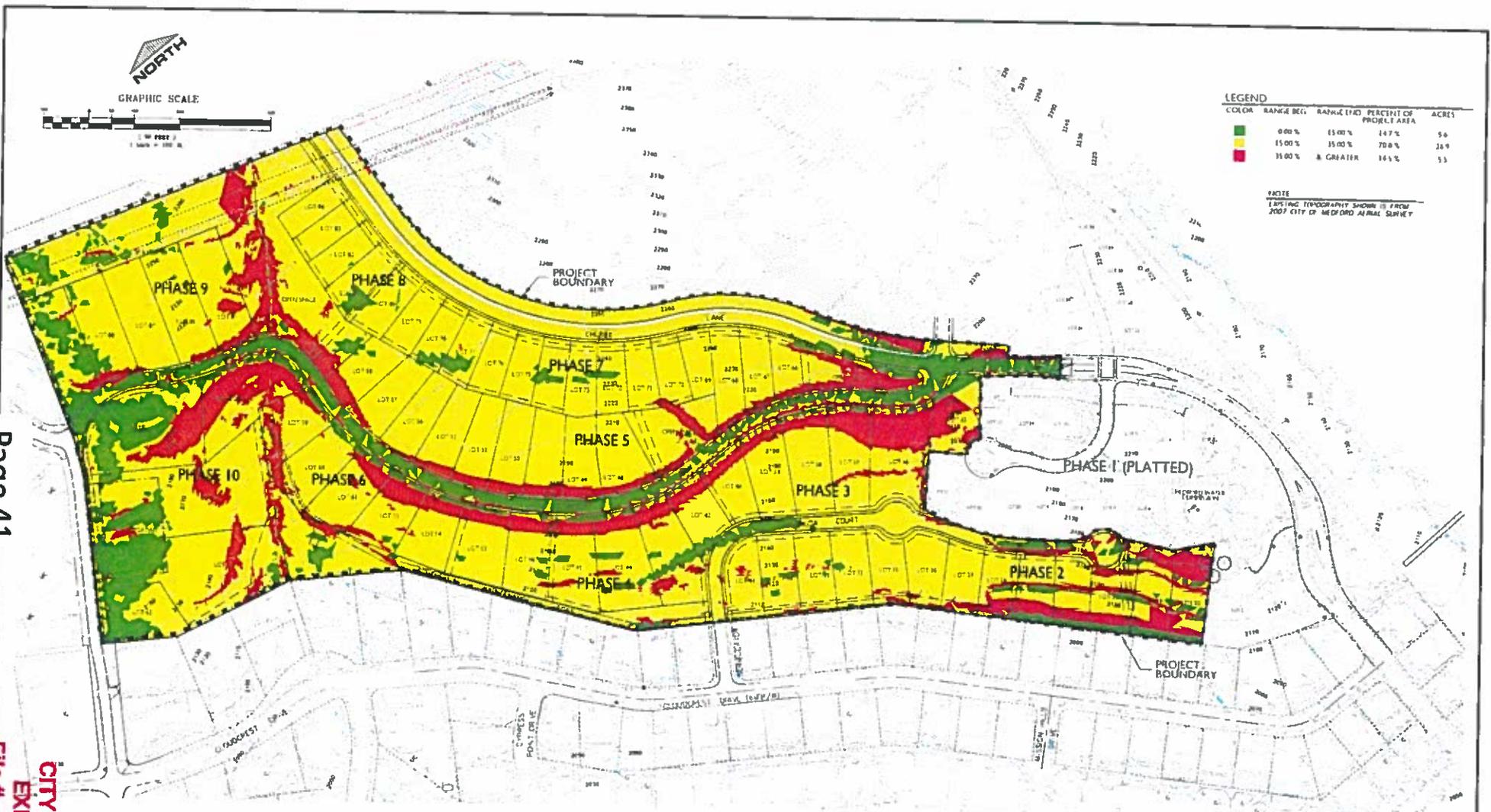
GRAPHIC SCALE



LEGEND

COLOR	RANGE BEG.	RANGE END	PERCENT OF PROJECT AREA	ACRES
Green	0.00 %	15.00 %	14.7 %	5.6
Yellow	15.00 %	35.00 %	70.8 %	26.9
Red	35.00 % & GREATER		14.5 %	5.5

NOTE
EXISTING TOPOGRAPHY SHOWN IS FROM
2007 CITY OF MEDFORD AERIAL SURVEY



Page 41

File # LDS-15-167

CITY OF MEDFORD
EXHIBIT # B
6 of 10



P.O. BOX 8724 - MEDFORD, OREGON 97501
PH (541) 770-8886 - FAX (541) 770-3130

DRAWN BY	WPM	DATE	08/13/15	NO	REVISION	DATE	BY
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		DATE					
		DATE					
		DATE					
		DATE					



EXHIBIT C.4

CITY OF MEDFORD

THE RIDGE AT THE HIGHLANDS
EXISTING TOPOGRAPHICAL
SLOPE ANALYSIS

JAN 16 2016

4 of 5

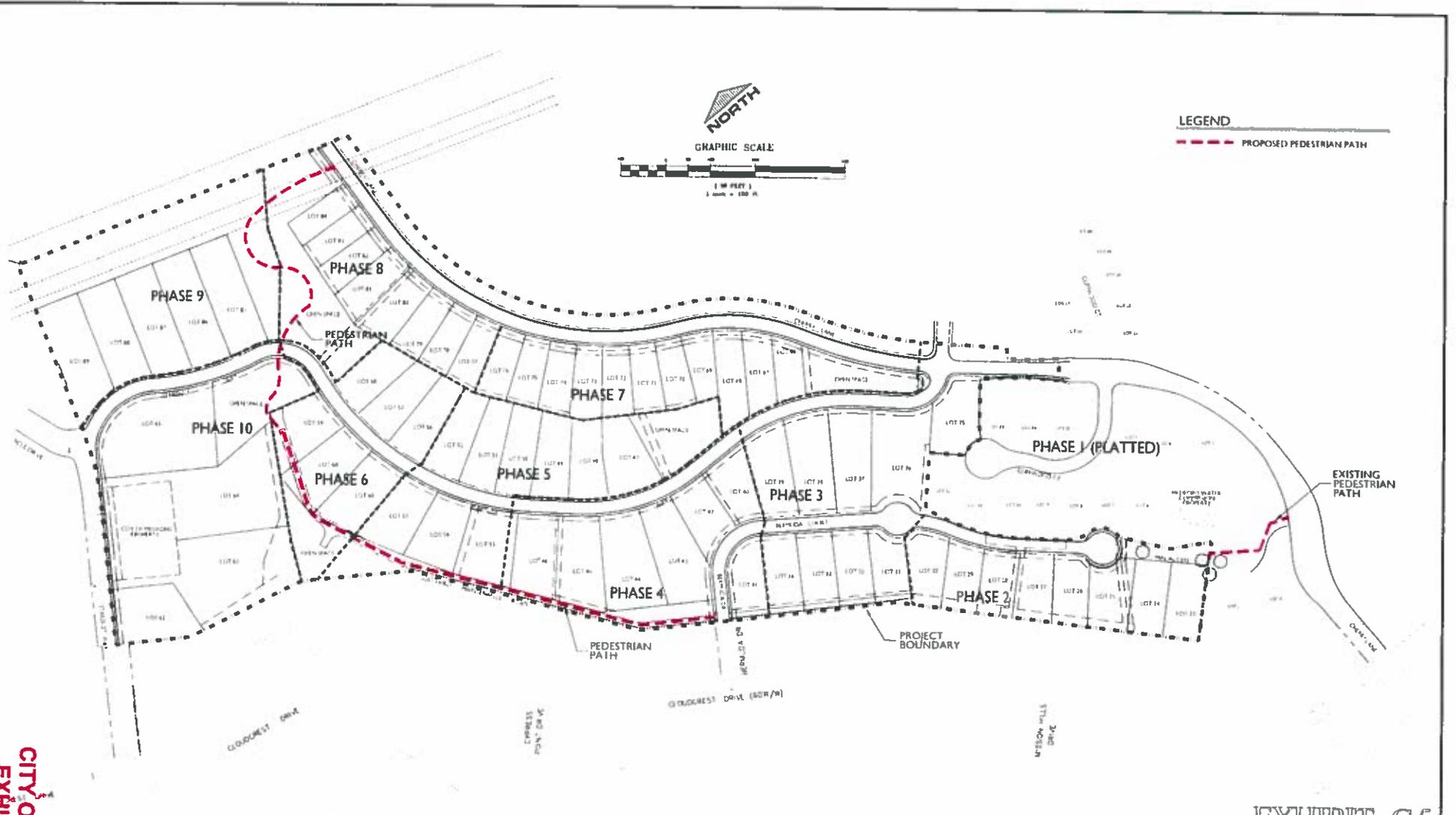


EXHIBIT C.5

CITY OF MEDFORD

THE RIDGE AT THE HIGHLANDS
CONCEPTUAL
PEDESTRIAN TRAIL PLAN



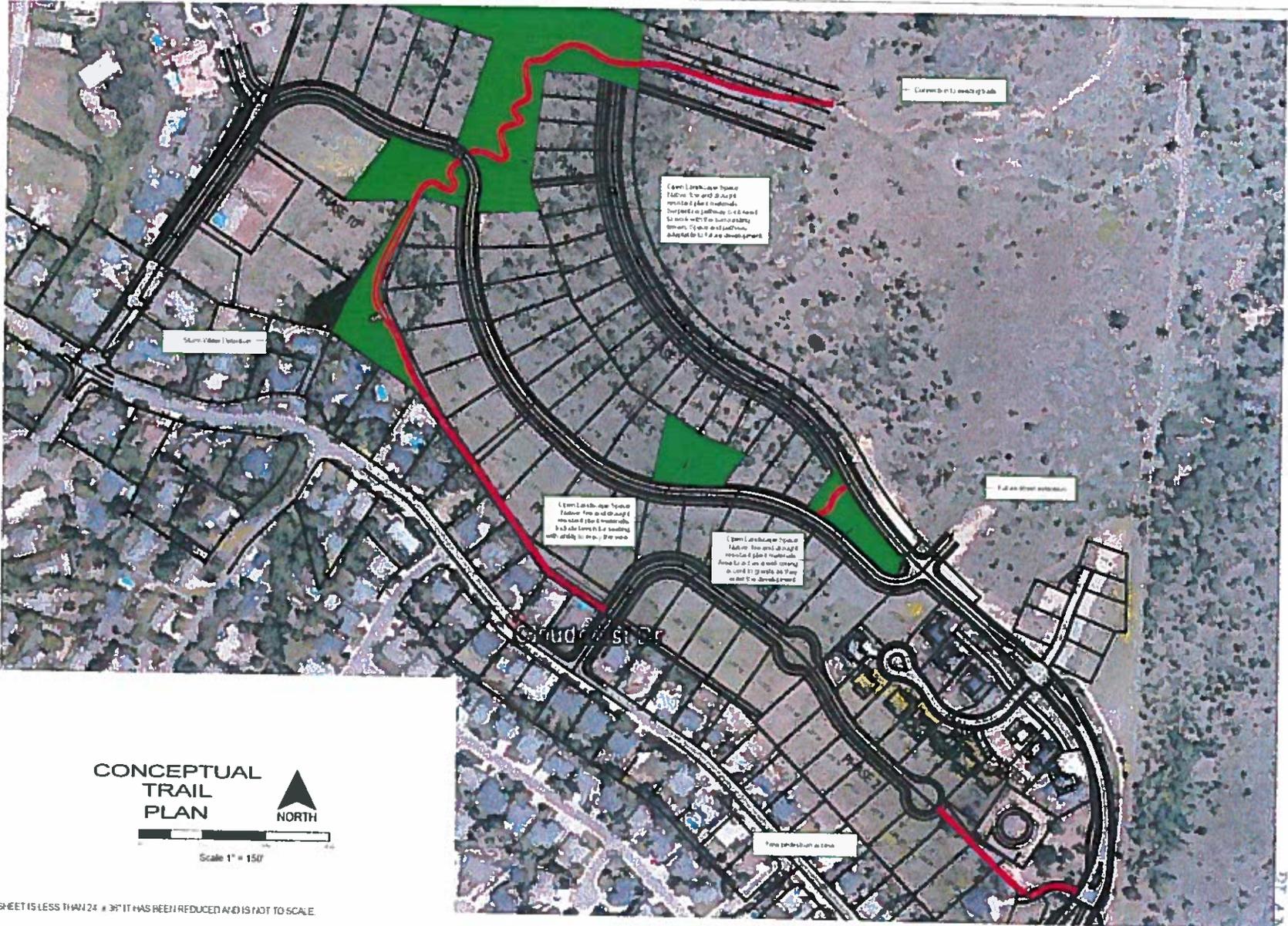
P.O. BOX 3721 MEDFORD, OREGON 97501
PH (503) 776-8268 FAX (503) 776-3156

DRAWN BY	msw	DATE	08/13/15
CHECKED BY	lwr	DATE	06/13/15
		DATE	
		DATE	
		DATE	

NO	REVISION	DATE	BY



JAN 15 2016
5 of 5
RECEIVED
PLANNING DEPT



CONCEPTUAL TRAIL PLAN

 NORTH

Scale 1" = 150'

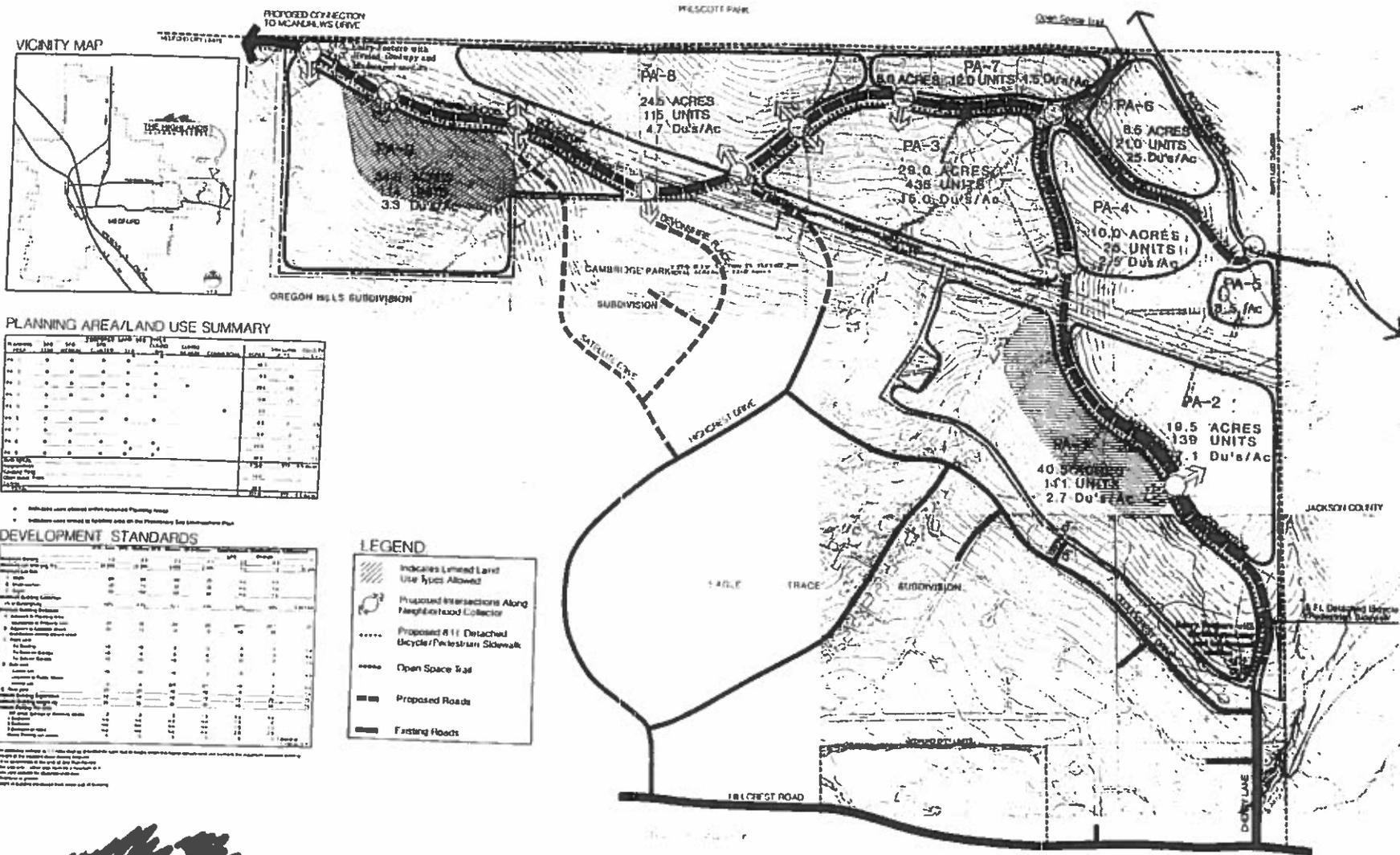
IF THIS SHEET IS LESS THAN 24" x 36" IT HAS BEEN REDUCED AND IS NOT TO SCALE.

PLANNING DEPT
RECEIVED
JAN 28 2016

CONCEPTUAL TRAIL PLAN
THE RIDGE
MEDFORD OREGON

URBAN DESIGN PARTNERS LLC
504 Fair Oaks Court
Medford, OR 97504
Phone 541.727.3752

Madara Design Inc
Landscape Architecture Design
& Construction
2594 Wells Fargo Rd
Central Point, OR 97502
541-664-7055
madaradesign@gmail.com



PLANNING AREA/LAND USE SUMMARY

PLANNING AREA	ACRES	UNITS	DU'S/AC	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	OFFICE	RETAIL	RECREATION	OPEN SPACE	OTHER
PA-1	14.5	134	9.2	134							
PA-2	19.5	139	7.1	139							
PA-3	29.0	438	15.0	438							
PA-4	10.0	26	2.6	26							
PA-5	6.5	15	2.3	15							
PA-6	8.6	210	25	210							
PA-7	8.8	120	13.5	120							
PA-8	24.5	115	4.7	115							
TOTAL	130.7	1097	8.4	1097							

DEVELOPMENT STANDARDS

STANDARD	PA-1	PA-2	PA-3	PA-4	PA-5	PA-6	PA-7	PA-8
1.1.1.1	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.2	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.3	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.4	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.5	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.6	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.7	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.8	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.9	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.10	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.11	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
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1.1.1.15	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.16	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.17	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.18	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.19	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
1.1.1.20	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0

- LEGEND**
- Indicates Limited Land Use Types Allowed
 - Proposed Intersections Along Neighborhood Collector
 - Proposed # 11 Detached Bicycle/Pedestrian Sidewalk
 - Open Space Wad
 - Proposed Roads
 - Existing Floods

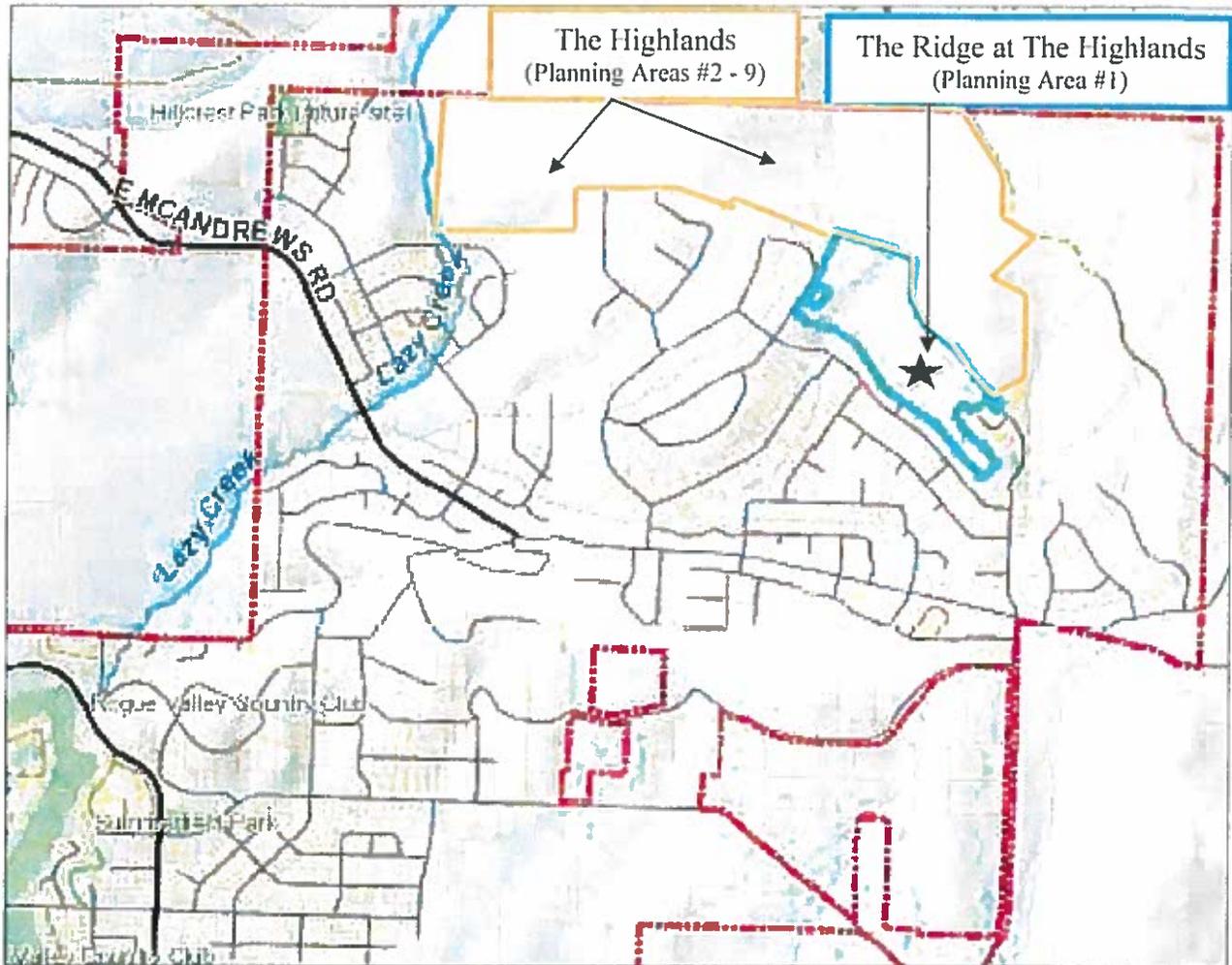
PRELIMINARY SITE DEVELOPMENT PLAN
THE HIGHLANDS
 MEDFORD, OREGON

RECEIVED
 2016 JUN 20 10:20 AM
 PLANNING DEPT

K.M. Capital, Inc.
 1000 SW Street, Suite 1000, Medford, Oregon 97504
 541-754-1111

CITY OF MEDFORD
 EXHIBIT # B 9 of 10
 File # LDS-15-167

PROJECT DESCRIPTION AND FINDINGS OF FACT RECEIVED
FOR A TENTATIVE SUBDIVISION PLAT FOR A 75-LOT, JAN 28 2016
67 RESIDENTIAL UNIT SUBDIVISION FOR PLANNING DEPT
PHASE II, OF PLANNING AREA 1, FOR THE PROPERTY
REFERRED TO AS "THE RIDGE AT THE HIGHLANDS"



Vicinity Map

SUBMITTED TO

**CITY OF MEDFORD PLANNING DEPARTMENT
MEDFORD, OREGON**

SUBMITTED BY

**URBAN DEVELOPMENT SERVICES, LLC
485 W. NEVADA STREET
ASHLAND, OREGON**

JANUARY 21ST, 2016

PROJECT INFORMATION:

APPLICANTS:

Ayala Properties LLC
Laz & Jacob Ayala
132 West Main Street, Suite 202
Medford, OR 97501
Tel: 541-944-9561

LAND USE PLANNING:

Urban Development Services, LLC
Mark Knox, AICP
485 W. Nevada Street
Ashland, OR 97520
Tel: 541-482-3334

CIVIL ENGINEERING:

Construction Engineering Consultants
Tony Bakke, P.E.
P.O. Box 1724
Medford, Oregon 97501
Tel: 541-779-5268

ATTORNEY OF RECORD:

Alan Harper, Attorney at Law
130 "A" Street
Ashland, OR 97520
Tel: 541-659-9401

SURVEYOR:

L.J. Friar & Associates, LLC
Jim Hibbs,
1585 Siskiyou Boulevard
Medford, OR 97504
Tel: 541-772-2782

GEOTECHNICAL ENGINEERING

Applied Geotechnical Engineering
Robin L. Warren, P.E., G.E., R.G.
1314-B Center Drive, #452
Medford, OR 97504
Tel: 541-226-6658

PARCEL SIZE:

37.34 Acres (vacant)

LOCATION & LEGAL DESCRIPTION:

Between Cherry Lane and Stardust Way
371W23 Tax Lot #2300

GENERAL LAND USE MAP DESIGNATION:

Urban Residential (UR)

ZONING DESIGNATION:

Single Family – 4 Units / Acre (SFR-4 / PD)

ADJACENT ZONING & USES:

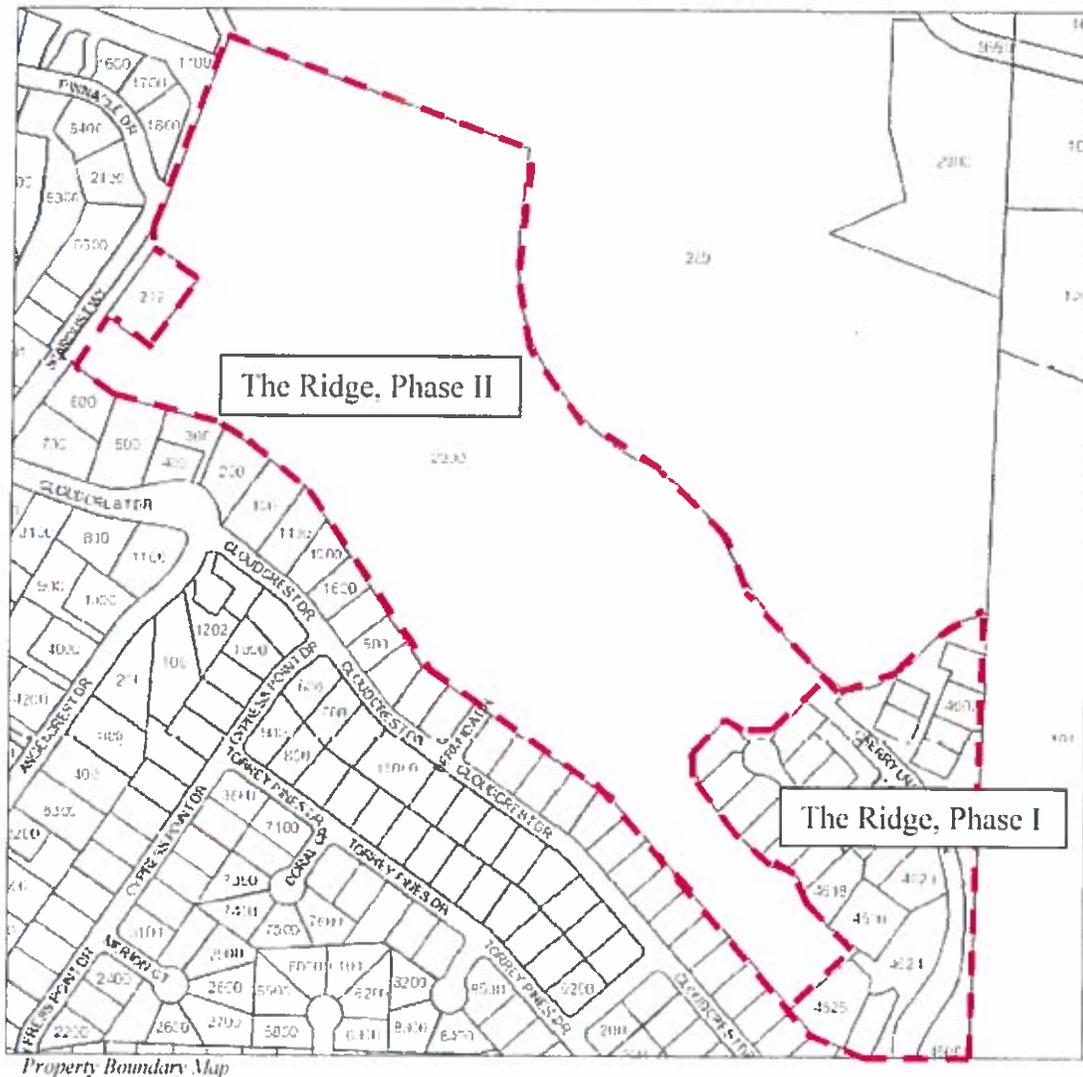
West:	Single Family – 4 Units / Acre (SFR-4)	Single Family Detached Housing
East:	Single Family – 4 Units / Acre (SFR-4 / PD)	Vacant (Planning Area 2)
South:	Single Family – 4 Units / Acre (SFR-4)	Single Family Detached Housing
North:	Single Family – 4 Units / Acre (SFR-4 / PD)	Vacant (Planning Area 2)

APPLICABLE MEDFORD LAND DEVELOPMENT CODE:

Class "C" Applications, Section 10.220	Land Division Criteria, Section 10.270
Planned Unit Developments, Section 10.230	SFR-4, Single-Family Residential, Section 10.309
Tentative Plat and Accompanying Data, Section 10.267	Hillside Ordinance, Section 10.929
Revisions of a PUD, Section 10.245	

PLANNING ACTION: The applicants wish to obtain Tentative Plat approval for a 75-lot, 67 residential unit subdivision, including eight common open space lots. The proposal includes a de minimis revision request to the approved Final PUD Plan for Phase II in order to reduce the number of residential lots from 83 to 67, to increase the common open space areas, divide Phase II from 5 sub-phases to 10 sub-phases in order to address market conditions, replace the attached units with detached units and to revise certain street connections due to hillside constraints. The property is 37.34 acres in area and located in East Medford, north of Cloudercrest Drive -

between Cherry Lane and Stardust Way. The subject property is referred to as “The Ridge at the Highlands”, Phase II, of Planning Area 1.



SITE DESCRIPTION & HISTORY SUMMARY: The subject property is part of The Highlands, an approved Master Planned Community, consisting of 969 residential units and restaurant on approximately 221 acres, zoned Single Family Residential – 4 units per acre (SFR-4), approved in 1995 and revised in 1997 (PUD 95-001). This particular area is referred to as “The Ridge at the Highlands *or* Area I” of the master plan which has been divided into two development phases, one of which has been platted, streets installed and homes constructed (See insert above - The Ridge, Phase I). Phase I consists of 22 residential units (15 detached SFR’s & 7 Garden Homes) and Phase II was approved for 83 residential units for a total lot count of 105 residential units within Area I. The tentative plat for The Ridge, Phase II was previously approved, but since expired due to poor housing market conditions.

As illustrated Exhibit “A”, there are nine Planning Areas within The Highlands Master Planned Community consisting of a range of densities and housing types to serve the City’s housing needs. The inserted table that follows on page #4 summarizes the Master Plan’s intended densities and land use types, based on the most recent approvals, with Area I hi-lighted for reference.

Table 1
 Planning Area/Land Use Summary
 (reflecting 2007 De Minimus Revision & Proposed Revisions)

Proposed Land Use Types by Planning Area										
PA	SFD Low	SFD Med	SFD Cluster	SFA	Condo Low	Condo Med	Coml.	Acres	DU	Density DU/Acre
PA-1	•	•	•	•	•			40.4	105	2.6
<i>PHASE I - platted</i>	•		•					-	22	-
<i>PHASE II - proposed</i>	•							40.4	67	(2.2)
PA-2	•	•	•	•	•			19.5	139	7.1
PA-3	•	•	•	•	•	•		29.0	435	15.0
PA-4	•	•	•	•	•			10.0	25	2.5
PA-5	•						•	3.5	n/a	n/a
PA-6	•	•	•	•	•			8.5	21	2.5
PA-7	•	•						8.0	12	1.5
PA-8	•	•	•	•	•			24.5	115	4.7
PA-9	•	•	•	•	•			34.5	114	3.3
Sub-Total	<i>** Original PUD Approval (95-001) was approved for 972 dwelling units **</i>							178 ac	950	5.3
Neighborhood Collector Road								14 ac		
Open Space, Trails, Easements								29 ac		
Total								221 ac	950	4.3



Reference Aerial Map (See Exhibit "A" for context)

According to the survey records, The Ridge, Phase II is 37.34 acres and has varying south facing slopes, the majority of which range between 15% and 35%. The property is generally rectangular measuring 600' X 2,300', void of man-made structures and has no significant trees or unique rock outcroppings other than a moderately sized ephemeral drainage swale near the western edge of the property. Overall, other than its slopes and the drainage swale, the property has no significant natural features.

The subject property is within Zone 5 of the Medford Water Commission's water zones and includes a main water transmission line extending east-west through the property connecting the water tank off Cherry Lane to another water tank off Stardust Way, roughly a ½ mile or the width of the property. In addition, there are a number of easements through the property, including a main electrical transmission line along a portion of the lot's northern boundary as well as various easements for the previously described water pipeline, cable, telephone, storm drain and roadway facilities.

CHRONOLOGY OF PREVIOUS APPROVALS:

- 1) The Preliminary Planned Unit Development for the entire 221-acre Highlands site was approved by the Medford Planning Commission in 1996. The approved Preliminary Site Development Plan is included as Exhibit "A" (File: PUD-95-1) and permitted a total of 972 dwelling units;
- 2) The Tentative Plat for two phases (Phases 1 and 2) that make up Planning Area 1 was approved by the Planning Commission in 1996 (File: LDS-96-34);
- 3) The Final Plan for Phases 1 and 2 of Planning Area 1 was approved by the Planning Commission in 1996 (File: LDS-96-34);
- 4) The Preliminary Planned Unit Development Plan for the entire Highlands development was revised by the Planning Commission in 1997 (File: PUD-95-1 "revised") primarily to make a change to the street design within Phase 1 of Planning Area 1 which resulted in the reduction of 3 dwelling units within that phase, to a maximum total of 969 dwelling units for the entire Highlands Planned Unit Development. The remainder of the project, Planning Areas 2 – 9, remained the same as the original approval. This approval carried forth almost all of the conditions from the original approval noted in #1 above;
- 5) The Tentative Plat for Phases 1 and 2 of Planning Area 1 was revised by the Planning Commission in 1997 (File: 97-89) to reflect the changes made to the revised Planned Unit Development under #4 above;
- 6) The Final Plat for Phase 1 of Planning Area 1, comprised of 15 lots for detached single-family residences and 7 lots for garden homes, was approved in September of 2007.
- 7) In 2014, the Planning Director approved a di minimis revision to Phase 1 of Planning Area 1 to allow the 7 garden homes to be detached single-family residences.

PROJECT PROPOSAL & DETAILS: The applicants wish to obtain Tentative Plat approval for a 75-lot, 67 residential unit subdivision, including eight common open space lots. The proposal includes requests for a De minimis Revision to the approved Final PUD Plan for Phase II by: a) reducing the number of buildable residential lots from 83 to 67 and increasing the common open space area; b) dividing Phase II from 5 sub-phases to 10 sub-phases in order to address market conditions; c) replace the attached units with detached units

and d) revising certain street connections, primarily to avoid excessive hillside grading and to preserve various Oak Trees. The revisions are further explained as follows:

Density Reduction: The applicants propose to reduce the number of residential units within Area 1, Phase II, from 83 units to 67. The purpose is multi-fold, but the reduction primarily relates to sensitive hillside development and avoidance of the area's transmission lines running along the property's northwest corner. This particular area of the subdivision was originally approved for 11 residential lots, but now only shows five with the remaining six lots reconfigured into common open space. The remaining reduction of lots (10 lots) is within the Bermuda Drive area and Stardust Way area (behind water tank) where the applicants contend the additional density, along with the extension of Bermuda Drive, would have created excessive hillside disturbance with houses either looming over the existing homes along Cloucrest Drive or creating a precarious intersection. *Note:* In accordance with PUD-95-1 and for clarification purposes, the original number of "buildable" lots within Phase II, Area I, was 83, but is now proposed to be 67 with an additional eight lots to be allocated to common open space. The minimum 2.5 units per acre for the entire Highlands Master Planned PUD site is 552 units and thus the reduction of 16 lots within Area I reduces the overall approved density from 969 to 953 units or 4.3 units per acre, consistent with the maximum and minimum dwelling unit density of the underlying zoning district.

Phasing: The applicants are proposing a modification of the approved Final PUD to increase the 5 sub-phases into 10 sub-phases. The purpose of the phasing is to simply be prudent in the expansion of infrastructure as it relates to market conditions. Considering there are public improvements extending to various points at the perimeter of the subdivision (Stardust Way to the west, Cherry Lane to the East and Bermuda Drive to the south) it's possible two or more phases could occur at a given time. However, based on preliminary engineering, the expectation is Phase 9 and/or 10 will occur first followed by Phase 3 and/or 4. Regardless, all infrastructure improvements will be designed to accommodate adjoining phases and practical development standards such as maximum street lengths and temporary fire truck-turn around areas will be provided as required. At the time of each phases' Final Plat, a phasing plan addressing such standards will be provided.

Modified Housing Type: The applicants are proposing a modification of the housing type within the Area 1 boundary by replacing 19 attached "garden home" units to 19 single family detached units or Estate sized lots. There are various reasons for the modification which include: 1) the avoidance of monolithic volumes and mass on the City's hillside lands; 2) a limited market demand for costly attached housing on hillside lands; 3) an opportunity for added design flexibility and 4) reducing maintenance and liability for future owners. Most importantly, the applicants contend the "looped" driveways originally associated with the attached units would increase the hillside's disturbance and that a standard street design, with planting strip and parking bays, would provide necessary on-street parking opportunities, create an equally attractive streetscape and be less disturbing to the hillside.

Revised Street Connections: The applicants have evaluated the previous approvals for Area 1 and have concluded some minor adjustments to the subdivision's street system, based on the property's physical attributes, should be modified. In particular, the looped roads as noted previously off of Cherry Lane have been removed in order to reduce hillside excavation and unnecessary scarring, but also the modification avoids steep intersections and potential vehicular visibility conflicts along Cherry Lane. Secondly, Bermuda Drive (off Cloucrest Drive) is proposed to no longer connect with the future extension of Stardust Way due to the physical constraints it too would encounter. Similar to the purpose of removing the looped roads noted above, because Bermuda Drive was planned to intersect with Stardust Way at a 90 degree angle, its intersection would have been excessively steep and require excessive amounts of earth movement in not only the area of the intersection, but also existing and proposed adjacent lots. As currently proposed, Bermuda Drive will now serve 14 single family homes where it was previously planned to serve 10.

Additional Project Information:

Open Space: The proposal includes a total of eight open space tracts primarily located at intersections or natural areas that are sensitive to development. The proposal also includes trail connections circulating through the subdivision's open space areas and intermixing with the road way system to form a looped walking route of roughly one mile. Further, in accordance PUD-95-1, the proposed pedestrian path will be made available on all of the subdivision's public streets. At the time of the subdivision's Final Plan and engineering specifications are completed, details will also be included addressing seat benches for resting, mile markers for accurate measurement, and tree plantings for shade opportunities. Further, considering the regions recent drought experience, the open spaces will be a mixture of natural landscaping (existing natural grasses and trees with no additional irrigation) or xeriscape landscaping (planted grasses and trees with limited irrigation) – all of which will be based on the project's landscape Designer and Arborist. In accordance with PUD 95-1, the final design, including irrigation plan, will be reviewed and approved by the Site Plan and Architectural Commission.

House Design: The applicants intend to construct moderate custom homes, similar to the homes within the Phase I development and those homes along Pinnacle Drive. Each will be designed to take advantage of the site's expansive views of the City and valley. The applicants intend to include basic design standards within the subdivision Conditions, Covenants and Restrictions (CC&R's) such as a color palette (earth tone colors for hillside development), maximum building heights (for view protection), non-combustible roofing materials (for fire protection), and landscaping standards (for completeness and erosion control). At the time of each home's building permit is applied for, a specific engineered foundation and grading plan will be included. Such plan will address erosion control and drainage. Further, the CC&R's will include a Home Owner's Architectural Review Committee to ensure the proposed homes are compatible with neighboring homes.

Fire Department Standards: The original Tentative Plat approval (LDS-97-89) included conditions of approval from the Fire Marshal allowing the Fire Marshal to: a) add additional fire hydrants during the utility plan development stage beyond the standard required prior to construction within any phase and b) a condition requiring no on-street parking spaces for streets less than 28' but that one on-street space per unit in these areas shall be provided. This condition was later agreed to allowing one space within the driveway to be credited towards the on-street space (Resolution No. 8514). In the applicant's opinion, the conditions imposed are reasonable and appropriate. As such, the applicants will address these conditions with the project's Civil Engineering details and include the Fire Marshal in their final review.

Bermuda Drive: Similar to the original Phase II approval (LDS-97-89), Bermuda Drive (previously referred to as Crest View Court) will exceed 450 feet as prescribed by code but the use of the cul-de-sac and its length, may be approved by the Commission for reasons such as terrain (slope), existing development patterns, etc (MLDC 10.426C.2 and 10.450). For those reasons previously stated, this proposal includes a similar street and cul-de-sac design with a vehicle turnaround at its mid-point as required by the Fire Marshal. Further, a 5' public pedestrian easement was recorded with the platting of Phase I from the end of the proposed cul-de-sac, south of the water tank, and extending over to Cherry Lane. At the time of the final plat for Phase 2, the pathway will be installed per the attached plans.

Traffic Analysis: During the initial Master Plan's approval, the City Council determined there was sufficient transportation capacity on existing streets (i.e., Hillcrest Road, Cherry Lane, etc.) due to the pending construction of McAndrews Road. During that period, Area I was approved for 85 lots and thus the current proposal is substantially the same as originally approved. Therefore, no traffic analysis has been submitted, nor is required (PUD-95-1 / Phase I and II, Staff Report).

Constraints Analysis: The applicants have surveyed the property in order to evaluate the site's physical conditions as they relate to slope, trees, utilities, etc. In doing so, a topographical slope analysis was completed as well as a tree inventory which has helped guide the proposed plans in order to configure streets and lots to avoid the site's most severe constraints. In those cases where such constraints do exist, common areas have been created, driveway realignment considered or lots have been enlarged to not only mitigate possible disturbance, but to also incorporate these physical elements as attributes of the subdivision.

Neighborhood Meetings: Considering the length of the property and the number of adjoining neighborhoods, the applicant has had three neighborhood meetings prior to the Planning Commission's hearing. These include the existing Phase I platted neighborhood off Cherry Lane to the east (September 27th, 2015), the Stardust Drive/Pinnacle Drive neighborhood to the west (September 29th) and the Cloudcrest Drive neighborhood to the south (September 30th). The intent of the meetings is to convey to the neighbors the project's preliminary outline, address any questions and to genuinely consider valid concerns. Based on the neighbor's input as well as the applicant's shared concerns, the applicant has:

- a) Agreed to reduced the number of units with Area I from 83 to 67;
- b) Agreed to include a "public" trail system, intermixed with public streets, for a total walking loop of one mile. Note: the trail connects with the 5' pedestrian easement within Phase I that extends to Cherry Lane. This was a condition of approval with the original Phase I and II approvals;
- c) Agreed to a street tree species that does not exceed 30' in height to maintain views;
- d) Agreed to consider the preservation of the three large Oak Trees in the area of Lots #23 - #25;
- e) Agreed to extend the sidewalk, curb and associated paving along Stardust Way to Cloudcrest Drive;
- f) Agreed to consider the merger of Phase I and Phase II HOA's in order to produce a more cohesive neighborhood plan;
- g) Agreed to reduce the number of lots within the northern area of the property near the power lines.

Home Owners Association: The Highlands was intended to be a master planned development with consistent themes of landscaped open spaces, trails, housing types, connected streets, etc. To this end, the applicants desire to develop the property similar to Phase I, Area I in order to continue with the subdivision's quality development and attractive appearance. In order to manage the affairs of the subdivision such as architectural review, landscape maintenance, etc., a Home Owner's Association will either be independently formed or combined with the existing Home Owner's Association in Phase I, Area I. Both options are feasible and discussions with the existing HOA as noted above have already occurred. At the time of the Final Plat, Articles of Incorporation, Bylaws and Covenants, Conditions and Restrictions (CC&R's) for the Home Owners Association will be submitted.

Departmental Pre-application Comments:

Public Works Department:

Streets: In accordance with MLDC 10.931E(1), all streets and private access drives have been designed to reduce the extent of cuts. Prior to completion of the final improvement plans by the project's Civil Engineer, the plans will be submitted to the City and service agencies to ensure compliance and coordination is occurring;

Dedications: All streets and private access drives will be dedicated in accordance with the City's Street Standards, including the necessary right-of-way width to accommodate lanes, sidewalks, parking, etc. where required. All dedications will include slope easements for the maintenance and protection of cut and fill slopes where required;

Improvements: All streets within the proposed subdivision will be improved in accordance with City Street Classification and Improvement Standards. Cherry Lane will be constructed to a ½ street plus 12' standard. All street and infrastructure specifications, including those for streetlights, sanitary sewer, storm

drainage, etc., will be included as part of the Final Engineering Plans. All plans will be designed and construction supervised by the project's Civil Engineer;

Building Permits: The applicants are aware that no building permits will be issued until the Final Plat has been recorded and improvements inspected.

Fire Department:

Fire Sprinklers: All homes within the subdivision will include an NFPA 13-D automatic fire sprinkler system;

Unobstructed Access Roads: Roads will be at least 20' in width and have a minimum vertical clearance of 13'-6" in height to avoid fire apparatus obstruction. All roads will be designed to accommodate 60,000 pounds of weight;

Parking Restriction: Parking will be restricted along minimum access driveways and within fire turn-around areas and include the necessary "no parking" signage. Further, parking will be restricted to one side of Bermuda Court;

Phasing: In order to have adequate emergency vehicle access, the Fire Department will be consulted as it relates to project phasing in accordance with Section D104.3;

Fire Hydrants: The applicants are aware a total of 24 fire hydrants will be installed, spaced at 250' apart. The final engineered plans will be reviewed and approved by the Fire Department prior to site construction and all such hydrants will be installed, per the phased plan, prior to any combustible materials being stored on-site.

Fire Truck Turn-Around: A temporary Fire Department turn-around will be constructed for dead-end streets in excess of 150';

Wildfire Risk Mitigation Areas: The applicants have reviewed the wildfire risk mitigation recommendations and will consider each measure based on various factors, including home owner preference, site placement and/or the physical constraints of the property.

Building Department:

Building Codes: The applicants are aware the City of Medford uses the 2011 ORSC, 2011 OISC and 2010 OMSC;

Electronic Submittals: All building plans will be submitted electronically;

Soils Report: The applicants are aware that at the time of each building is submitted a site specific soils report will be included relating to the site's soil condition and how the building pad will be prepared.

Geotechnical Monitoring: At the time of a building permit application for each individual house, a site specific soils report prepared by a Geotechnical Engineer will be submitted addressing how the individual building's pad will be prepared. Further, prior to a foundation inspection and prior to a final inspection, the project's Geotechnical Engineer will provide a report indicating the pad and the site's various disturbances have been treated to minimize erosion and maintain slope stability.

Planning Department:

Transmission Lines: Based on the suggestion of the Planning Department staff, the distance from the transmission lines located along the northern side of the property has increased by the inclusion of a 100' wide common area separating the residential parcels. Further, the number of parcels within the northwest corner of the property (Phase 9) has been reduced from 11 to 5 with the remaining five lots being over 200' in depth in order to further mitigate the setback distance.

Shared Driveways: The final engineering plans and plat will identify driveway approach points and cross easements, if necessary, in order to reasonably parallel the site's topography and minimize driveway slopes and retaining walls.

Conclusions: The applicant contends the proposal is consistent with the originally approved Highlands Master Plan Planned Unit Development as the lot and street pattern are substantially the same. The applicants contend

the proposed revisions to reduce the number of lots or revise certain street connections are in response to neighborhood input, market considerations or new geographical or survey information. Overall, the applicants believe the proposal has significantly been improved upon and once developed will be an attractive and sought-out living environment for future residents.

Application Criteria & Findings of Fact:

*NOTE: For clarity, the following portion of the document has been formatted in "outline" form with the City's approval criteria noted in **BOLD** font and the applicant's response in regular font. Also, due to repetitiveness in the required Findings of Fact, there are a number of responses that are repeated in order to ensure that the Findings of Fact are complete.*

10.245 A.4. De Minimis Revision of a PUD

Notwithstanding Subsection 10.230(G), the Planning Director may approve revisions to an approved Preliminary or Final PUD Plan that he/she determines are de minimis. Proposed revisions shall be considered de minimis if the Planning Director determines the changes to be slight and inconsequential and will not violate any substantive provision of this Code. The Planning Director's written approval of a de minimis revision(s) shall be appended to the Final Order of the Planning Commission or final approval of the Planning Director of the Final PUD Plan. Revisions that are de minimis shall not require public notice, public hearing or an opportunity to provide written testimony. However, if, while the record is open, any party requests in writing to be notified of future de minimis revisions of a Preliminary PUD Plan, then all de minimis revisions of a Preliminary PUD Plan shall be subject to review as a Class 'C' Procedure or such other procedure as may be permitted by law.

In the applicant's opinion, the proposed PUD revisions to Area 1, Phase II, are de minimus due to the fact the changes proposed are negligible and will not violate any substantive provision of the City of Medford's Land Use Code. The subject property is on a hillside and after careful consideration it has been determined the most appropriate development would include a reduction in the project density from 83 to 75 units, increase the number of sub-phases from 5 sub-phases to 10 sub-phases in order to better manage real estate market conditions, revise the housing types in order to reduce attached housing on the hillside lands and to modify certain streets within the subdivision that would have required excessive excavation. Overall, all of the revisions noted herein relate to various Comprehensive Plan Policies relating to hillside development.

Density Reduction: The Highlands Master Plan has been approved for 969 units on its 221 acres for a total of 4.38 dwelling units per acre. With the reduction of the density proposed herein, specifically within Area 1, Phase II from 83 units to 75 units the total dwelling units within the Master Plan area would be reduced to 961 units or 4.34 dwelling units per acre. In the applicant's opinion, the difference of less than a ½ percent is de minimis and meets the criteria of the Medford Land Development Code, Section 10.245 A.4 (above). Finally, it should also be noted a di minimis revision was approved in 2007 "increasing" the number of residential units planned for Area 1, Phase II from 60 to 83 units. As such, the current proposal not only contemplates a more sensitive subdivision, but it's density in more in-line with the original Master Plan.

Phasing: As noted, the applicants are proposing a modification of the approved Final PUD to increase the 5 sub-phases into 10 sub-phases. The purpose of the phasing is to simply be prudent in the expansion of infrastructure as it relates to market conditions. Evidence continues to remain in the Valley of subdivisions or portions of that have been improved with streets, sidewalks and utilities, but without housing. In these cases, there are weeds popping up within sidewalks and streets such as the short street northeast of Cliffwood Court within Area 1, Phase I. However, by remaining prudent and limiting financial risk, the applicant, as well as surrounding property owners, will be less impacted if the economy reverses.

The proposed phasing chronology is not indicative of the likely development order. Considering there are public improvements extending to various points at the perimeter of the subdivision (Stardust Way to the west, Cherry Lane to the East and Bermuda Drive to the south) it's possible two or more phases could occur at a given time. However, based on preliminary engineering, the expectation is Phase 9 and/or 10 will occur first followed by Phase 3 and/or 4. Regardless, all infrastructure improvements will be designed to accommodate the adjoining phase's infrastructure needs and practical development standards such as maximum street lengths, temporary fire truck-turn, and common open space landscaping and irrigation details will also be provided with the Final Plat as required. Overall, the added sub-phasing is slight and inconsequential and does not violate any substantive provision of the Medford Land Use Code.

Modified Housing Type: The applicants are proposing a modification of the housing type within the Area 1 boundary by replacing 19 attached "garden home" units to 19 single family detached units or Estate sized lots. There are various reasons for the modification which include: 1) the avoidance of monolithic volumes and building mass on the City's hillside lands; 2) a limited market demand for costly attached housing on hillside lands; 3) an opportunity for added design flexibility and 4) reducing maintenance and liability for future owners. Most importantly, the applicants contend the "looped" driveways originally associated with the attached units would increase the hillside's disturbance and that a standard street design, with planting strip and parking bays, would provide necessary on-street parking opportunities, create an equally attractive streetscape and be less disturbing to the hillside.

Revised Street Connections: The applicants have evaluated the previous approvals for Area 1 and have concluded some minor adjustments to the subdivision's street system, based on the property's physical attributes, would be appropriate. In particular, the looped roads as noted previously off of Cherry Lane have been removed in order to reduce hillside excavation and unnecessary hillside scarring, but also the modification avoids steep intersections and potential vehicular conflicts along Cherry Lane. Secondly, Bermuda Drive (off Cloucrest Drive) is proposed to no longer connect with the future extension of Stardust Way due to the physical constraints it too would encounter such as slopes exceeding 35%. Similar to the purpose of removing the looped roads noted above, because Bermuda Drive was planned to intersect with Stardust Way at a 90 degree angle, its intersection would have been excessively steep and require excessive amounts of earth movement in not only the area of the intersection, but also existing and proposed adjacent lots. As proposed, Bermuda Drive will now serve 14 single family homes where it had previously served 10. Overall, it is the applicant's opinion the street revisions are slight as the burden of additional vehicle trips onto local residential streets is lessened and the revisions are inherently safer as vehicles exiting onto the streets have an improved line-of-sight.

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:

Land Division Criterion: (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;

Finding: The proposed Tentative Plat and amendments requested herein are consistent with the originally envisioned Highland's Master Plan and City's Comprehensive Plan. The application includes Findings and conclusions that the application complies with the specific standards adopted into the Medford Development Ordinance, specifically Article IV (Public Improvement Standards and Criteria) and Article V (Site Development Standards), except as per the requested modifications which may be authorized as part of a

Planned Unit Development under MLDC Section 10.230 and 10.235. Further, the policies of the City's Comprehensive Plan and any other specific elements of the Comprehensive Plan or City design standards were reviewed to determine if The Ridge at the Highlands (Area 1) development proposal would be in anyway inconsistent. To the best of the applicant's knowledge, no inconsistencies were identified. To the contrary, the City of Medford's Comprehensive Plan encourages flexibility in design of projects to preserve natural areas.

Comprehensive Plan – Environmental Element:

Goal 1: To improve and maintain the quality of life in Medford by using land use planning strategies that have positive effects on the natural environment.

Goal 2: To provide and maintain open space within the Medford planning area for recreation and visual relief, and to protect natural and scenic resources.

The subject area was approved as a part of a Master Planned Community with the goal of coordinating utility services, street connections and preserving critical open spaces within the east hills of Medford. This particular phase of The Highlands is located between two existing developments with all future phases to be constructed east of the subject area by others. The overall master plan strategy was to not only fully evaluate this areas integration into the fabric of the existing neighborhoods, but to do it in such a way that negative effects on the natural environment and designated open spaces are minimized.

The proposed revisions were specifically evaluated based on the site's physical constraints as it relates to hillside development for roads, excessive cut and fill areas and housing mass along this area of the City's prominent foothill background. The reduction of units from 83 to 75 will assist in reducing mass where common wall housing could have occurred. Further, the areas of the subdivision that have extensive slopes have been avoided for housing and road construction and instead set aside within common open space areas, to be maintained by the Home Owners Association. Overall, the end result of the proposed subdivision is to remain consistent with Policy 2-B and "strive to preserve and protect the visual amenities offered by the foothills" while at the same time remain substantially consistent with the original master plan and the City's Comprehensive Plan and Land Use Codes.

Comprehensive Plan – Natural Resources Element:

Goal 8: To minimize erosion and hazards relating to slope and soil characteristics by assuring that urban land use activities in Medford are planned, located, and conducted consistently with prevailing soil limitations.

Included with this application is a Geotechnical and Geologic Investigation Report from Applied Geotechnical Engineering, a Medford Engineering firm, who evaluated the site's geologic conditions as well as a preliminary subdivision designs. The investigation included analysis of the site's soil conditions, groundwater, rock excavation, proposed site preparation and cut and fills areas. The report includes recommendations for design and construction, including the elimination of the upper section of Bermuda Drive, which has since been completed as evidenced on the plans. Additional recommendations as it relates to site preparation, preliminary foundation engineering and street construction have also been considered and will be included in the subdivision's final engineering documents. Further, all building permits for new structures will be constructed in accordance with the Uniform Building Code and specifically will include a geotechnical report relating to specific elements of a proposed home's foundation and earth disturbances consistent with the recommendations of the Applied Geotechnical Engineering Report.

Overall, the subdivision has been designed with streets and utilities that follow topographic contours where possible and streets and parking facilities have been kept to minimum size to minimize hillside scarring and sediment erosion resulting from cut and fill activities which will help prevent sediment from entering the storm drainage system.

Comprehensive Plan – Housing Element:

Goal 1: To provide for the housing needs of citizens of Medford. Policy 5: The City of Medford shall provide opportunities for alternative housing types and patterns, such as planned unit developments, mixed-uses, and other techniques that reduce development costs, increase density, and achieve projects that are flexible and responsive to the site and surroundings, including the conservation and enhancement of areas having special scenic, historic, architectural, or cultural value.

The proposed subdivision is a phased area of a master planned, planned unit development. The master plan includes area of alternative housing types and a mix of uses, albeit a small restaurant within Area 5 and a small mixture of alternative housing types sprinkled throughout the various areas. In the applicant's opinion, the proposed development, being on a hillside and adjacent to existing development on three of its four sides, is designed to be responsive to the site's physical limitations and the site's surroundings as previously described. Further, the development's proposed phasing is a strategy to be financially prudent with the expansion of infrastructure in order to reduce development costs, all of which is dependent on market conditions.

Comprehensive Plan – Public Facilities Element:

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

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

Related to the subdivision's original entitlements, two water tanks, the land and accessory structures were installed and are now owned and operated by the Medford Water Commission. The tanks were determined to be necessary to serve the entire Highlands Planned Unit Development area. However, since there has been a significant lapse of time between construction phases, it's important for the applicants to address this particular provision in order to assure the decision makers that both Goals 1 and 2 above have been addressed.

Comprehensive Plan – Transportation System Plan Element:

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

Various policies and implementation strategies within the Transportation Element discuss balancing street function / design through the use of context-sensitive street and streetscape design techniques (Policy 2-D) and request making the necessary adjustments to avoid topographical features, natural resources, etc. In the applicant's opinion, the street layout as designed attempts to provide a pattern of connected streets in order to maintain consistency with the original transportation plan and the project's planned densities, but to also invoke sensitive hillside development practices where possible, such as the removal of the upper section of Bermuda Drive.

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

The planning of Area 1 of the Highlands Planned Unit Development considered existing and future street patterns and therefore access to the adjoining vacant properties as well as existing streets, based on the master plan's original street pattern, will continue to remain with the full build-out and street dedications planned for this phase of the planned unit development.

Land Division Criterion: (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;

To the best of the applicant's knowledge, no conflicts exist with the subdivision's name. The name is consistent with the names that were approved with the initial planned unit development application, including Phase 1 of Area 1 (same area as proposed) which has already been platted, recorded and constructed upon.

Land Division Criterion: (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;

The proposed street pattern is consistent with the originally approved Planned Unit Development which identified Cherry Lane extending through the property to future development areas. Other than the removal of the upper section of Bermuda Drive connecting with Stardust Way, the plan is consistent with previous approvals. Finally, the proposed streets are consistent with the existing street pattern, including the continuation of Cherry Lane and the continuation of Stardust Way intersecting with Cherry Lane.

Land Division Criterion: (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;

The proposal does include a private minimum access road on the north and south sides wrapping around the Medford Water Commission property located off Stardust Way (Lots #84 – 92). Reservations as to the maintenance of the minimum access road will be recorded on the deeds of the benefitting properties and addressing, in accordance with the Fire Department standards, located at the entrances of the driveway will be installed.

Land Division Criterion: (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.

The proposal will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU zoning district as the subject property is not adjacent to EFU land.

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.

As noted, the property contains natural slopes ranging from 15% to 35%, as well as existing housing patterns essentially locking access to certain sections of the property.

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

As noted above, a portion of the property, specifically within its southeastern quadrant, is only accessible via the street route shown (Bermuda Court); similar to the original approved street pattern.

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

As evidenced on the submitted subdivision plans, specifically the tentative plat maps, pedestrian access is being provided from the end of the Bermuda Court cul-de-sac over to Cherry Lane via open space and an existing pedestrian easement through Phase I that was provided in anticipation of Phase II's access constraints. Housing will or does exist on both sides of the accessway providing a sense of natural security and lighting. All requirements of MLDC 10.464 through 10.466 are to be complied with.

(2) If a cul-de-sac is necessary, then the following standards shall apply: (a) Cul-de-sac streets shall be as short as possible and shall not exceed 450 feet in length. (b) Cul-de-sac streets shall have a vehicle turnaround area with a minimum right-of-way radius of forty-five (45) feet and a minimum paved section radius of thirty-seven (37) feet.

The project Engineer and Surveyor have based the street designs on the City of Medford's Street Standards and in accordance with 10.450(2) above. Further, communication with the Medford Fire Department relating to the cul-de-sacs' design such as turning radii and length between cul-de-sacs have occurred. It should also be noted, all of the houses within the subdivision will include residential fire sprinklers, verified with each home's building permit.

(3) If a flag lot is necessary, then the following standards shall apply:

(a) The access drive, or flag pole, shall have a minimum width of twenty (20) feet.

(b) The minimum lot frontage for a flag lot shall be twenty (20) feet.

(c) The required front yard setback shall be measured from the lot frontage property line.

(d) The minimum driveway throat width shall be determined as per Section 10.550.

As noted above, the project Engineer and Surveyor have based the street designs and flag lot driveways on the City of Medford's Street Standards and in accordance with 10.450(3a-d).

10.426 Street Circulation Design and Connectivity

These standards are intended to assure that development will ultimately result in complete blocks bound by a network of public streets, and/or private streets constructed to City Standards open to public use, and/or interior access roads open to public use. As it applies to this section, an Interior Access Road shall mean the following:

A public access easement on private property which facilitates through public vehicular and pedestrian access.

A. Street Arrangement Suitability.

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

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

The subdivision's proposed street pattern is almost exactly as originally approved, but for areas that were deemed sensitive and thereby adjustments made. The project's Civil Engineer, Surveyor as well as Geotechnical Engineer have worked closely to determine the most efficient, safe and connected street pattern as it relates to the site's physical constraints and existing neighborhood pattern. Within this context, the streets, driveways and accessways have been designed in accordance with the City of Medford's Street Standards. Further, the applicants have reviewed the adopted circulation plans within this area and none appear to be applicable, other than the overall PUD Master Plan which the proposal is based.

B. Street Connectivity and Formation of Blocks Required.

1. Block layouts shall substantially conform to adopted neighborhood circulation plans for the project area if applicable. Street arrangement and location may depart from the adopted plan if the project will result in a comparable level of overall connectivity. Projects that depart from the neighborhood circulation plan shall conform to planned higher order streets adopted in the City of Medford Transportation System Plan.

To the best of the applicant's knowledge, there is not an adopted neighborhood circulation plan for this area. However, the applicants contend the adopted Highlands Master Plan PUD is an equivalent neighborhood circulation plan and the applicants have designed the subject subdivision street pattern accordingly.

2. Proposed streets, alleys and accessways shall connect to other streets within a development and to existing and planned streets outside the development, when not precluded by factors in Section 10.426 C.2 below. When a development proposes a cul-de-sac, minimum access easement or flag lot to address such factors, the provisions of Section 10.450 apply.

The proposed streets and accessways do connect to other streets within the development and to existing and planned streets outside the development - when not precluded by factors in Section 10.426 C.2 as noted above on Page 15.

3. Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops and other neighborhood activity centers such as schools, office parks, shopping areas, and parks.

The subdivision has been designed in accordance with the adopted PUD which contemplated parks, trails and connected streets. To this point, the site's open spaces and trails are placed and weaved throughout the subdivision for special relief, hillside sensitivity and for neighborhood interacted opportunities.

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

The applicants contend the streets have been designed based on a variety of factors, primarily for hillside sensitivity and street connectivity, but also to continue an orderly pattern of streets and blocks in context with its surroundings.

C. Maximum Block Length and Block Perimeter Length.

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

Note: Per Table 10.426-1, the Block Length is 660' and the Block Perimeter 2,100.

All the subdivision's streets comply with the above standards, including Bermuda Court which has cul-de-sacs spaced at less than 660' (600' +/-) apart and an overall street length or block perimeter of less than 2,100' (1,000' +/-). Further, at the end of Bermuda Court, there is an accessway in accordance with MLDC 10.450, as described above (Page 15).

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

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

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

Criterion a. and b. above are the only applicable criteria based on the proposal. That said, the subject 37.34 acre property has slopes ranging from 15% to 35% and existing street or housing patterns that have created the need for an extended block length. The applicants believe with the mitigation measures such as the cul-de-sac placement, accessway and agreed upon fire sprinkler system in each residence meets the criteria and Planning Commission's approval.

Conclusion:

Based upon the findings presented herein, the applicants find the application for a Tentative Plat approval for an 83-lot, 75 residential unit subdivision, including eight common open space lots, meets the applicable criteria found in Section 10.270 of the Medford Land Development Code. Further, Section 10.245(4) of the Medford Land Development Code authorizes the Planning Director to approve revisions to an approved Planned Unit Development that he/she determines to be de minimis. The proposal herein does include a de minimis revision request to the approved Final PUD Plan for Phase II in order to reduce the number of residential lots from 83 to 75, to increase the common open space areas, divide Area 1, Phase II from 5 sub-phases to 10 sub-phases in order to address market conditions and replace the attached units with detached units and to revise certain street connections due to hillside constraints. Based on the provisions within Section 10.245(4), the Planning Director's written approval of a de minimis revision(s) shall be appended to the Final Order of the Planning Commission or final approval of the Planning Director of the Final PUD Plan.

Attachments: Geotechnical and Geologic Investigation Report
Proposed Tentative Plat with Topography
Proposed Tentative Plat without Topography
C.1 Conceptual Grading and Drainage Plan
C.2 Conceptual Utility Plan
C.3 Conceptual Road Cross-Sections
C.4 Existing Topographical Analysis
C.5 Conceptual Trail Plan
Conceptual Trail and Open Space Plan
The Highlands' Approved PUD Plan (PUD-95-1)
The Ridge at the Highlands Tentative Plat (LDS-97-89)



Continuous Improvement Customer Service

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MAR 02 2016

PLANNING DEPT

CITY OF MEDFORD

Revised Date: 3/2/2016
File Numbers: LDS-15-167

PUBLIC WORKS DEPARTMENT STAFF REPORT
The Ridge at the Highlands, Phase 2-10

Project: Consideration of a request for tentative plat approval for The Ridge at the Highlands Phases 2 - 10, a 67 lot subdivision on approximately 37.34 acres.

Location: Located at the northerly termini of Cherry Lane, Bermuda Drive and Stardust Way and approximately 100 feet north of Cloudcrest Drive, within the SFR-4/PD (Single Family Residential, four dwelling units per gross acre/Planned Development Overlay) zoning district.

Applicant: Ayala Properties, LLC., Applicant, (Urban Development Services, LLC., Agent). Kelly Akin, Planner.

Applicability: The Medford Public Works Department's conditions of Preliminary Plan Approval for The Ridge at the Highlands PUD were adopted by Order of the Medford Planning Commission (PUD-95-001). The adopted conditions by this action shall remain in full force as originally adopted except as amended or added to below.

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

A. STREETS

1. Dedications

Cherry Lane is proposed as a Standard Residential Street with a proposed right-of-way width of 70-feet, which exceeds the standard prescribed by Medford Land Development Code (MLDC) 10.430 and 10.931. The extra right-of-way appears necessary to accommodate steep slopes.

Stardust Way existing at the westerly edge of the proposed development is classified as a Minor Residential Street within the MLDC 10.430. The Developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this proposed subdivision to comply with the half width of right-of-way, which is 27.5-feet. Based on the Final Plat for Stardust Heights, it

appears there is 12 feet of right-of-way existing east of centerline. **The amount of additional right-of-way needed appears to be 15.5-feet (MLDC 10.451). The Developer's surveyor shall verify the amount of additional right-of-way required.**

Stardust Way is proposed as a Minor Residential Street with right-of-way width of 40-feet, consistent with the standard prescribed by MLDC 10.430 and allowed by 10.931.

Bermuda Drive shall be extended to connect with the proposed street to the north in accordance with the original PUD approval (PUD-95-001) or the Applicant shall modify the PUD Plan to eliminate this condition.

Bermuda Court (from Bermuda Drive to middle of cul-de-sac) is proposed as a Minor Residential Street with right-of-way width of 40-feet, consistent with the standard prescribed by MLDC 10.430 and allowed by 10.931.

Bermuda Court (from middle of cul-de-sac) is proposed as a Minor Residential Lane with right-of-way width of 34-feet, which exceeds the standard prescribed by MLDC 10.430 and allowed by 10.931. The remaining two lots served by Bermuda Court warrant that segment of street to be designated a Minimum Access Easement. PUE, storm drain, and sanitary sewer easements shall be granted as needed.

The **minimum access drive** shall be private and constructed in accordance with MLDC Section 10.430A(1) and have a minimum width of 20-feet.

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)

Southerly Maintenance Road shall be privately maintained by the Home Owner's Association. These private roads are required for City service vehicles to access the proposed underground facilities. These roads shall be located within common tracts of land and shall be constructed as all-weather access a minimum of 12-feet wide. Where road grades exceed 11-percent, these roads shall be paved. A turn-around shall be provided at the terminus of each road (MLDC 10.439). The City also requires a 15-foot easement spanning the length of these roadways (1.5-foot on either side of the access roadway). Financial security, for a period of 5 years, shall be provided in a form and amount acceptable to the City Engineer that will allow the roads to be paved in the event they do not hold up for maintenance vehicle traffic.

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). Where an acceptable cross-slope of 2-percent cannot be maintained within the PUE, the easement may be provided on the downhill side of the

street only, subject to utility company approval. All minimum access drives, plus the adjacent 10 feet, shall also be dedicated as a PUE.

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

2. Public Improvements

a. Public Streets

Cherry Lane shall be improved to Standard Residential Street standards in accordance with MLDC 10.430 and allowed by 10.931. The developer shall build the entire 28-foot pavement section, complete with curb and gutter and a 5-foot wide sidewalk on the southerly side.

Stardust Way existing at the westerly edge of the proposed development 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. Previous developments to the west (i.e., Stardust Heights) completed partial improvements to the west half plus 12 feet east of centerline to this portion of Stardust Way. Therefore, along this partially improved portion, the Developer shall improve the remaining east half to provide a 14-foot half street width, complete with curbs, gutters and 5-foot wide sidewalks in accordance with MLDC 10.430. This shall include saw cutting the existing east edge of pavement back a minimum of 1-foot to ensure structural integrity and to provide cross slopes that meet current standards as required. The Developer shall also be responsible for full improvements to Stardust Way from Cloudcrest Drive to the southwest corner of the subdivision in accordance with the original PUD approval (PUD-95-001).

Stardust Way shall be improved to Minor Residential Street standards in accordance with MLDC 10.430 and allowed by 10.931. The developer shall construct a 28-foot wide pavement section complete with curb and gutter on both sides, and a 5-foot curb-tight sidewalk along the downslope side of the section.

Bermuda Court (from Bermuda Drive to middle of cul-de-sac) shall be improved to Minor Residential Street standards in accordance with MLDC 10.430 and allowed by 10.931. The developer shall construct a 28-foot wide pavement section complete with curb and gutter on both sides, and a 5-foot curb-tight sidewalk along the downslope side of the section.

Bermuda Court (from middle of cul-de-sac) shall be improved to Minor Residential Lane standards in accordance with MLDC 10.430 and allowed by 10.931. The developer shall construct a 26-foot wide pavement section complete with curb and gutter on both sides, and a 5-

foot curb-tight sidewalk along the downslope side of the section. The remaining two lots served by Bermuda Court warrant that segment of street to be designated a Minimum Access Easement.

b. Minimum Access Easement

The proposed Minimum Access Easement shall be constructed to a minimum width of 18-feet with AC pavement per (MLDC) 10.430A. The minimum TI for the structural section shall be 3.5, the minimum AC section shall be 3" thick, and the base aggregate shall extend one foot beyond the edge of pavement.

The Minimum Access Easement 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. 28 – 100W HPS street lights

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

- A. 2 – Barricades
- B. 2 – Dead end signs
- C. 2 – Street name signs (may change if street names are changed)

The above provided numbers are all-inclusive. As each phase is developed, additional requirements will be necessary (i.e., dead-end signs and 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 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.

e. Soils Report

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

f. Access to Public Street System

Access shall be taken from the existing roadways fronting this development. No access shall be taken from proposed Cherry Lane to the undeveloped land to the northeast.

g. Easements

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

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

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

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

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.

Cherry Lane, Stardust Way and Bermuda Court: 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. This development will create an additional 67 Lots within the City of Medford and increase vehicular traffic by approximately 641 average daily trips. The proposed development will improve approximately 126,679 square feet of roadway which equates to 1,891 square feet per dwelling unit. Also the development will dedicate approximately 250,365 square feet of right-of-way which equates to approximately 3,737 square feet per dwelling unit.

To determine proportionality a neighborhood with similar characteristics was used. The development used was Stonegate Estates Phase 1 located at the intersection of North Phoenix Road and Creek View Drive and consisting of 72 dwelling units. The previous development improved approximately 147,827 square feet of roadway and dedicated approximately 249,148 square feet of right-of-way (GIS data used to calculate, approximations only). This equates to approximately 2,053 square feet of road per dwelling unit and approximately 3,460 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. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.
- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.
- c. Dedication will provide access and transportation connections at urban level of service standards for this development. Each Lot in this development will have direct access to a public street with facilities that will allow for safe travel for vehicles, bicycles and pedestrians. There is also sufficient space for on-street parking. The connections

proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.

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

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

B. SANITARY SEWERS

The proposed development is situated within the Medford Sewer service area. The Developer shall construct the necessary public sanitary sewer facilities to City of Medford standards, and shall provide one service lateral to each platted lot prior to approval of the Final Plat. All public sanitary sewers shall be located in paved public streets or alleys, or within public sanitary sewer easements with access to manholes, as noted under Section A(1) and grant easements to the City of Medford for access and maintenance of public sewer facilities not located within paved public streets. All public sanitary sewer mains shall be extended to the limits of the development where applicable to serve future development.

All public mains shall be gravity flow.

City sewer cleaning equipment is too large to make turns within a narrow road. If a public sanitary sewer is placed in a road, manholes shall be located at intersections with connecting alleys or streets, where possible, so that the cleaning equipment may access them without having to make sharp turns.

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 site lies within the Lazy Creek Drainage Basin. This development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual per MLDC, Section 10.481. For

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

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

The proposed Storm Water Facility shown on Exhibit C.1 adjacent to Lot 63 shall be constructed off-line of the existing drainage way unless the following conditions are met:

- o Provide DSL and ACOE concurrence.
- o Flows generated by offsite drainage shall be less than two times projected flow from the development.

The Developer shall dedicate a drainage easement along the drainage way through this project, 20-feet on each side of the existing drainage way centerline for a total width of 40-feet.

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

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.

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.

All public storm drain mains shall be located in paved public streets or within easements and shall extend to the limits of the development where applicable to serve future development. All manholes shall be accessible by paved or all-weather roads, as noted under Section A(1).

5. Erosion Control

Subdivisions of one acre and greater require a run-off and erosion control permit from DEQ. The approved permit must be submitted to the Engineering Division prior to public improvement plan approval. The erosion prevention and sediment control plan shall be included as part of the plan set. All disturbed areas shall have vegetation cover prior to final inspection/"walk-through" for this subdivision.

D. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to 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. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

3. Phasing

The Tentative Plat shows that this subdivision will be developed in ten phases. Any public

improvements needed to serve a particular phase shall be improved at the time each corresponding phase is being developed. Public improvements not necessarily included within the boundaries of any given phase, but are needed to serve that phase shall be constructed at the same time. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase.

4. Draft of Final Plat

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

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

6. System Development Charges (SDCs)

Buildings in this development are subject to street, sewer collection and sewer treatment system 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.

The City 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.

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.

All areas where the fill depth exceeds one foot shall be certified for tested soils compaction by an engineer licensed in the state of Oregon, or by certified materials and construction testing lab, in accordance with City of Medford Standard Specifications for Street Construction, or with the adopted City of Medford Structural Specialty Code, as applicable to permitted work in the public right-of-way or privately developed lots respectively.

Prepared by: Jodi Cope/Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

The Ridge at the Highlands

LDS-15-167

A. Streets

1. Street Dedications to the Public:

- Dedicate Cherry Lane full right-of-way.
- Dedicate Stardust Way right-of-way.
- Dedicate Bermuda Drive/Court right-of-way.
- Dedicate Minimum Access Easement.
- Dedicate South Maintenance Road easements within tracts.
- Dedicate 10 foot public utility easements (PUE).

2. Improvements:

Public Streets

- Construct Cherry Lane to Standard Residential standards.
- Construct Stardust Way to Minor Residential standards.
- Construct Bermuda Drive/Court to Minor Residential standards and Residential Lane standards, respectively.
- Construct Minimum Access drive.

Lighting and Signing

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

Other

- Provide pavement moratorium letters.
- Provide soils report.

B. Sanitary Sewer:

- Provide private laterals to each lot.

C. Storm Drainage:

- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Dedicate easement along drainage way.
- 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.
- Building permits will not be issued until after final plat approval and completion of all public improvements.

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



BOARD OF WATER COMMISSIONERS
Staff Memo

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FEB 24 2016

PLANNING DEPT

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: LDS-15-167 (Revised)
PARCEL ID: 371W23 TL 2300
PROJECT: Consideration of a request for tentative plat approval for The Ridge at the Highlands Phases 2 - 10, a 67 lot subdivision on approximately 37.34 acres located at the northerly termini of Cherry Lane, Bermuda Drive and Stardust Way and approximately 100 feet north of Cloudcrest Drive, within the SFR-4/PD (Single Family Residential, four dwelling units per gross acre/Planned Development Overlay) zoning district; Ayala Properties, LLC., Applicant, Urban Development Services, LLC., Agent). Kelly Akin, Planner.
DATE: February 24, 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. Installation of an 8-inch water line is required in the proposed Cherry Lane extension north of the existing Star Dust Way. Applicants' civil engineer shall coordinate with MWC engineering department staff for water facility infrastructure layout.
4. Installation of a looped 8-inch water line is required in the proposed Bermuda Court with connection to MWC existing water system at the existing 8-inch water line in existing Star Dust Way between proposed Lot 40 and Lot 42. The second connection is located at the existing 8-inch water line in the existing access driveway near Lot 1 off Cherry Lane. An 8-inch water line shall extend up the existing paved driveway towards MWC Cherry Reservoir Site, and thence head northerly up access driveway past Lots 23 & 24 to Bermuda Court. Applicants' civil engineer shall coordinate with MWC engineering department staff for water facility infrastructure layout.
5. Dedication of a 20-foot wide residential side yard access and maintenance easement to MWC over all "hillside" water facilities located outside of public right-of-way is required. Easement shall be submitted to MWC for review and recordation prior to construction.

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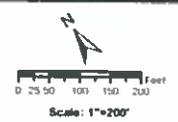
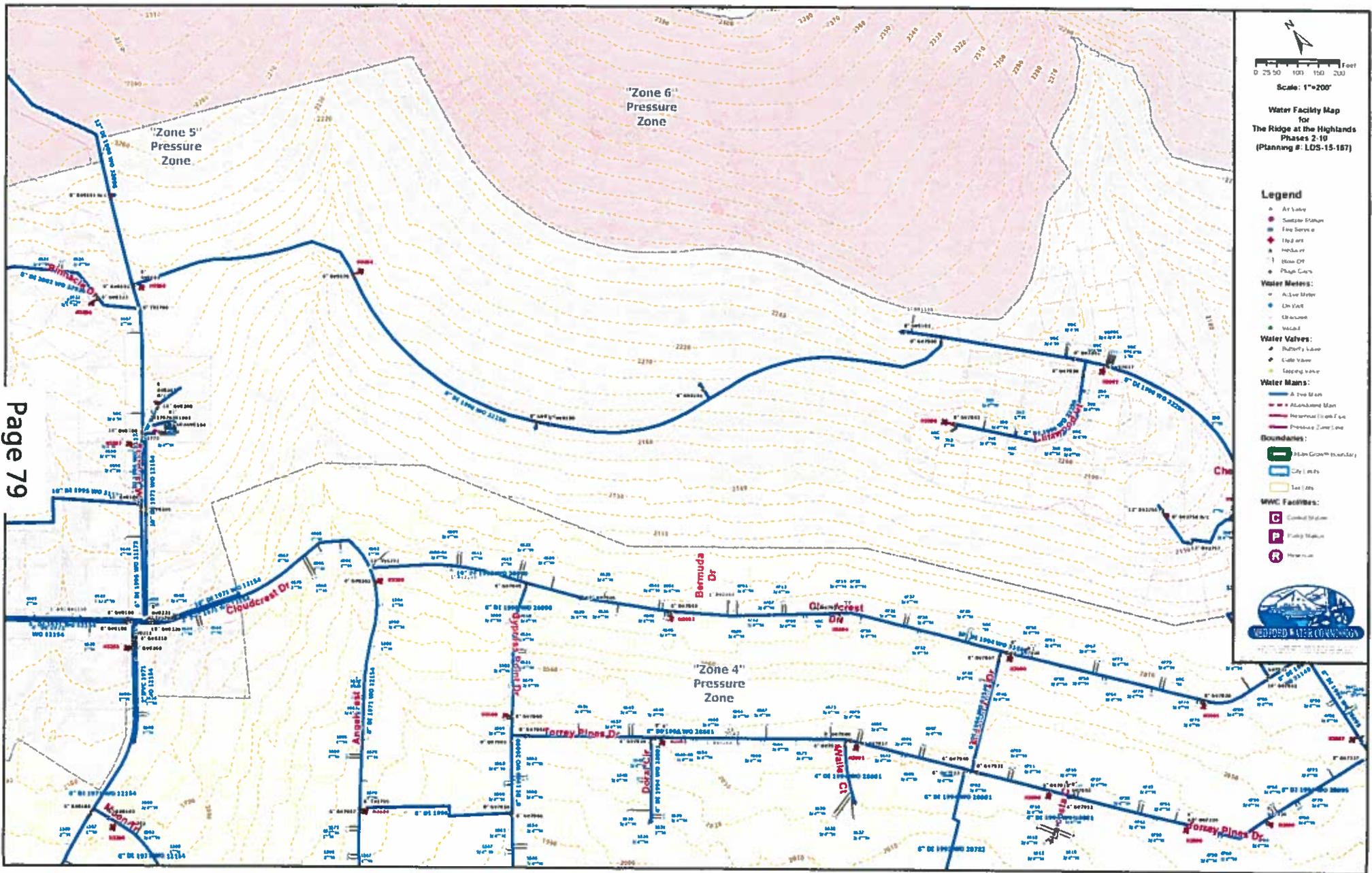
BOARD OF WATER COMMISSIONERS
Staff Memo

Continued from Previous Page

6. Applicants' civil engineer shall coordinate with Medford Fire Department for Fire Hydrant locations.

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is required. (See Condition 3 & 4 above)
3. MWC-metered water service does not exist to this property.
4. Access to MWC water lines is available. There is an existing 8-inch water line in Stardust Way between Stardust Way and Cherry Lane, and there is an existing 8-inch water line in Cherry Lane.
5. There are No System Development Charges (SDC's) for property within the Zone 5 Pressure Zone, as they were paid/offset with Phase 1 of the Ridge at the Highlands.



Water Facility Map
for
The Ridge at the Highlands
Phases 2-10
(Planning #: LDS-15-167)

Legend

- Air Valve
 - Suction Station
 - Fire Service
 - Hydrant
 - Meter
 - Plug Valve
 - Plug Valve
- Water Meters:**
- Alloy Meter
 - On Wall
 - Blanket
 - VACAD
- Water Valves:**
- Rubber Valve
 - Gate Valve
 - Teeing Valve
- Water Mains:**
- 12" Live Main
 - Abandoned Main
 - Horizontal Iron Pipe
 - Pressure Zone Line
- Boundaries:**
- Urban Growth Boundary
 - City Limits
 - Tax Lots
- MWC Facilities:**
- Control Station
 - Pump Station
 - Reservoir





Medford Fire Department

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

RECEIVED

FEB 17 2016

PLANNING DEPT

LAND DEVELOPMENT REPORT - PLANNING

To: Kelly Akin

LD Meeting Date: 02/17/2016

From: Greg Kleinberg

Report Prepared: 02/04/2016

Applicant: rban Development Services, LLC., Agent)

File #: LDS - 15 - 167

Site Name/Description: The Ridge at the Highlands

Consideration of a request for tentative plat approval for The Ridge at the Highlands Phases 2 - 10, a 67 lot subdivision on approximately 37.34 acres located at the northerly termini of Cherry Lane, Bermuda Drive and Stardust Way and approximately 100 feet north of Cloudcrest Drive, within the SFR-4/PD (Single Family Residential, four dwelling units per gross acre/Planned Development Overlay) zoning district; Ayala Properties, LLC., Applicant, Urban Development Services, LLC., Agent). Kelly Akin, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
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Requirement FD ACCESS-10% GRADE REQUIREMENT EXCEEDED	OFC 503.2.7
-------------------------------------------------------------	--------------------

The road grade exceeds 10% on both access roads leading into the subdivision, therefore, all homes in the project are required to have an alternate method of protection (equipped with residential fire sprinklers).

Lots/Units Affected: All lots

The Determination has been made that all or part of the fire apparatus access means of approach serving this Development does not meet the local standards adopted in accordance with the applicable fire code and state building code requirements. Therefore an approved alternate method of construction must be requested from the Medford Building Department. Where approved, this alternative must be recorded on the property deed as a requirement for future construction. Ref . OAR 918-480-0100 thru 0120, OFC Section 503 and Appendix D.

The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as approved by the Fire Chief.

A minimum size 3/4" x 3/4" water meter is normally required to supply the required water flow for a residential fire sprinkler system. Consult the Medford Water Commission for additional information.

Requirement FIRE HYDRANTS	OFC 508.5
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Fire hydrants with reflectors will be required for this project.

Fire hydrant locations shall be as follows: With the assumption that the existing fire hydrants will remain at their locations, an additional 16 fire hydrants are required for the subdivision at the following described locations

CITY OF MEDFORD
EXHIBIT # F
File # LDS-15-167
Page 1



Medford Fire Department

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To: Kelly Akin

LD Meeting Date: 02/17/2016

From: Greg Kleinberg

Report Prepared: 02/04/2016

Applicant: rban Development Services, LLC., Agent)

File #: LDS - 15 - 167

Site Name/Description: The Ridge at the Highlands

(generally 250' max. spacing):

Stardust Way:

- One in front of lot #65/open space
- One in front of lot #61
- One in front of lot #53
- One in front of lot #44/45
- One in front of lot #37/38

Stardust Way/Cherry Lane

- One on the corner in front of lot #35

Cherry Lane

- One in front of the open space to the East of lot #66
- One in front of lot #68
- One in front of lot #72
- One in front of lot #76/77
- One in front of lot #80/81
- One in front of lot #84

Bermuda Dr/Bermuda Ct

- One in front of lot #41
- One in front of lot #32
- One in front of lot #29
- One in front of lot #26

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 MINIMUM ACCESS ADDRESS SIGN	OFC	505
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Required for lot #2, #24, #25, #63 and lot #64:

The developer must provide a minimum access address sign. See attached minimum access street address sign installation sheet for the proper installation information. A pre-approved address sign can also be utilized.

Requirement PRIVATE FIRE DEPARTMENT ACCESS PARKING RESTRICTION	OFC	503.4
-----------------------------------------------------------------------	------------	--------------

Parking shall be posted as prohibited on one side of the 26' wide portion of Bermuda Court and the 26' wide portion



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LAND DEVELOPMENT REPORT - PLANNING

To: Kelly Akin

LD Meeting Date: 02/17/2016

From: Greg Kleinberg

Report Prepared: 02/04/2016

Applicant: rban Development Services, LLC., Agent)

File #: LDS - 15 - 167

Site Name/Description: The Ridge at the Highlands

of Cherry Lane. Parking shall also be posted as prohibited along the minimum access driveways leading to lot #2, #24, #25, #63, and lot #64.

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 signs shall be spaced at 75' 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.

Requirement WILDFIRE RISK AREA MITIGATION MEASURES

OFC

IWUIC

This development is located in a "Wildfire Risk Area". A minimum fire resistant rated Class A or B roof is required.

In addition, it is recommended that the following measures be taken to reduce the possibility of home ignition during a wildfire:

Fire Resistant Structure Planning including:

- Non-combustible siding
- Vent screening using corrosion resistant maximum 1/8" grid wire mesh
- Non-combustible rain gutters
- Solid skirting around the bottom of decks
- Non-combustible fencing attached to house

Landscaping Planning including:

- 0-5 feet perimeter non-combustible zone (concrete or non-combustible ground covering)
- Utilize fire resistant vegetation (See Oregon State University's "Fire Resistant Shrubs and Trees in SW Oregon")

Fully grown tree crown positioning to provide a minimum 10' horizontal clearance to chimneys or any part of structure

- Fully grown tree crown positioning to provide a minimum 15' clearance to other fully grown tree crowns
- Consider ladder fuels (vegetation like taller shrubs below trees that will spread fire into tree crown)



Medford Fire Department

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LAND DEVELOPMENT REPORT - PLANNING

To: Kelly Akin

LD Meeting Date: 02/17/2016

From: Greg Kleinberg

Report Prepared: 02/04/2016

Applicant: rban Development Services, LLC., Agent)

File #: LDS - 15 - 167

Site Name/Description: The Ridge at the Highlands

Requirement FIRE DEPARTMENT APPARATUS ACCESS-GATES **OFC** **503.1**

If there are any automatic gates controlling street access, the access control devices must be approved by Medford Fire Department. All gates shall have approved locking devices. Manual gates shall have a lock connected to a long length of chain. Automatic gates shall be equipped with an approved emergency services activated opening device. OFC 503.1; 503.4; 503.5; 503.6

Requirement FIRE DEPARTMENT TURN-AROUND **OFC** **503.2.5**

If the road system for all the phases is not completed at the same time, there will be requirements for temporary fire department turn-arounds.

A fire department turn-around is required at the end of Cherry Lane.

Dead-end Fire Apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

The Fire department turn-around area must be posted with "NO PARKING-FIRE LANE" signs. These signs shall be spaced at 50' intervals along the fire lane and at fire department designated turn-around's.

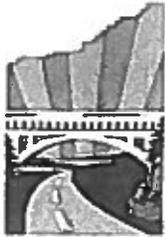
Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.

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

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

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

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



JACKSON COUNTY

Roads

**Roads
Engineering**

Kevin Christiansen
Construction Manager

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

www.jacksoncounty.org

February 5, 2016

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

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RE: Subdivision off Cherry Lane – a city maintained road.
Planning File: LDS-15-167

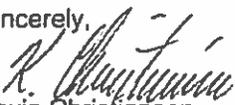
Dear Kelly:

Thank you for the opportunity to comment on the request for tentative plat approval of The Ridge at the Highlands Phases 2 - 10, a 67-lot residential subdivision on 37.34 acres located at the northerly termini of Cherry Lane, approximately 2,000 feet north of the end of County maintained Hillcrest and Cherry Lane, within the SRF-4/PD (Single Family Residential – 4 dwelling units per gross acre/Planned Development Overlay) Zoning District. Jackson County has the following comments:

1. Stardust Way, Highcrest Drive or the County's portion of Cloudcrest Drive shall not be used for construction equipment traffic. If the applicant uses Stardust Way, Highcrest Drive or the County's portion of Cloudcrest Drive, they shall be required to overlay these roads with two inches of A.C.

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

Sincerely,


Kevin Christiansen
Construction Manager

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STAFF MEMO

PLANNING DEPT

To: Kelly Akin
From: Jennifer Ingram, Address Technician
Date: 2/17/2016
Subject: LDS-15-167

As was noted for PA-14-024, there is a significant change in direction for the proposed extension of Stardust Way; therefore a different street name is required.

Bermuda Court is not an acceptable street name, as the street name *Bermuda Drive* already exists in Medford. Please select a new name.

Signage is required at the entrance of each minimum access drive indicating the address numbers of each structure that is accessed via said drive.

CITY OF MEDFORD
EXHIBIT # K
File # LDS-15-167



Memo

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PLANNING DEPT

To: Kelly Akin, Planning Department
From: Mary Montague, Building Department
CC: Ayala Properties, LLC
Date: February 17, 2016
Re: LDS-15-167

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 Grading permit required for installing utilities and excavation.
4. Engineered Soils Report required for each lot with building permit.
5. Fire Sprinklers are required per the Fire Marshall.
6. Engineered retaining walls may need to be required for slopes which exceed 45 degrees and will impact buildings or parking.

Kelly A. Akin

From: Pete R. Young
Sent: Tuesday, February 16, 2016 1:19 PM
To: Kelly A. Akin
Subject: LDS 15-167

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Hi Kelly,

I was hoping to discuss this application with you before the meeting. I have a conflict tomorrow during the LDS meeting and have some questions.

The applicant is showing two trails and open space on their application. I'm wondering if the applicant is thinking their trail will eventually lead into Prescott Park, and if they have discussed the matter with PP&L. Their trail is ending at the PP&L maintenance road which, to my knowledge has no public access at this time. We may be in support of their trail system eventually reaching Prescott Park, but there is currently no legal access and this trail is not on our trails plan. We're looking for a trail head with vehicular parking as a point of access to the proposed Prescott Park trail system that is about to be constructed near the southerly park boundary.

I also assume the open area is to be privately held. If you hear otherwise, we are not likely to be interested in the ownership of this open space.

We are open to meeting with the applicant to discuss this if needed.

Thank you
Pete

Kelly A. Akin

From: MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us>
Sent: Thursday, February 18, 2016 3:01 PM
To: Kelly A. Akin
Subject: LDS-15-167

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FEB 18 2016

KA
PLANNING DEPT

Kelly,

Thank you for sending agency notice of a consideration of a request for tentative plat approval for The Ridge at the Highlands Phases 2 - 10, a 67 lot subdivision on approximately 37.34 acres located at the northerly termini of Cherry Lane, Bermuda Drive and Stardust Way and approximately 100 feet north of Cloudcrest Drive, within the SFR-4/PD (Single Family Residential, four dwelling units per gross acre/Planned Development Overlay) zoning district. We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

Don Morehouse
Senior Transportation Planner
ODOT Region 3, District 8 (Rogue Valley Tech Center)
Ph: (541) 774-6399
Fax: (541) 774-6349
Donald.Morehouse@odot.state.or.us

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE)	
PUD-95-1 APPLICATION FOR A PLANNED UNIT DEVELOPMENT))	ORDER
<u>SUBMITTED BY KM CAPITAL, INC.</u>)	

ORDER granting approval of an application to KM Capital, Inc. for approval of a preliminary site plan for The Highlands, a 972-unit residential planned unit development, with restaurant, within a SFR-4 (Single-Family Residential - 4 units per acre) zoning district, as provided for in the City of Medford Land Development Code.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.230 Application, Planned Unit Development, and

2. The Medford Planning Commission has duly held a public hearing on the matter of an application for preliminary site plan for The Highlands, a 972-unit residential planned unit development, with restaurant, on approximately 221 acres located at the north terminus of Cherry Lane, approximately 1200 feet north of Hillcrest Road, within a SFR-4 (Single-Family Residential - 4 units per acre) zoning district, with a public hearing a matter of record of the Planning Commission on March 23, 1995.

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

4. At the conclusion of said public hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted a planned unit development permit and directed staff to prepare a final order with all conditions and findings set forth for the granting of the planned unit development.

THEREFORE LET IT BE HEREBY ORDERED that the application of KM Capital, Inc. stands approved subject to compliance with the conditions stated in the Staff Report dated March 16, 1995.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this application for a planned unit development is hereafter supported by the following findings:

1. This project complies with the Land Development Code and all applicable criteria per Section 10.234, and

FINAL ORDER

2. Including the applicant's findings, Exhibit "A" and any additional findings contained in the Staff Report dated March 16, 1995.

BASED UPON THE ABOVE, it is the finding of the Medford City Planning Commission that the preliminary site plan for The Highlands, a 972-unit residential planned unit development will not be detrimental to the health, safety, or general welfare of the persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the City.

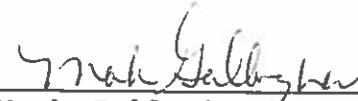
Accepted and approved this 13th day of April, 1995.

CITY OF MEDFORD PLANNING COMMISSION



Eric R. Stark, Chair

ATTEST:



Mark Gallagher, Secretary

City of Medford

March 16, 1995

STAFF REPORT

File No.: PUD-95-1 The Highlands

Applicant: KM Capital, Inc.
(Downing, Thorpe and James, Inc., agent)

Request: Consideration of approval of The Highlands, a 972-unit residential planned unit development, with restaurant, on approximately 221 acres, located at the north terminus of Cherry Lane, approximately 1,200 feet north of Hillcrest Road, within a SFR-4 (Single-Family Residential - 4 units per acre) zoning district.

Background:

The subject proposal is a means of providing a mixture of urban residential dwelling types and uses in a hillside area which, if not developed as a Planned Unit Development (PUD), could only be developed as a standard residential subdivision. Given the hillside terrain and the associated limitations to standard street and infrastructure construction, such a "cookie cutter" subdivision design would likely result in underutilization of the site in the context of Medford's target residential densities, and the associated efficiencies in providing urban services. This site is most appropriately suitable for a PUD and, therefore, is entitled to the density bonus allowed by code subject to the applicable criteria and analysis contained herein.

Other significant features on the subject property are the existing 115KV and 230KV power transmission lines which run across the site, identified by PP&L as Line 19 South and Line 59, respectively. Although there is a diversity in opinions as to the effects of the Electro Magnetic Field (EMF) associated with such facilities, there is currently no city policy in regard to what is an appropriate setback or compatible use. The closest uses proposed are several residential structures that would be approximately 100 feet away.

The site is currently identified as Tax Lot 200 on Assessor's map 37 1W 23.

Relevant Sections of the Land Development Code:

- 10.232 Preliminary Site Development Plan.
- 10.234 Criteria for a Planned Unit Development.
- 10.236 Filing Final Site Development Plan.

PUD-95-1

March 16, 1995

Findings:

The applicant's findings and the maps contained therein (Exhibit "A") are hereby incorporated by this reference and include a detailed background discussion of the PUD as well as addressing all of the applicable criteria. Additional background information is provided in the discussion which follows.

Project Review:

The applicant is proposing a residential development which would vary from the standard subdivision development requirements as it relates to the a mix of dwelling types, inclusion of a non-residential use (restaurant), creation of a private street system and common areas, variation from some yard standards, and utilization of on-street parking bays. PUD review is the means by which such a variation from the development standards can be approved.

Compliance With Criteria:

The following is an analysis of this proposal as it relates to the above referenced Criteria for A Planned Unit Development approval (Section 10.234).

1. Density:

The 221-acre site is proposed to have 972 dwellings which is the maximum allowed including the 10 percent density bonus. The minimum density requirements of the code are also applicable, particularly as the applicant has indicated that some variation in the type and mix of dwellings may occur as a result of market demand. The minimum of 2.5 units per acre would require that a minimum of 552 units be developed over the entire project site. Therefore, at the time each phase is developed (e.g., final plan approval), the applicant shall demonstrate that the project remains within the densities required by code.

This PUD proposal is consistent with the maximum and minimum dwelling unit density of the underlying zoning district.

2. Intensity:

The applicant's findings state that all public services are available to the site and/or will be made available and adequate upon development. Some detail is provided in regard to provision of needed water facilities (i.e., reservoirs and pumps), sanitary sewers, and storm drains which supports a finding of adequacy. It should be noted, however, that a

PUD-95-1

March 16, 1995

finding demonstrating that the range of proposed uses in the PUD will not be any more intense than the standard permitted development is necessary. As the applicant proposes the maximum number of dwellings allowed on the site, it is necessary to demonstrate that the additional impacts of a 10,000 to 15,000 square foot restaurant do not result in an increase of "intensity." The applicant does not quantify the cumulative impacts of the proposed range of uses in supporting the conclusion. To that end the following discussion is offered.

Standard development of the subject property at SFR-4 density would result in a maximum of 884 detached, single-family dwellings generating 8840 Average Daily Trips (ADT). The potential vehicle trip generation from the PUD, including the 10 percent density bonus, would be 9720 ADT if only developed with detached single-family residences. The proposed restaurant would generate up to an additional 1123 ADT for a total of 10,843 ADT, which is clearly more than the anticipated residential impact of the underlying zone. The applicant identifies the range of trip generation for the proposed dwelling types (Table 4) from 10.19 to 5.67 ADT/du. As the total number of each type of unit is not identified, calculation of an average (mean) is not possible; however, the median is 7.93 ADT/du. Assuming a total mix of dwellings that would result in an average that is similar to the median, the 972 dwellings would generate 7708 ADT for the residential portion of the project. When combined with the restaurant trips, a total of 8831 ADT would be generated by the project which is only 9 ADT more than the total anticipated for a standard development. As the nature of the site (slopes, etc.) would preclude the maximum buildout utilizing only detached SFR's, it can be found that the proposed use would generate fewer vehicle trips than standard development of the site.

Per the above density analysis and the proposed uses and dwelling types, this proposal is found to be no more intense than standard development. An additional discussion of adequacy of streets serving the area is included below.

3. Uses:

A mix of residential uses are proposed, as permitted by the PUD, at densities consistent with that allowed by the PUD with the underlying SFR-4 zoning. Along with the residences, the proposal includes private roads and common areas, which will be maintained through establishment of a homeowners association; and the 3.5 acre commercial use (restaurant). As the restaurant site represents less than 2 percent of the

PUD-95-1

March 16, 1995

project area, this proposal is consistent with the 'use' criteria for PUD approval.

4. Height and Setbacks:

Per the applicant's findings (Table 2), some minor variations from the code standards for the building height, lot area, and setbacks are proposed. If a private street will actually be the front portion of the parcels, the front setback will be calculated from the back side of the street improvement or sidewalk.

5. Site Plan Review Standards:

All necessary easement dedications for utilities, which are to be located within or adjacent to the roadways, shall be made at the time of final plat approval.

All public facilities shall be constructed to City standards consistent with the Special Report from the Public Works Director #PUD-95-1 (Exhibit "C") and the Medford Water Commission memo dated March 3, 1995 (Exhibit "D"), including paving of streets, construction of storm and sanitary sewers, water system construction, necessary easements, etc. Construction of all such improvements will be secured at the time of final plat approval. Provision for ownership and maintenance of common facilities shall be established by covenant at the time of final plat approval.

6. Legal Document Review Standards:

The applicant has not yet submitted Articles of Incorporation and Bylaws for the Homeowner's Association nor the Declaration of Covenants, Conditions, and Restrictions (CC&R's) document as required for Final Site Development Plan approval. The CC&R's, which must include provisions for maintenance of all common areas within the PUD (e.g., streets), shall be reviewed for compliance with the code requirements of this section prior to recording and in conjunction with final plat approval.

Conclusion:

The proposed project is found to be in compliance with the Medford Comprehensive Plan and meets the standards and criteria per Section 10.234 of the Land Development Code (Criteria for a Planned Unit Development). Variations to standard requirements pertaining to private streets, lot size and associated site standards, and uses are consistent with that permitted by a planned unit development.

PUD-95-1

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Circulation Issues

The existing and anticipated vehicle trips generated from this area of Medford may already exceed or are close to exceeding the current capacity of Hillcrest Road. Such trips include those to be generated by development of the existing vacant platted lots and tentatively platted lots in the surrounding area. As Section 10.462 of the Land Development Code does not permit development to occur which would place arterial and collector streets below Level of Service "D", no subdivision plats will be approved within the subject project until adequate street capacity is assured. More specifically, this may mean construction of another route into the area such as the extension of McAndrews Road or Lone Pine Road will be necessary prior to any development of the project. Because the project has the potential to also impact existing lower order streets within Skycrest Subdivision that are unimproved, this standard should be applied to all lower order streets as well.

The Public Works Director has also identified local street improvements that will be required to serve the project when the various phases are platted (Exhibit "C"). Any use of the Prescott Park access road would require its improvement (paving) on any portion used by this project and which would have to be coordinated with the various owners of the road as it is not currently dedicated as public right-of-way.

Recommended Action:

Approval of PUD-95-1, The Highlands, per Staff Report dated March 16, 1995; Exhibit "A" - Applicant's Findings including map exhibits and Preliminary Site Development Plan; Exhibit "B" - Illustrative Site Plan; Exhibit "C" - Special Report from the Public Works Director #PUD-95-1 dated February 15, 1995; Exhibit "D" - Memo from the Water Commission dated March 3, 1995; Exhibit "E" - Memo from the Parks and Recreation Department dated March 13, 1995; Exhibit "F" - Letter from Jackson County Planning dated March 14, 1995; Exhibit "G" - Letter from Jackson County Public Works dated March 13, 1995; and subject to the following conditions:

1. At the time of final plan approval for each phase, the applicant shall demonstrate that the project, including all previous phases, remains within the minimum and maximum densities required by code.
2. Prior to issuance of building permits or final plat approval, the project shall comply with Sections 10.236, Filing Final Site Development Plan, through 10.245 of the Land Development Code. Final Site development plans for each phase shall include the following:

PUD-95-1

March 16, 1995

- a. Pedestrian walkways on at least one side of all streets that are a residential lane or higher.
 - b. Locations and specifications for street lighting throughout the subdivision.
 - c. All streets shall have a minimum 20-foot unobstructed paved width for fire truck access. Adjacent sidewalks may be constructed to provide the requisite width on those streets proposed to be 18 feet wide.
 - d. All private drives, cul-de-sacs, or dead end streets over 150 feet in length shall include fire truck turnarounds, subject to Fire Marshal approval.
 - e. A master landscape plan for all common areas of the PUD, including a perimeter design that is sensitive to the interface between the parkland to the north, shall be submitted for Site Plan and Architectural Commission (SPAC) review and approval. The park boundary shall be integrated into the edge of the project so as to avoid a hard, straight line along the interface. This can be accomplished by meandering the boundary of the natural area.
3. Prior to issuance of building permits, tentative and final plat approval are required. Provision for a water system extension into the area, fire hydrant installation, public utility easements, and street capacity shall be required as appropriate on the subject plats including:
 - a. Street access or easements to all towers along the PP&L transmission lines that cross the site.
 - b. Sites, easements, and facilities (e.g., pumps and reservoirs) necessary to provide water to the property as required by the Medford Water Commission.
 - c. Demonstrate the anticipated traffic circulation from each phase and show that there is sufficient remaining street capacity to handle the additional traffic on all affected streets.
 4. Prior to issuance of the first building permit for structures containing more than one dwelling unit, approval by the SPAC shall occur. The design approved for each housing type shall be considered a "typical" and may be constructed throughout the project without further review. Significant changes in the typical design would be subject to SPAC review and approval.

PUD-95-1

March 16, 1995

5. Prior to issuance of the first building permit for the restaurant, review and approval of the design by the SPAC shall occur. Such plans shall include the following:
 - a. Exterior lighting plan to assure that lights do not shine on residences.
 - b. Landscape design which includes perimeter screening of all parking and service areas.
 - c. A building design that is sensitive to the surrounding terrain and does not create a visual conflict with the skyline or slopes.
6. Prior to issuance of the first building permit or final plat approval of any phase of the PUD, all conditions of the Special Report from the Public Works Director (Exhibit "C") shall be satisfied for the respective phase.
7. Due to the soil characteristics of the hillside location, the Building and Safety Department requires that all structure foundations be engineered.



Scott Rogers, Associate Planner

Reviewed by:



Mark Gallagher, Senior Planner

PLANNING COMMISSION AGENDA: MARCH 23, 1995



THE HIGHLANDS
Medford, Oregon

**APPLICATION FOR PLANNED UNIT DEVELOPMENT
FOR PRELIMINARY SITE DEVELOPMENT PLAN**

Submitted to: **Medford Planning Department**
City Hall
411 W. 8th Street
Medford, Oregon 97501
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Date: February 6, 1995

APPROVED
A
PUD-95-1

I. INTRODUCTION

The Highlands project is proposed as a Planned Unit Development intending to serve the future housing needs of Medford, Oregon. The project is approximately 221 acres in size providing a broad mix of hillside residential uses in this growing market area, with an increasing demand for a "maintenance free" lifestyle. Situated north of Hillcrest Road and South of Prescott Park in East Medford, the Highlands lies within the City Limits and the Urban Growth Boundary. (See Vicinity Map, Figure 1).

In developing the **Preliminary Site Development Plan** for The Highlands, particular attention has been paid to the environmental conditions on site. A two-step process was developed which first inventoried the site conditions and then analyzed those conditions in terms of their opportunities and constraints. A critical element in the analysis of the property included slope categories as a determinate for varying residential densities and alternative architectural solutions. The Highlands is located on hillside terrain requiring creative planning solutions that will allow clustering of development in varying intensity to minimize site grading. For these reasons The Highlands is an ideal project for a **Planned Unit Development** which will provide the development **flexibility** lacking under conventional zoning regulations. This flexibility will provide the opportunity for a variety of site planning solutions that will preserve the natural scenic quality of the hillside terrain.

The information contained within this document includes base data relating to the subject site and its surroundings, as well as justification for this Preliminary Site Development Plan and Planned Unit Development Request.

II. PROPERTY DESCRIPTION/EXISTING SITE CONDITIONS

A. Ownership/Tax Lot

The Highlands is located in Tax Lot 200, the surrounding land is identified on the Ownership Map, see Figure 2.

B. Existing Lands Uses and Zoning/Surrounding Land Uses and Zoning

The site is currently zoned, Medium Density Single-Family Residential, (SFR-4) at a density not to exceed 4 dwelling units per acre. The request for a Planned Development (PD) Special District Overlay will allow a density increase of 10% to 4.4 dwelling units per acre.

The site is currently vacant and has no active uses. No building or structures currently exist on the property.

The site is bounded by land within the Medford City limits on the south and west, Prescott Park along the north property line and vacant undeveloped land in Jackson County on the east.

Eagle Trace is an existing single-family subdivision (zoned SFR-4) bordering the site to the south. Cambridge Park and Oregon Hills are proposed single-family subdivisions (zoned SFR-4) also bordering the site to the south and west.

C. Topography and Elevation

The site consists of hillside terrain which offers spectacular views into Rogue Valley. Elevations on the property range from approximately 2,560 feet in the northeastern most corner to 1,830 feet on the southwestern most corner of the property, for a total of 730 feet elevation change across the property.

The site consists of a variety of slope conditions with 75% of the site under 25% slope, suitable for residential development. Approximately 40% of the site is in the 20%-25% slope range. Another 35% of the site is in the 0-20% slope range located primarily in the center portion of the site where the topography carves out a gentle bowl bisected by a minor drainage swale. (See Site Analysis Plan Figure 3). Along the eastern edge of the site adjacent to Roxy Ann Road is a small knoll that offers spectacular 180° views into Rogue Valley and City of Medford below. The balance of the site slopes primarily in the southwesterly direction.

D. Site Vegetation

The Highlands Property has a mixture of native vegetation with the dominant tree being white scrub oak. (See Site Analysis Figure 3). Due to a brush fire last fall, a large portion of the white oaks in the south eastern portion of the site (south of the power lines) were damaged. The full extent of the damage will be identified this spring as these trees begin to bud out.

E. Utility Services and Easements

There exists two high power transmission lines which cross the site from west to east. These easements run parallel; one is 100 feet wide and the other is twenty feet wide.

There is also a City of Medford Water Reservoir located in an out parcel in the southern portion of the site adjacent to the Eagle Trace Subdivision. In conjunction with this use, a thirty-foot public access easement exists.

Other public utilities i.e., water sanitary sewer, storm sewer, electric and gas, are present in the existing residential development occurring to the south.

F. Drainage

The Highlands is located in the Lazy Creek and Lone Pine drainage basins. The Medford Area Drainage Master Plan does not indicate the need for any drainage improvements, i.e., retention areas on this property.

G. Traffic Circulation/Access

The primary vehicular access to The Highlands in the initial phases of development would be provided by Cherry Lane through Eagle Trace Subdivision. Cherry Lane is currently designated and improved as a standard residential street (50 foot R.O.W., 36 foot street). The City of Medford proposed Neighborhood Circulation Plan identifies Cherry Lane as a Collector Street.

Roxy Ann Road borders the site along the northeast border also providing access to the site. Roxy Ann Road is currently a private gravel road providing access to Prescott Park. Other potential access streets into The Highlands are Highcrest Drive (from Eagle Trace Subdivision) Satellite Drive and Devonshire Place (from Cambridge Park Subdivision). Currently these streets are not improved up to The Highlands. Brumuda Drive (from Eagle Trace Subdivision) is currently improved and also provides immediate access.

In the latter phases of development, primary access would be provided from McAndrews Road as it is completed. The City of Medford Neighborhood Circulation Plan indicates a Collector Road extending from McAndrews Road, up through the Oregon Hills Subdivision to the western edge of The Highlands property.

III. DEVELOPMENT PROGRAM AND CONCEPT PLAN

A. Land Uses/Development Program

The Preliminary Site Development Plan is organized into 9 distinct planning areas or neighborhoods (PA-1 to PA-9). See Figure 4 Preliminary Site Development Plan. Each of these Planning Areas are designed to include an appropriate mix of land uses that are sensitive with site conditions and compatible to adjacent land uses. The proposed PUD includes a total of 972 dwelling units (with a density range of 1.5 to 15.0 dwelling units per acre) and 3.5 acres of commercial land available for an upscale restaurant. Each Planning Area also identifies the size, the number of units and the maximum allowable density. Minor variations in the boundary/acreage and density are allowed, but shall generally not exceed 20% of the size/area or maximum density for each Planning Area as described on the Preliminary Site Development Plan.

There are 2 Planning Areas, PA-1 and PA-9 which contain zones or "hatched" areas that restrict specific land uses to that zone. See the Planning Area/Land Use Summary Table 1 for Land uses restricted. This restriction assures compatibility to adjoining properties and land uses.

The development program and product concepts for The Highlands consists of a wide range of residential product types targeted to a diverse group of home buyers, and is organized into six (6) distinct categories. Each of these residential prototypes is proposed to blend with existing topography, incorporating lower level (walk-out) architecture and wide shallow building forms. This is demonstrated in Figure 5, Typical Site Section indicating terraced Architecture on Hillside terrain. The land uses are summarized in Table 1 and described below.

1. Single-Family Detached-Low

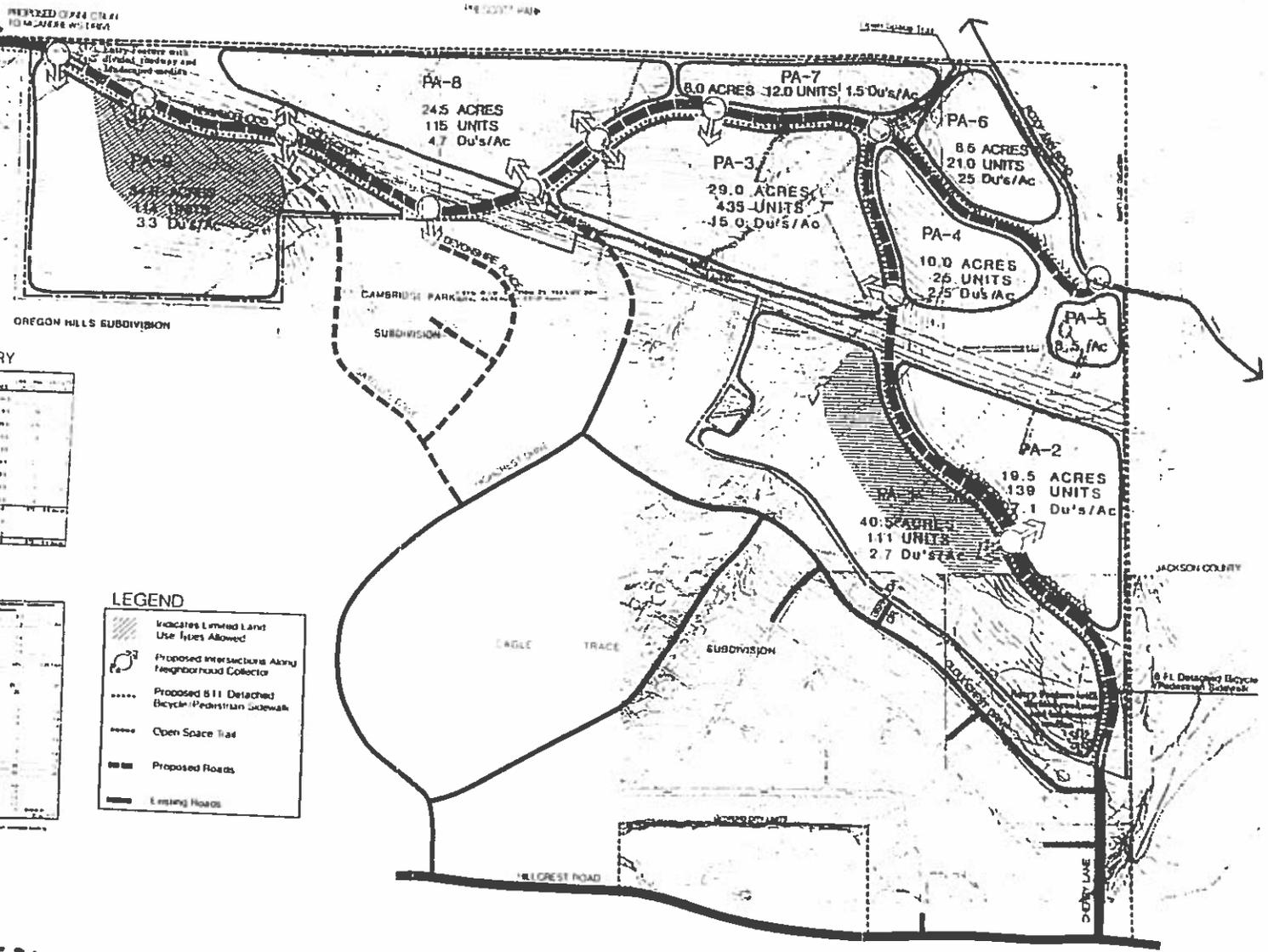
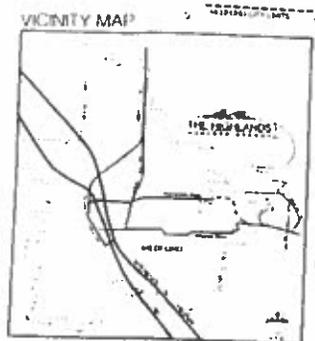
This land use consists of luxury/semi-custom single-family detached homes targeted to move-up buyers and growing families desiring a larger lot and more secluded location. Lot sizes are proposed from one-half acres to two acres.

2. Single-Family Detached - Medium

This land use consists of merchant-built single-family detached homes targeted to both move-up buyers and move-down buyers. Lot sizes are proposed from 10,000 to 20,000 s.f.

3. Single-Family Detached - Cluster

This land use consists of merchant-built single-family detached homes for the move-down buyer. These units are patio or cottage homes which may be clustered or organized into groups on smaller lots, to provide opportunities for common open space. This product type may include maintenance free living with common open space, typically associated with attached product types. Lot sizes are proposed from 5,000 to 10,000 s.f.



PLANNING AREA/LAND USE SUMMARY

Planning Area	Acres	Units	Du's/Ac
PA-1	10.0	25	2.5
PA-2	19.5	139	7.1
PA-3	29.0	435	15.0
PA-4	10.0	25	2.5
PA-5	0.5	1	2.0
PA-6	8.6	21.0	2.5
PA-7	8.0	12.0	1.5
PA-8	24.5	115	4.7
TOTAL	118.1	882	7.5

DEVELOPMENT STANDARDS

Standard	PA-1	PA-2	PA-3	PA-4	PA-5	PA-6	PA-7	PA-8
1. Density	2.5	7.1	15.0	2.5	2.0	2.5	1.5	4.7
2. Lot Area	4000	1380	650	4000	500	4000	5333	1750
3. Lot Width	40	40	40	40	40	40	40	40
4. Front Setback	10	10	10	10	10	10	10	10
5. Side Setback	5	5	5	5	5	5	5	5
6. Rear Setback	5	5	5	5	5	5	5	5
7. Max Height	10	10	10	10	10	10	10	10
8. Max Floor Area	4000	1380	650	4000	500	4000	5333	1750
9. Max Units/Acre	2.5	7.1	15.0	2.5	2.0	2.5	1.5	4.7
10. Max Units/Lot	1	1	1	1	1	1	1	1

LEGEND

- Indicates Limited Land Use Types Allowed
- Proposed Intersections Along Neighborhood Collector
- Proposed B11 Detached Bicycle/Pedestrian Sidewalk
- Open Space Trail
- Proposed Roads
- Existing Roads

PRELIMINARY SITE DEVELOPMENT PLAN
THE HIGHLANDS
 MEDFORD, OREGON

K.M. Capital, Inc.
 1000 N. Main Street, Suite 200
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TABLE 1 - PLANNING AREA/LAND USE SUMMARY

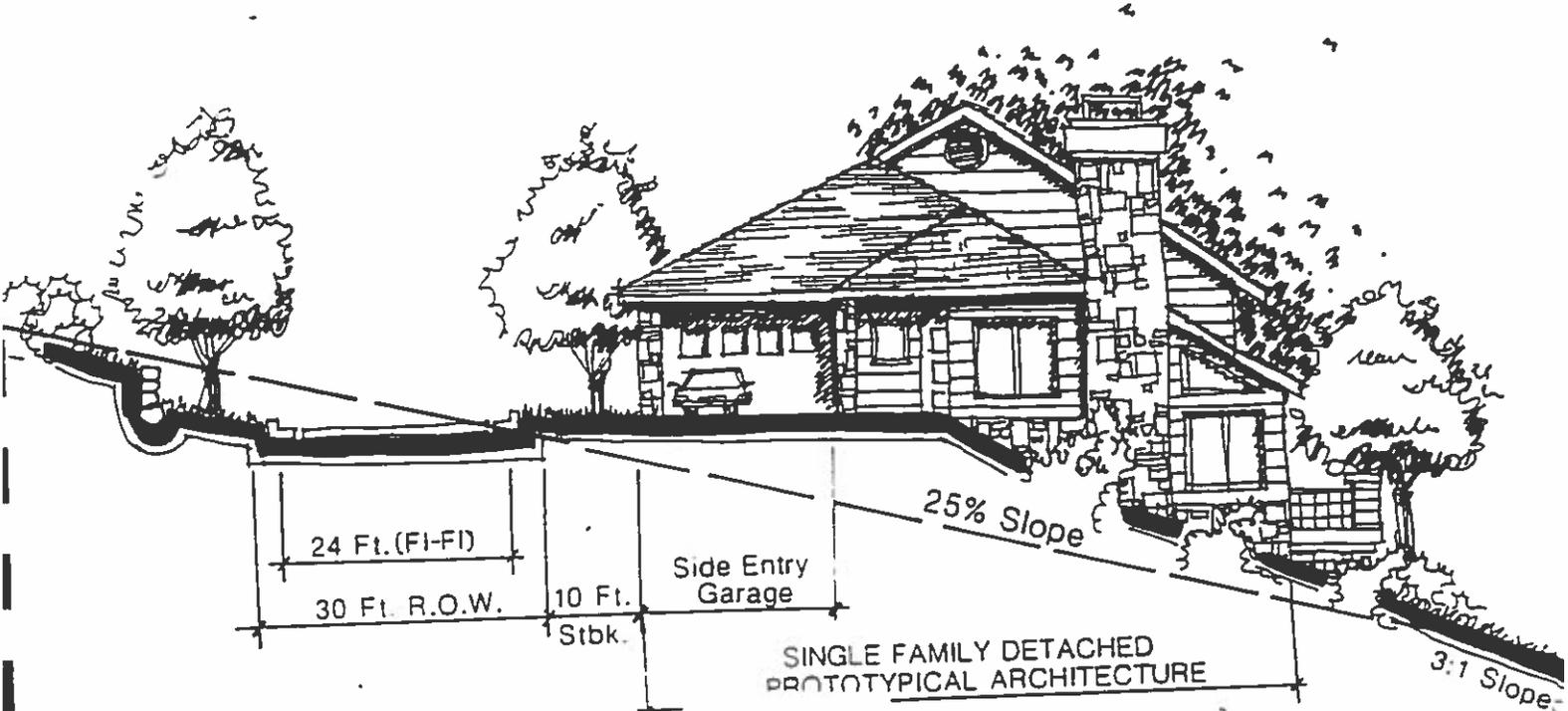
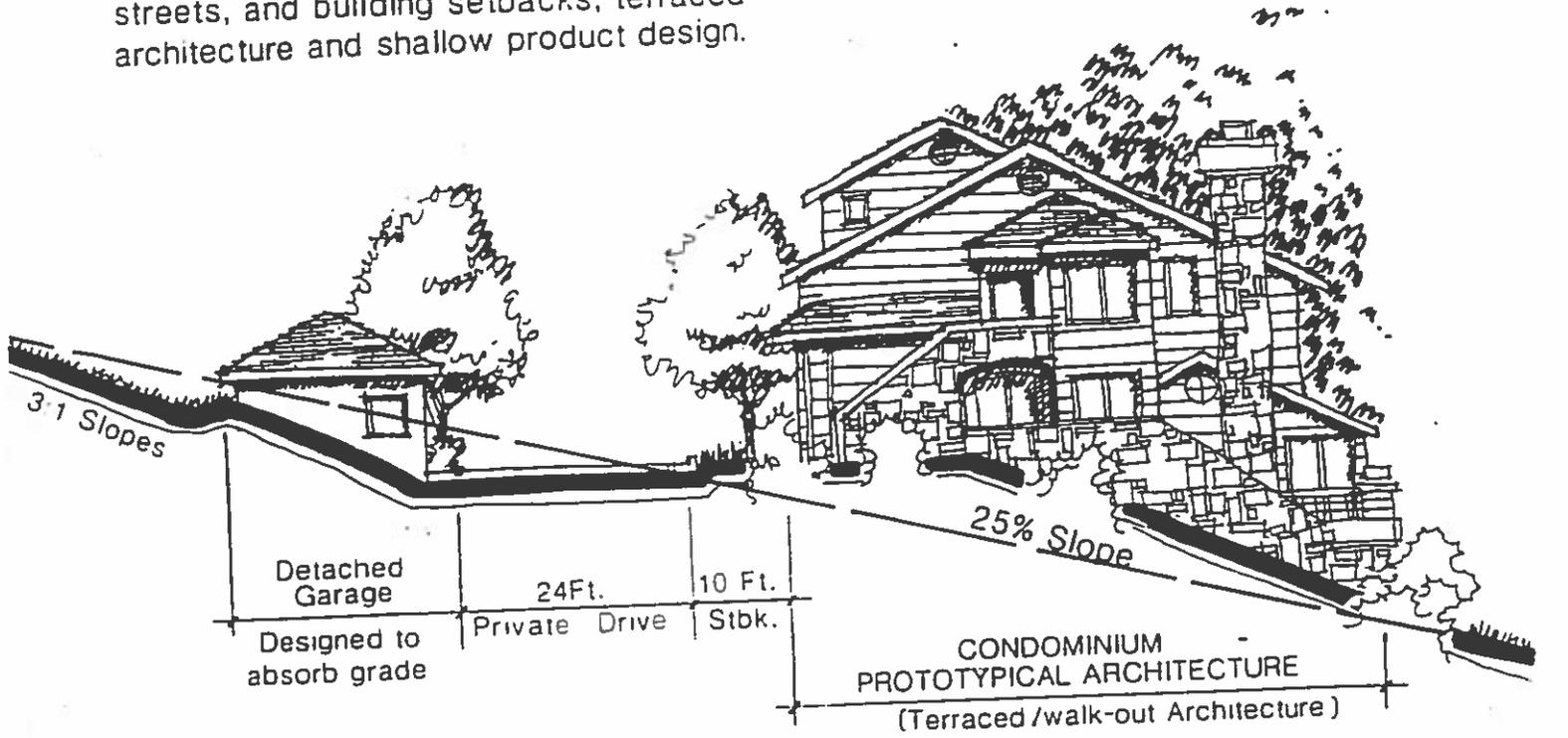
PLANNING AREA	PROPOSED LAND USE TYPES						ACRES	DWELLING UNITS	DENSITY (DU'S/AC)
	SFD LOW	SFD MEDIUM	SFD CLUSTER	SFA *	CONDO LOW	CONDO MEDIUM			
PA - 1	■	■	■	■ *	■ *		40.5	111	2.7
PA - 2	■	■	■	■	■		19.5	139	7.1
PA - 3	■	■	■	■	■	■	29.0	435	15.0
PA - 4	■	■	■	■	■		10.0	25	2.5
PA - 5	■						3.5	--	--
PA - 6	■	■	■	■	■		8.5	21	2.5
PA - 7	■	■					8.0	12	1.5
PA - 8	■	■	■	■	■		24.5	115	4.7
PA - 9	■	■	■	■ *	■ *				
SUB-TOTAL							34.5	114	3.3
Neighborhood Collector Road							178.0	972	5.5 du/ac
Open space, Trails, Esmnts.							14.0		
TOTAL							221.0	972	4.4 du/ac

■ Indicates uses allowed within specified Planning Areas.

* Indicates uses limited to hatched area on the Preliminary Site Development Plan.

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* These sections show how architecture can respond to hillside terrain, through narrow streets, and building setbacks, terraced architecture and shallow product design.



4. Single-Family Attached - Cluster

This land use consists of merchant-built single-family attached housing targeted to empty nester buyers who desire maintenance free living. Units are proposed to be clustered in duplex, triplex, and 4-plex configurations. Lot sizes will range from 2,000 to 5,000 s.f.. Homes may include either one or two car attached garages.

5. Condominium - Low

This land use consists of luxury single level attached living, in 2 and 3 story condominiums, targeting empty nester or first time home buyers who desire maintenance free living. Each home is designed to have a private individual entry at the street, with no shared staircases or group walkways. Both Attached and Detached one car garages are anticipated in the residential prototype.

6. Condominium - Medium

This product consists of up to 4-story condominium units on sub-terranean parking. The proposed prototype provides architecture that terraces at the ends, and are "crescent shaped," which conform to the natural terrain.

7. Commercial

This land use consists of an upscale restaurant serving the City of Medford while providing magnificent Rogue Valley views. This restaurant size is anticipated to be 10,000-15,000 s.f. The architectural style shall blend with the surrounding residential uses and respond to the natural hillside terrain.

8. Open Space

Natural open space is provided throughout The Highlands Community as a community feature. Due to the hillside conditions, this open space will serve to protect steep terrain, to - provide a buffer zone between land uses, and provide pedestrian/bicycle access to Prescott Park, to the north.

B. Development Phasing

In general, the phasing approach for the project will begin in the south eastern portion of the site with access provided off of Cherry Lane. Future development (primarily the western portion of the project) will depend on off-site road improvements including construction of McAndrews Road. The general time table for development anticipates beginning construction in the late spring to early summer of 1995 and complete build out within 8-15 years pending market conditions.

C. Development Standards

Sensitive hillside site planning and architectural design will be required to successfully develop The Highlands into an environment which accommodates a variety of houses. **Development Standards** have been prepared to insure a responsive planning process, and minimize land use conflicts as well as enhance and maintain the desired hillside character and visual variety.

The following Development Standards have been established for each Land Use. As proposed, these standards provide the flexibility necessary to effectively develop hillside terrain, while minimizing grading and disturbance of existing vegetation. (See Table 2 - Development Standards.)

TABLE 2-DEVELOPMENT STANDARDS

	SFD - Low	SFD - Medium	SFD - Cluster	SFA-Cluster	Condominium Low	Condominium Medium	Commercial
Maximum Density	1.5	2.0	2.5	4.0	12.0	18.0	--
Minimum Lot Area (sq. ft.)	20,000	10,000	5,000	2,000	n/a	n/a	30,000
Minimum Lot Size							
A. Width	80	60'	40'	25'	n/a	n/a	--
B. Width (corner)	100	75'	50'	35'	n/a	n/a	--
C. Depth	100	100'	100'	80'	n/a	n/a	--
Maximum Building Coverage (% of Building/Lot)	40%	40%	40%	40%	50%	50%	0.25 FAR
Minimum Building Setbacks							
A. Adjacent to Planning Area boundaries or Property Line	20'	20'	20'	20'	20'(1)	20'(1)	25'
B. Adjacent to Collector where Architecture orients toward street.	20'	15'	10'	10'	10'	20'	
C. Front yard							
- To Building	10'	10'	10'	10'	(2)	(2)	n/a
- To Front-on Garage	18'	18'	18'	18'	(2)	(2)	n/a
- To Side-on Garage	10'	10'	10'	10'	(2)	(2)	n/a
D. Side yard							
- Corner Lot (adjacent to Public Street)	10'	10'	10'	10'	(2)	(2)	n/a
- Interior Lot	4'	4'	0(3)	0(4)	(2)	(2)	n/a
E. Rear yard	30'	20'	10'	10'	(2)	(2)	n/a
Minimum Building Separation	10'	10'	10'	10'	15'	20'	20'
Maximum Building Height (6)	35'	35'	35'	35'	45'	55'	35'
Minimum Parking Per Unit							
- Off-street (garage or driveway apron)	2	2	2	1.5	n/a	n/a	
1 Bedroom	n/a	n/a	n/a	n/a	1.0	1.0	
2 Bedroom	n/a	n/a	n/a	n/a	1.5	1.5	
3 Bedroom or more	n/a	n/a	n/a	n/a	2.0	2.0	
- Guest Parking (on-street)	.5	.5	.5	.5	.5	.5	1.0/seat or 1.0/100 sq. ft.(5)

- (1) An additional setback at 1:1' ratio shall be provided for each foot of height which the higher density land use exceeds the maximum allowable building height of the adjacent lower density land use.
- (2) To be determined at the time of Site Plan Review.
- (3) One side only -- other side must be a minimum of 4'.
- (4) Side yard setback for attached units only.
- (5) Whichever is greater
- (6) Height of building measured from street side of building.

D. Circulation/Street Design Concept

Residential streets are a key determinant of neighborhood quality and in the case of The Highlands must conform with the site constraint of hillside terrain. The Highlands will incorporate a hierarchy of streets which will provide a variety of street types, each reflecting the different land use, intensity, topographic constraints and traffic conditions within the neighborhood.

In developing the roadway alignment concept for The Highlands, the applicant's Planning Consultant (Downing, Thorpe & James, Inc.) has reviewed the Neighborhood Circulation Plan - East Medford: Hillside Urban Growth Area as prepared by the City of Medford Public Works Department. This Plan shows a Collector Street through The Highlands running east to west, with residential and collector streets connection to the subdivisions below (to the south). The roadway alignment as designed for The Highlands basically corresponds to this Neighborhood Circulation Plan with only minor variations to accommodate specific topographic conditions. (See Roadway Alignment and Design Standards Figure 6)

1. Street Hierarchy

There are six basic street types designed to respond to residential uses/intensity, traffic needs as well as natural site features and constraints of The Highlands. The first two, Neighborhood Collectors and Standard Residential Streets (single-loaded) vary from current city standards to accommodate hillside conditions and traffic volumes. The remaining four Streets, Standard Residential Street (double-loaded.) Minor Streets, Residential Lanes, and Minimum Access have the same design as current City standards (See Table 3 Proposed Street Hierarchy and Design Standards)

TABLE 3 - PROPOSED STREET HIERARCHY AND DESIGN STANDARDS

	Street Type/Classification	R.O.W. Width	Street Width (fl. to fl.)	On-Street Parking	Sidewalk/ Bike Path	Curb & Gutter	Average Daily Trips	Max. Road Grades
1.	Neighborhood Collector	60'	34/24 *1	No	8' Det.	Yes - Vertical	3,000-10,000	15%
2.	Standard Residential (Single Loaded)	40'	28'	Yes (1-side)	5' Att. *2	Yes - Vertical	400-3,000	15%
3.	Standard Residential (Double Loaded)	50'	36'	Yes (2-sides)	5' Att. *2	Yes - Vertical	400-3,000	15%
4.	Minor Residential	40'	28'	Yes (1-side)	5' Att. *2	Yes - Vertical	80-400	15%
5.	Residential Lane	30'	24'	Yes (1-side)	No	Yes - Vertical	30-80	15%
6.	Minimum Access	20'	18'	Yes (1-side)	No		0-30	15%

*1 - Center turn lane is eliminated **between** intersections, with minor residential streets and larger, reducing the street width to 24 feet.

*2 - Streets with homes loading only on one side of the street shall have sidewalks on just one side of the street; double loaded streets shall have sidewalks on both sides of the street.

3RD GENERATION SUMMARY

Based upon information from Exhibit A, 2nd Generation, 1st Edition, 1st Edition, on 10/10/00.

Item	Quantity	Unit	Estimated Cost
Right of Way	100	sq ft	\$10,000
Grading	100	cu yd	\$10,000
Drainage	100	sq ft	\$10,000
Lighting	100	sq ft	\$10,000
Signage	100	sq ft	\$10,000
Construction	100	sq ft	\$10,000
Contingency	100	sq ft	\$10,000
Total	100	sq ft	\$10,000

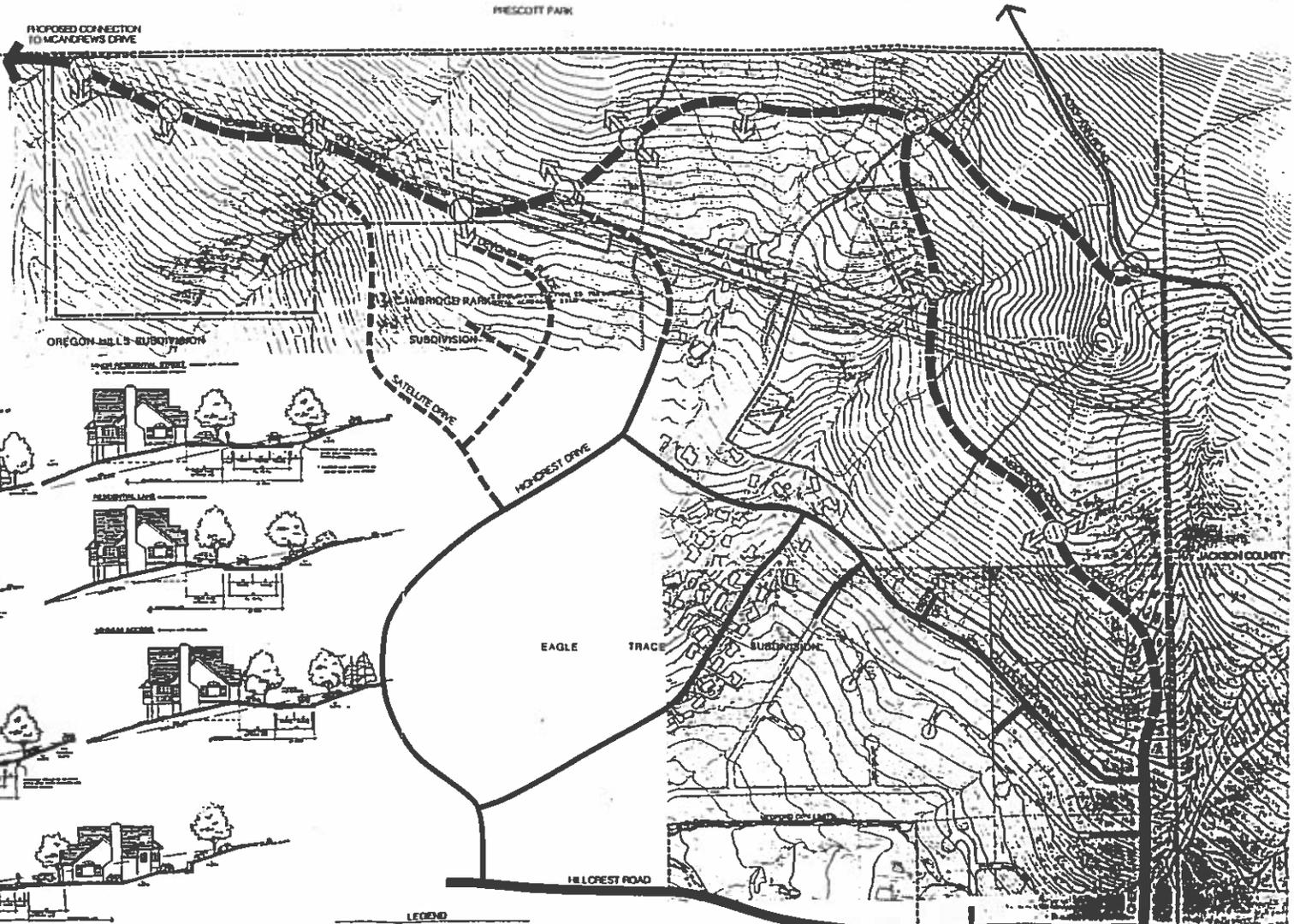
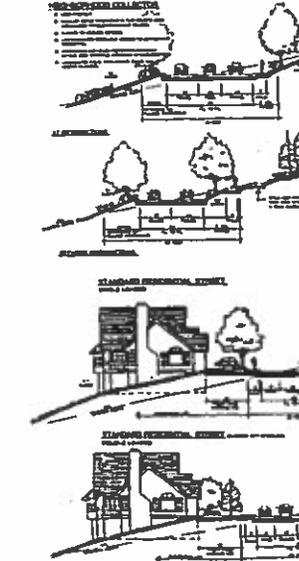
1. This plan shows existing and proposed roadway alignments and standards. It is intended to provide information to the public and to the Oregon Department of Transportation (ODOT) regarding the proposed roadway alignments and standards. It is not intended to provide information regarding the proposed roadway alignments and standards. It is not intended to provide information regarding the proposed roadway alignments and standards.

PROPOSED STREET DESIGN STANDARDS

Street Name	Width	Right of Way	Grade	Speed Limit	Design Speed	Standard
1	40	100	4%	35	35	1
2	40	100	4%	35	35	2
3	40	100	4%	35	35	3
4	40	100	4%	35	35	4
5	40	100	4%	35	35	5
6	40	100	4%	35	35	6
7	40	100	4%	35	35	7
8	40	100	4%	35	35	8
9	40	100	4%	35	35	9
10	40	100	4%	35	35	10

1. Each lot area is defined by its boundaries, with other necessary details and notes. The lot area is defined by its boundaries, with other necessary details and notes.

2. Street width shown is only on one side of the street and does not include the right of way. The right of way is shown by the dashed line.



LEGEND

- PERMANENT INTERSECTIONS WITH EXISTING TURN LANE
- PROPOSED HOUSINGHOOD COLLECTOR

ROADWAY ALIGNMENT AND DESIGN STANDARDS
THE HIGHLANDS
 MEDFORD, OREGON

EXHIBIT # *DVD 951*

downing thorpe james
 K.M. Capital, Inc.
 1001 Oak Street, Suite 100, Medford, Oregon 97504
 Phone: 541-750-1000

a. Neighborhood Collectors

Collectors, as identified by the City of Medford, shall service community facilities and conduct traffic **between** arterials, which is not the case in this project. A **Neighborhood Collector** is proposed that will provide access into and through this hillside community. The current City standard is a 60 ft. R.O.W. with a 38 ft. road section (flowline to flowline). The **Neighborhood Collector** proposed for this community is a reduced version with the same 60 ft. R.O.W., and a reduced 34 ft. road section (flowline to flowline) at intersections with minor residential streets and larger, and a reduced 24 ft. road section (flowline to flowline) between intersections. (See Figure 7a)

b. Standard Residential Streets (Single - Loaded)

In many conditions at The Highlands, the steep hillside terrain, and the desire to minimize grading requires streets that are single loaded, usually with homes on the downhill side. This condition eliminates the need for parking and sidewalks on the uphill side, creating a street with a 28 ft. road section (flowline to flowline) in a 40 ft. R.O.W. (see Figure 7a).

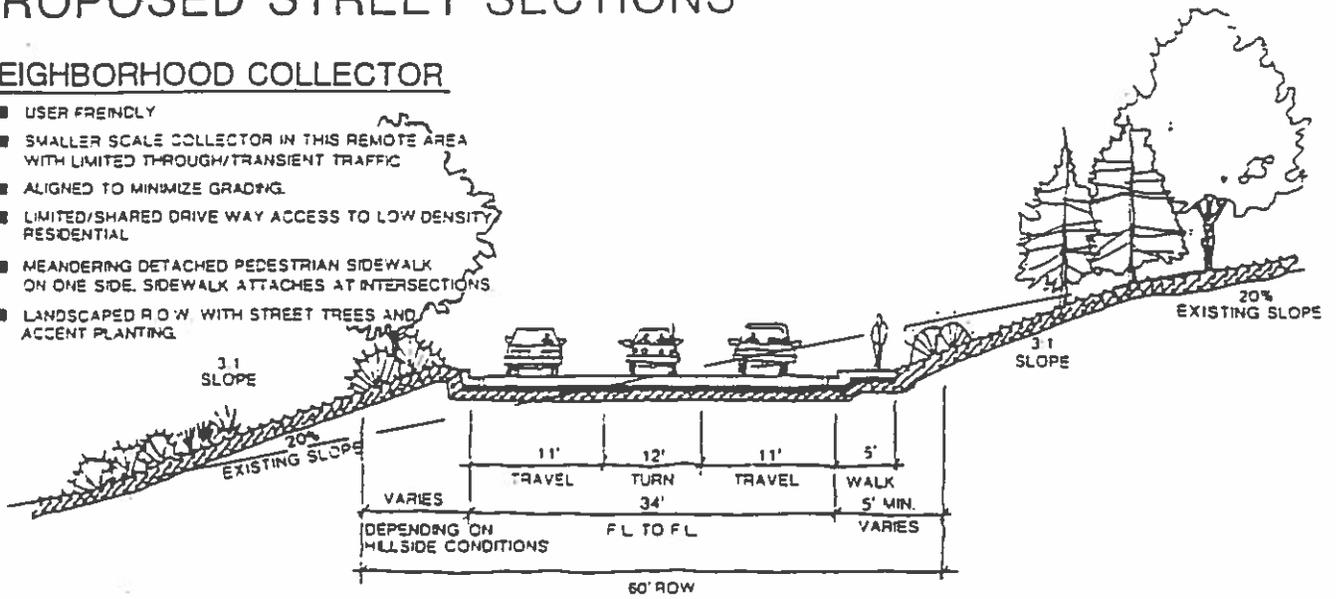
c. Standard Residential Streets (double-loaded), Minor Streets, Residential Lanes, and Minimum Access.

These streets meet the Current City Standards (See Figure 7b)

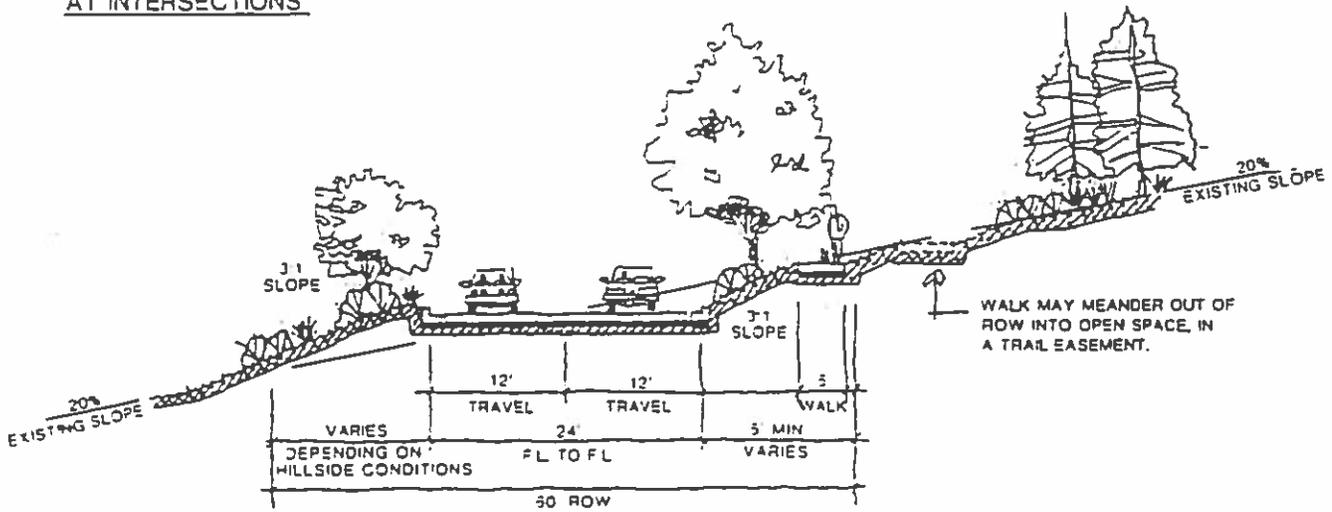
1 PROPOSED STREET SECTIONS

NEIGHBORHOOD COLLECTOR

- USER FRENCHLY
- SMALLER SCALE COLLECTOR IN THIS REMOTE AREA WITH LIMITED THROUGH/TRANSIENT TRAFFIC
- ALIGNED TO MINIMIZE GRADING.
- LIMITED/SHARED DRIVE WAY ACCESS TO LOW DENSITY RESIDENTIAL
- MEANDERING DETACHED PEDESTRIAN SIDEWALK ON ONE SIDE. SIDEWALK ATTACHES AT INTERSECTIONS
- LANDSCAPED R.O.W WITH STREET TREES AND ACCENT PLANTING

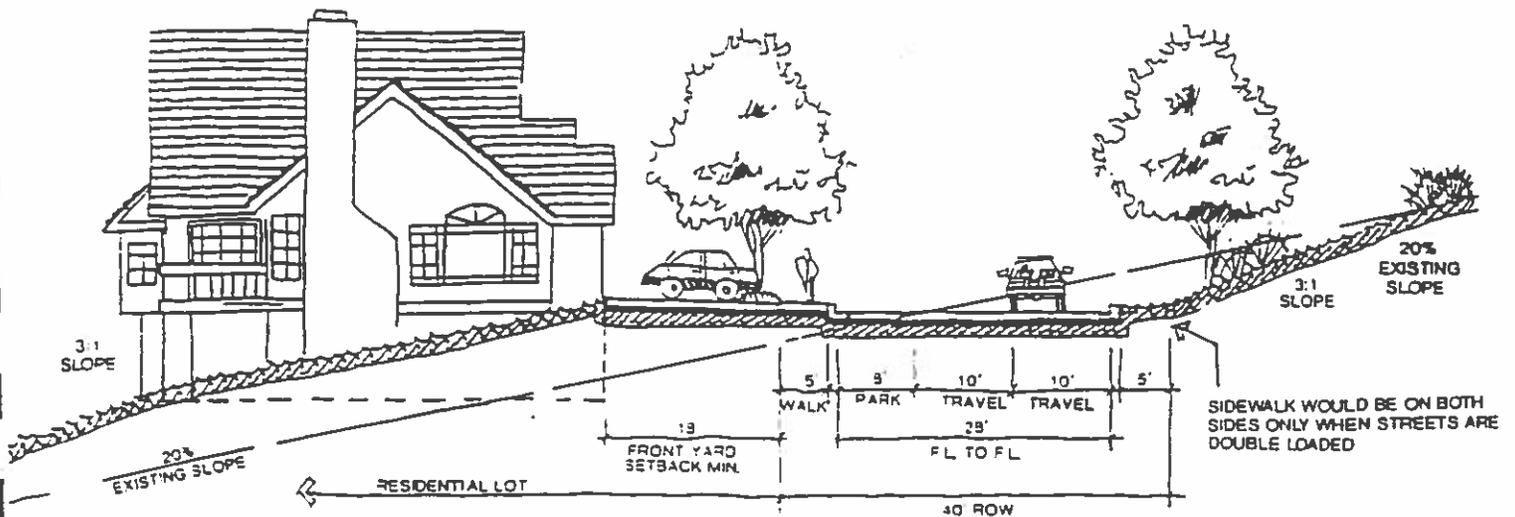


AT INTERSECTIONS

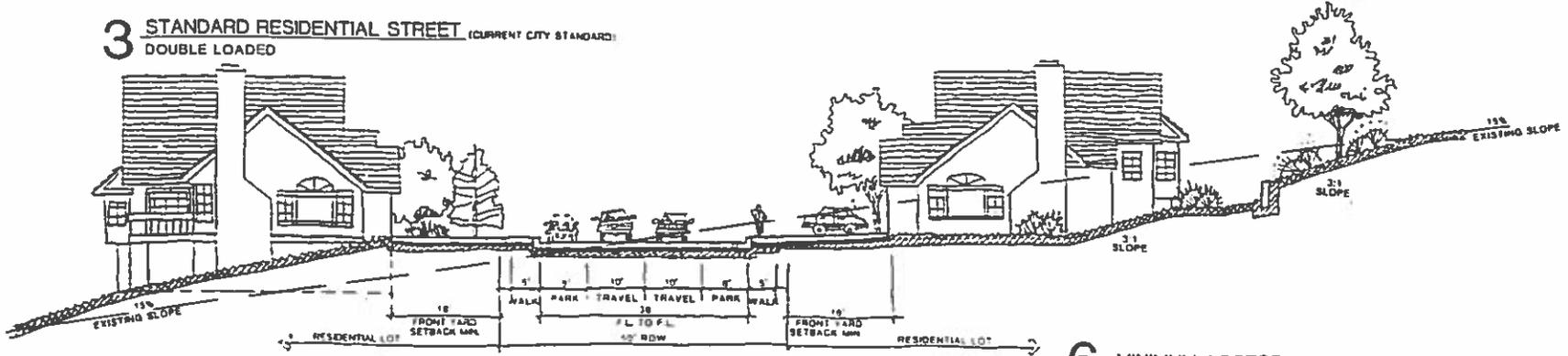


BETWEEN INTERSECTIONS

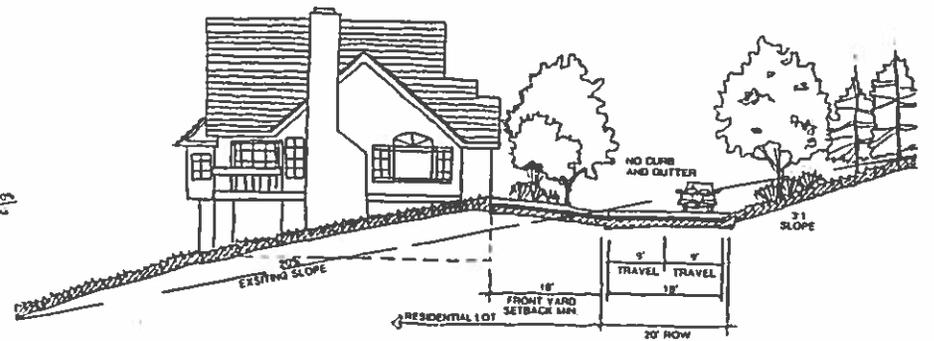
2 STANDARD RESIDENTIAL STREET SINGLE LOADED



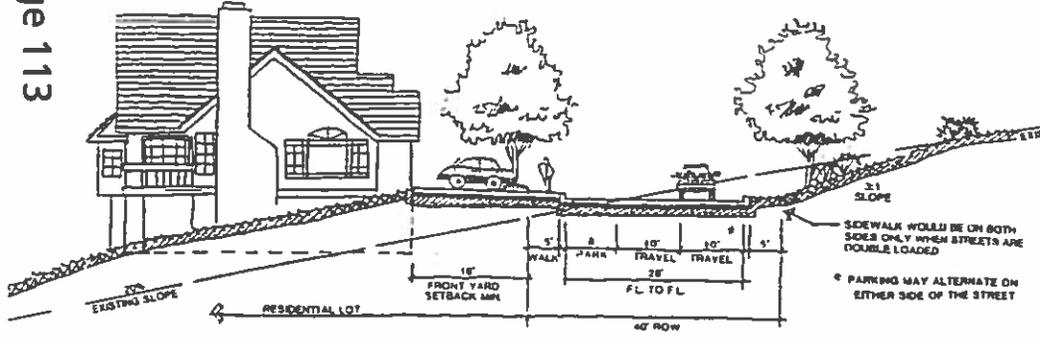
3 STANDARD RESIDENTIAL STREET (CURRENT CITY STANDARD)
DOUBLE LOADED



6 MINIMUM ACCESS (CURRENT CITY STANDARD)



4 MINOR RESIDENTIAL STREET (CURRENT CITY STANDARD)
FOR SINGLE AND DOUBLE LOADED STREETS



5 RESIDENTIAL LANE (CURRENT CITY STANDARD)

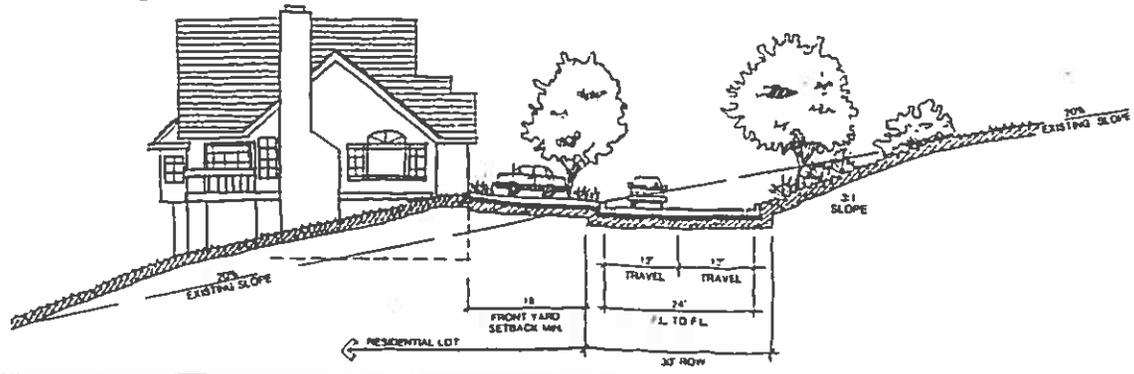


FIGURE 7b-PROPOSED STREET SECTION

2. Trip Generation Summary/Average Daily Trip (ADT)

To determine which street type will be used in each planning solution the **volume of traffic (ADT)** is used as the determining factor (vs. the number of units, as currently estimated by the Land Development Code.) Since land uses generate different traffic volumes, the number of units permitted on each street type varies depending on the land use. See Table 3 for the ADT for each of the six street types, and Table 4 for Trip Generation Summary for each land use proposed in this community.

TABLE 4 - TRIP GENERATION SUMMARY

(Based upon information from Institute of Transportation Engineers Trip Generation, 6th Edition, January, 1991)

LAND USE	Average Daily Trip Generation per Dwelling Unit
Single Family Detached - Low (Based on ITE Land Use: 210 Single Family Detached Housing)	10.19
Single Family Detached - Medium (Based on ITE Land Use: 210 Single Family Detached Housing)	10.19
Single Family Detached - Cluster (Based on ITE Land Use: 210 Single Family Detached Housing)	8.39 *
Single Family Attached (Based on ITE Land Use: 230 Residential Condominiums/Townhomes)	5.67
Condominium - Low (Based on ITE Land Use: 230 Residential Condominiums/Townhomes)	5.67
Condominium - Medium (Based on ITE Land Use: 230 Residential Condominium/Townhomes)	5.67

* - This cluster housing dwelling type would have a smaller square footage and number of bedrooms than the SFD-L and SFD-M land uses, therefore attracting predominately young professionals/empty nester market with a household size of 2-3. The Federal Highway Administration recommends an adjustment factor of -1.8 trip generation for units having a household size of 2-3.

Single Family Detached is described as "Any single family detached home on an individual lot...", Institute of Transportation Engineers Trip generation, 6th Edition, January, 1991, p. 255

Residential Condominium/Townhome is described as "...single-family ownership units that have at least one other single-family owned unit within the same building structure. Both condominiums and townhouses are included in this land use.", Institute of Transportation Engineers Trip Generation, 6th Edition, January, 1991, p. 380

IV. FINDINGS - CRITERIA FOR PLANNED UNIT DEVELOPMENT

A. Density

No PUD shall be approved in any residential district if the housing density of the proposed development will exceed 10% the maximum permitted density in the underlying residential district.

The Preliminary Site Development Plan for The Highlands allows for a maximum 972 dwelling units, an overall density of 4.4 dwelling units per acre. This density is consistent with the underlying SFR-4 zoning (4.0 dwelling units/acre) with a Special Overlay District, Planned Development (P-D) which permits a 10% increase. A mix of residential uses within this Preliminary Site Development Plan, necessitates some areas are less dense and some more dense. This is noted in the following Table:

	Acres	Units	Density	
Planning Area 1	40.5	111	2.7	
Planning Area 2	19.5	139	7.1	
Planning Area 3	29.0	435	15.0	
Planning Area 4	10.0	25	2.5	
Planning Area 5	3.5	-	-	
Planning Area 6	8.5	21.0	2.5	
Planning Area 7	8.0	12.0	1.5	
Planning Area 8	24.5	115	4.7	
Planning Area 9	34.5	114	3.3	
Subtotal	178.0	972	5.5	du/ac
Neighborhood Collector Rd	14.0	-	-	
O.S., Trails, Easements	29.0	-	-	
TOTAL	221.0	972	4.4	du/ac

B. Intensity

The intensity of development relative to the use of public services shall not exceed that of a standard development as permitted by the underlying district. There are 4 basic public services that fall into the Category A Urban Services and Facilities that are addressed here. They are water, storm sewer, sanitary sewer and streets.

Water

There have been discussions with the City of Medford Water Commission regarding availability and serviceability of water to this project. They have agreed to serve this project. The Highlands site contains 5 different pressure zones (zones 3-7). Funding for reservoirs for zones 3 and 4 has already been made available to the Water Commission; they are currently negotiating for the purchase of land for these 2 sites. The developer understands that the reservoirs for zones 5, 6, and 7 will be funded incrementally by the developer at the time of development, then dedicated to the Water Commission for maintenance and operations.

Sanitary Sewer

The City of Medford Public Works Department indicates that there are sufficient facilities and capacity available to provide Sanitary Sewer Services to The Highlands. Currently there are 8 inch sanitary sewer main lines in Cherry Lane, Brumuda Drive and Cloudcrest Drive. Cambridge Park Subdivision will be installing 8 inch main lines up Satellite Drive and Devonshire Drive to The Highlands property.

Storm Sewer

The City of Medford Public Works Department indicated that there are currently several 12 and 24 inch storm lines that extend to The Highlands. The public works Department identified The Highlands as serviceable.

Streets

Based on discussion with the City of Medford Public Works Department there is currently improved street access available to The Highlands by way of Cherry Lane and Brumuda Drive (through Eagle Trace Subdivision)

C. Uses

Uses allowed within a Planned Unit Development shall be limited to the permitted and conditional uses for the underlying zoning district. The Preliminary Site Development Plan, shall identify any proposed conditional uses.

Section 10.314 allows all Planned Unit Developments as an outright permitted use. Since all the uses described for The Highlands occur within a PUD, these uses are allowed. The specific land uses proposed for The Highlands are described in **Land Use and Development Program** in Section IIIA.

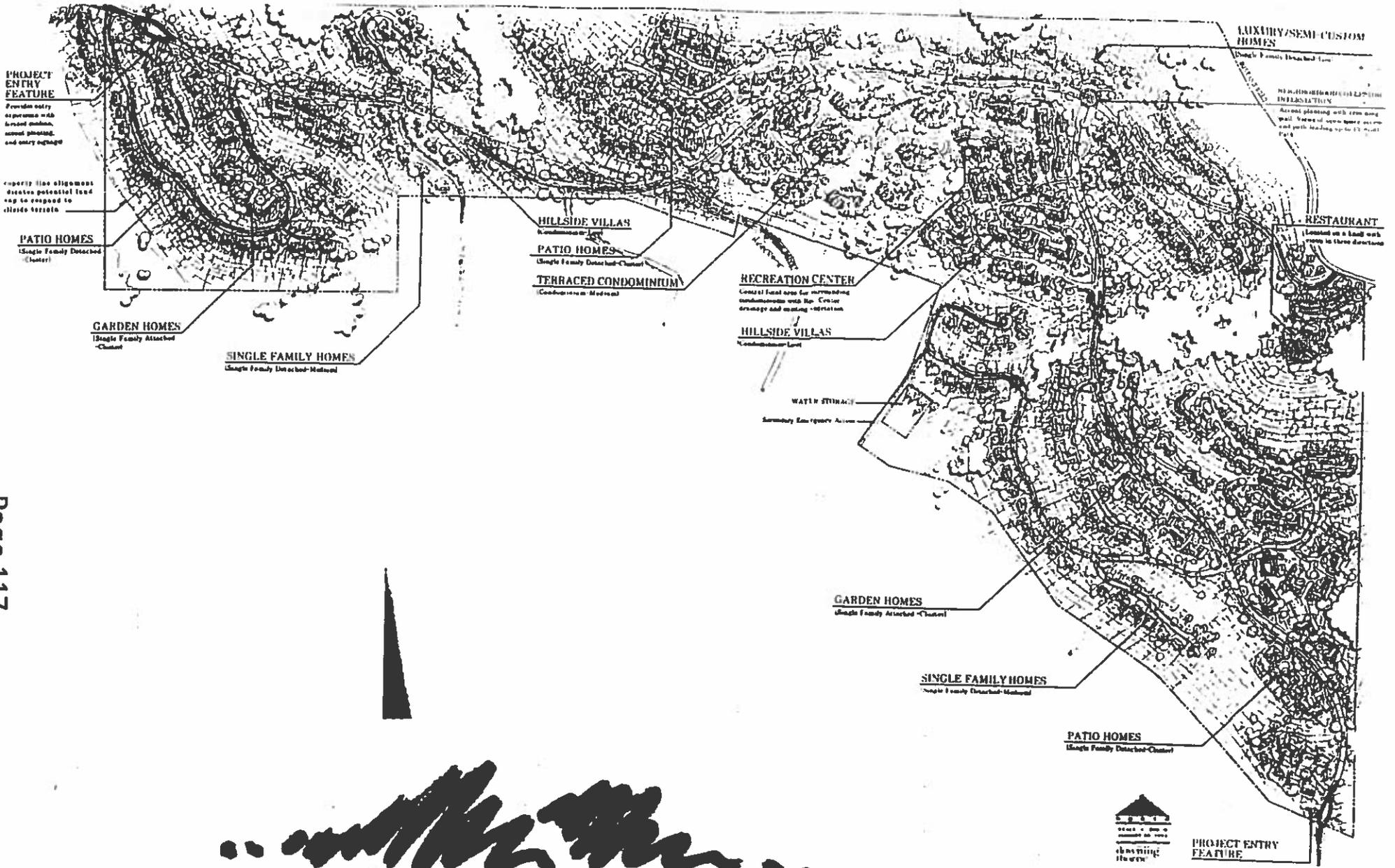
D. Height and Setback Requirements

Building height and coverage, setback, lot size, and parking shall be established for each Planned Unit Development by the Preliminary Site Development Plan, as approved by the approving agency. Such requirements may deviate from those established in the underlying zoning district.

These issues have been addressed and are described in Development Standard Section IIIB.

E. Summary

This Preliminary Site Development Plan meets all the criteria for a Planned Unit Development as outlined in the Medford Zoning Code. We respectfully request approval of this Planned Unit Development and Preliminary Site Development Plan.



...with the...

ILLUSTRATIVE SITE PLAN THE HIGHLANDS

M E D F O R D , O R E G O N



PROJECT ENTRY FEATURE

CITY OF MEDFORD

EXHIBIT # B

File # PUD-95-1

Date Filed _____ By _____

Offered by _____

DATE: 2/15/95

NO.: PUD-95-1

SPECIAL REPORT from the PUBLIC WORKS DIRECTOR

THE HIGHLANDS

RECEIVED

MAR 1 . 1995

A. PRELIMINARY COMMENTS

PLANNING DEPT.

Contractors proposing to do work on streets, sewers, or storm drains will prequalify with the Engineering Department prior to starting work. Contractors will be required to have a permit to perform any work within the public right-of-way.

The Design Engineer's original drawings on mylar shall be submitted to the City for permanent records upon completion of the project. Those drawings shall be converted to reflect "as built" conditions. Also, the Engineer shall coordinate with the utility companies and show on the "as built" drawings all utility locations.

The Design Engineer shall submit complete calculations for the structural section of each street within this development. The structural section design shall be based on the actual soil conditions within the roadway prism. A hydrology map depicting the amount of area the subdivision and each curb within 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 preliminary plans for approval by the Engineering Division. 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 directly affecting the subdivision shall be addressed on the subdivision drainage plan.

The subdivider shall be responsible for the final grading. After each house in the subdivision has been built, the finished lot shall be in compliance with the comprehensive grading plan for the subdivision filed in the Building Department.

Concrete or block walls are considered to be a permanent structure and will not be allowed to be built within a P.U.E., sanitary sewer, or storm drain easement. Walls will require a separate permit from the Building Department and may require a professional engineer's stamp.

Developer shall contact Division of State Lands for the approval or clearance of said subdivision with regard to wetlands and/or water ways if they are present on subject land.

Subdivisions five acres and greater require a run-off and erosion permit from DEQ.

Developer shall submit a preliminary draft of the final plat at the same time the construction plans are submitted. **NO LOT NUMBER OR LOT LINE CHANGES ON THE PLAT WILL BE ALLOWED AFTER THAT TIME, UNLESS APPROVED BY THE CITY AND ALL UTILITIES.**

CITY OF MEMPHIS

PUD-95-1

Homes in this subdivision are subject to both street system development charge and sewer system development charge.

Developer shall construct all wheelchair ramps and driveway aprons to the current A.D.A. standards.

Developer shall be responsible for notifying, by certified letter, all property owners adjacent to any street being developed one-half plus 12 feet. The letter shall inform the property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The property owner shall be given the opportunity to install utility service within the right-of-way. Copies of the letter certifications are to be provided to the City.

All final subdivision monumentation shall be established consistent with the approved subdivision grading plan. Said final monumentation shall include both set and found monuments and shall be placed flush with the ground at grade plan elevation or not more than 6 inches below grade plan elevation. Street centerline monuments are excepted from this requirement.

B. STREET IMPROVEMENTS

Roxy Ann Road shall be improved to a 36 ft. wide section, complete with curbs, gutters, and 5 ft. wide sidewalks.

Highcrest Drive, from Cloudcrest Drive to the north terminus of existing right-of-way, shall be improved to a 36 ft. wide section, complete with curbs, gutters, and 5 ft. wide sidewalks.

Stardust Way, from Cloudcrest Drive to the proposed street to the north, shall be improved to a 28 ft. wide section, complete with curbs, gutters, and 5 ft. wide sidewalks. Developer shall be responsible for the construction of said street concurrent with Phase I.

Bermuda Drive shall be extended to connect with the proposed street to the north and shall be improved to a 28 ft. wide section, complete with curbs, gutters, and 5 ft. wide sidewalks. Developer shall be responsible for the construction of said street concurrent with Phase I.

Private streets are to be designed by a registered civil engineer and will be approved by the City. Upon completion of the project, the Design Engineer shall certify that the improvements were inspected and constructed per plan, and shall provide the City with an "As Built" plan. The structural section will be compatible with current City standards. The minimum allowable section for residential streets is two inches of asphaltic concrete on seven inches of crushed rock. We have experienced problems with the subbase material in this area and it is likely that a greater section will be needed.

C. DEDICATION

Prior to development, tentative and final plat will be required.

D. SANITARY SEWERS

All public sanitary sewers shall be constructed to the standards of the Department of Environmental Quality in addition to standards approved by the City of Medford. It should be noted that the City requests all sewer and storm drains to be placed within the street right-of-way unless same is virtually impossible.

Any grade change will cause the developer to adjust all manholes to finish grade at developer's expense.

E. STORM DRAINAGE

Subdivider shall be responsible for constructing adequate storm drain systems in accordance with Engineering Division standards. A comprehensive drainage system designed for this development shall connect to a recognized public drainage system. A comprehensive grading plan showing ties between adjacent property and the proposed subdivision will be submitted with the improvement plan for approval. This area is also subject to a storm drain system development charge, but will receive a reimbursement of 25% of the estimated cost of storm drains 24 inches in diameter or larger.

Any grade change will cause the developer to adjust all manholes to finish grade at developer's expense.

In the event the lot drainage should drain to the back of the lot, the developer shall be responsible for constructing either a public storm drain system or a private drain line, including a tee at the low point of each lot to allow for a yard drain and roof down spout connection.

F. STREET LIGHTING AND SIGNING

The following street lighting and signing installation will be required:

- 1. Traffic Signs and Devices - City Installed
 - A. 1 Street Name Sign at \$70.00 each \$ 70.00
- 2. Street Lighting - Developer Installed
 - A. 14 150 Watt Residential Units at \$857.00 each \$ 11,998.00
 - Total Street Lighting and Signing \$ 12,068.00

CITY OF MEDFORD, OREGON
BOARD OF WATER COMMISSIONERS
Inter-Office Memorandum

TO: Planning Department
FROM: Larry Rains, Principal Engineer
SUBJECT: Land Development Committee meeting File No. PUD-95-1
Title: KM Capital, Inc.
DATE: March 3, 1995

Page 1 of 2

We have reviewed the above plan authorization application submitted for comments. Please include the following items in your staff report.

1. Any detailed requirements/decisions for requested water facilities, appurtenances, or connections to our system must be addressed by the applicant/representative at the Medford Water Commission office. Determination of the design extent, estimates/fees/charges AND charge in lieu of assessments/systems development charges/etc. involved, along with procedures for implementing the work will be discussed at that time.
2. Please be advised that our requirements and decisions will depend upon three things from the applicant. First, a copy of an approved staff report/requirement list, second, a master plan of complete build out of the project development and finally, a written statement from the fire department of the City of Medford concerning fire hydrant and fire service requirements that will be needed.
3. All created lots that cannot be further divided under current planning and zoning laws will be required to have a domestic metered water service installed prior to the land partition or lot creation plat recording. If the lot can be further divided under current planning and zoning laws then a note must be placed on the partition or plat that states water service is not currently in and will be required upon further development.
4. New water service will not be granted to any portion of the development until the project has gone through our design/development process outlined in our "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices" and the work is completely done including payment of estimates/fees/charges, submittal of plans/easements/dedications, and processing of finalization/billing.
5. In general we have no other comments except: Domestic metered water service adequate for this development is not existing to this property. New mainline water connections, in general, are not available to this development. Extensive offsite water facility work is required.

NONE OF THIS PROPERTY HAS WATER FACILITIES AVAILABLE TO SERVE THIS DEVELOPMENT.

PUD-95-1

TO: Planning Department
FROM: Larry Rains, Principal Engineer
SUBJECT: Land Development Committee meeting File No. PUD-95-1
Title: KM Capital, Inc.
DATE: March 3, 1995

Page 2 of 2

RESERVOIR SITES IN PRESSURE ZONES 3 AND 4 WITH ACCESS EASEMENTS MUST BE SITED, AND OBTAINED BY THE MEDFORD WATER COMMISSION BEFORE WATER FACILITY DEVELOPMENT IS ALLOWED IN ANY OF THESE AREAS. THE WATER COMMISSION IS CURRENTLY INVESTIGATING RESERVOIR SITES FOR ZONES 3 THROUGH 5 WITH REGARD TO OBTAINING THOSE SITES FROM THE OWNER OF THE PROPERTY. THE PROCESS HAS JUST BEGUN AND IS EXPECTED TO TAKE 3 TO 4 MONTHS.

A RESERVOIR SITE IN PRESSURE ZONE 5 MUST BE SITED, OBTAINED, AND A TANK CONSTRUCTED BY THE DEVELOPER BEFORE ANY WATER FACILITY DEPENDENT DEVELOPMENT IS ALLOWED IN ZONE 5.

RESERVOIR SITES AND PUMP STATION SITES IN PRESSURE ZONE 6 AND 7 MUST BE SITED, OBTAINED, AND A TANK AND PUMP STATION CONSTRUCTED BY THE DEVELOPER BEFORE ANY WATER FACILITY DEPENDENT DEVELOPMENT IS ALLOWED IN ZONE 6 OR 7.



Parks and Recreation Department Interoffice Memo

TO: Planning Department
 FROM: Parks and Recreation Director
 SUBJECT: PUD-95-1 KM Capital, Inc.
 DATE: March 13, 1995

RECEIVED

CITY OF MEDFORD MAR 1 1995

EXHIBIT E PLANNING DEPT.

PUD-95-1

We have reviewed the above noted project and have the following comments for your consideration.

We note that they are planning to take access to their project from the unimproved road which provides access to the park. The roadway is classified by the County as a limited access road, which means they do not do any maintenance on the roadway. It is provided by the adjacent property owners and we, the City, have been providing the maintenance on the road for park patrons.

We would be concerned with additional traffic being placed on the road for the PUD and how that traffic would impact our maintenance costs for the road. We currently have an agreement with a gravel operator and there are a number of trucks on the roadway during the week.

We would also be concerned with the compatibility of the two users on the roadway; would the users of the PUD want the trucks off the road although the other user was there first? If the developers do help improve the roadway, what impact does that have on the trucks using the roadway. If access is allowed on the road, is it developed from Hillcrest to their entry at their project?

We are also concerned with how the project will interface with park property. Will there be ornamental landscaping and fences abutting the property line? I would hope they would include some of the native vegetation in their landscaping so we do not have a straight demarcation line between the park and their project. Perhaps an opportunity to be unique. We are always concerned with the fire danger to the park and the interface/buffer of landscape may help reduce this. Again, perhaps another opportunity.

I believe these are issues and questions which need to be dealt with at the beginning of the planning process so there are no surprises to anyone down the line.



JACKSON COUNTY OREGON

10 S. OAKDALE • MEDFORD, OREGON 97501

5.6, page 34

DEPARTMENT OF PLANNING
AND DEVELOPMENT

(503) 776-7554

FAX: (503) 776-7384

March 14, 1995

James M. Eisenhard
City of Medford
Medford, OR 97501

RE: KM Capital, Inc. Proposed Planned Unit Development

Dear Mr. Eisenhard:

I am sorry that I am late in responding to your request for comments on the above-referenced proposal for 970+ units of housing to be built north of Hillcrest Road. I am concerned by the intensity of the proposed development and recommend conditions of approval to address them as follows:

Open Space: Considerably more open space should be provided as a buffer to the park and resource lands on the north and east sides of the subject parcel. I believe the proposal as presented would create an unreasonable burden on the park resource, and that the PUD should provide for some of the recreation needs of its inhabitants. More open space and outdoor opportunities need to be included inside the development.

Access: The road system appears to be well-planned considering the terrain, but the proposal does not appear to consider fire vehicle traffic adequately. I do not see evidence of adequate turn-arounds for large trucks. I am also concerned that the proposed restaurant is at the terminus of the longest, apparently steepest road course, and that all restaurant traffic will be routed through the length of the internal road system. I don't believe the proposal adequately addresses the impact of the restaurant on internal traffic, or the impacts of the entire development on the existing, already overloaded, public road system to the south and west.

Increased Densities: The Planned Unit Development concept is best applied when a developer provides recreation and other amenities as a trade-off for higher densities. I don't see any significant such trade-offs in this proposal that would clearly justify the increased density.

Sincerely,


Nancy Kincaid

{ltr-kmi:cnancy}

F
PUD-95-1



JACKSON COUNTY, OREGON

200 ANTELOPE ROAD • WHITE CITY, OREGON 97503

DEPARTMENT OF PUBLIC WORKS & PARK
JOSEPH L. STRAHL, DIRECTOR
(503) 826-3122 or (503) 776-7268
FAX: (503) 826-1655

March 13, 1995

Attention: James M. Eisenhard
City of Medford Planning
411 W. 8th St., Room 358
Medford, OR 97501

RE: PLANNED UNIT DEVELOPMENT (PUD-95-1)

Dear Mr. Eisenhard:

Thank you for the opportunity to comment on this proposed planned unit development. Should this development be approved, this department recommends the following conditions of approval:

1. The Cherry Lane road approaches shall be permitted and inspected by the City of Medford.
2. Construction plans shall be submitted to this department, so we may determine if county permits will be required.
3. The storm drainage plan shall be submitted to Jackson County Roads and Parks Services so we may determine if county maintained storm drainage facilities will be affected. If county maintained facilities will be impacted, the applicant's Oregon Registered Engineer shall assess the impacts. Capacity improvements necessary to accommodate this development shall be at developer expense.
4. Due to the magnitude of this development a traffic impact study should be required.

If you have any questions, give me a call.

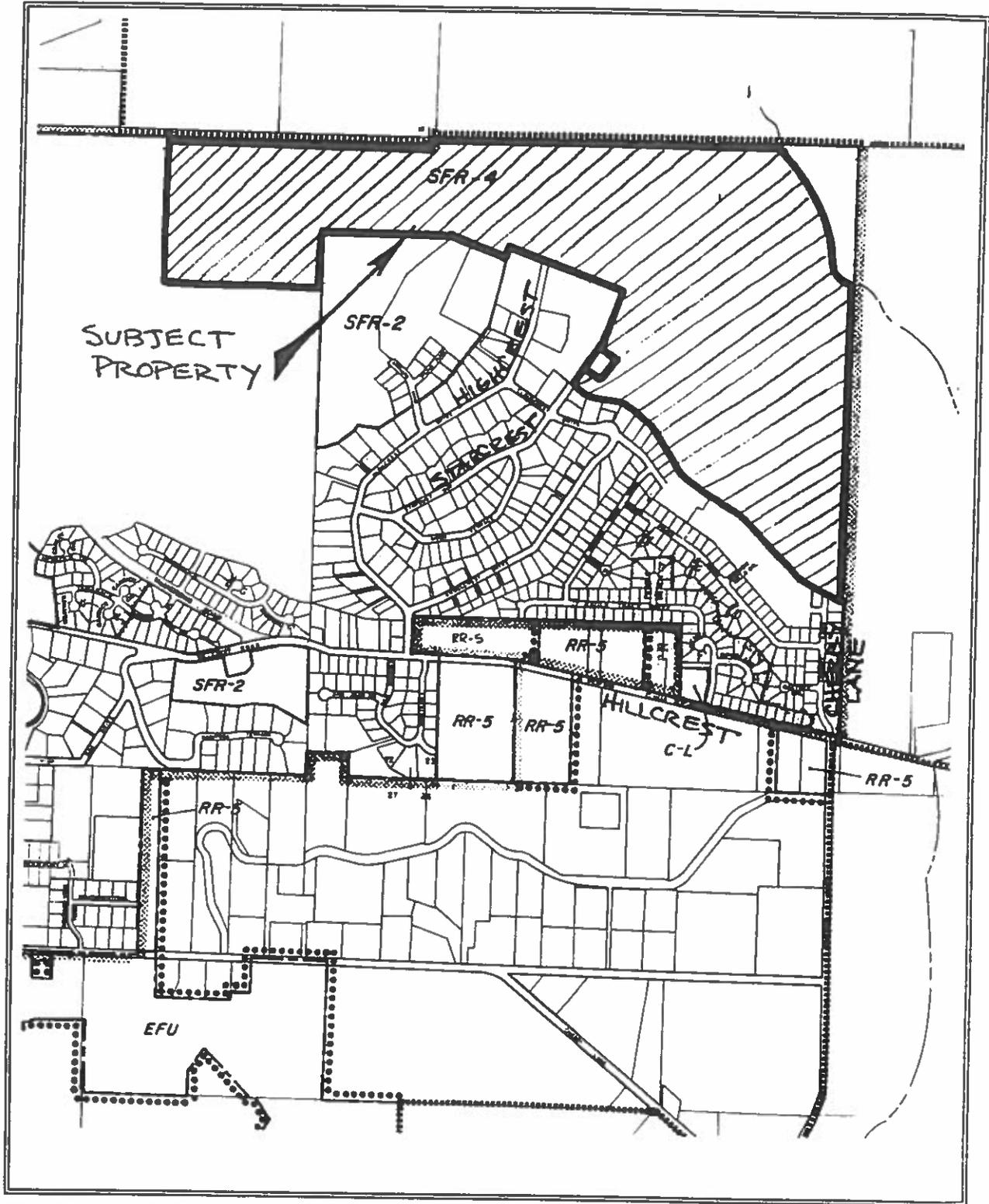
Sincerely,

Tim A. Coffey
 Tim A. Coffey, P.E.
 Traffic & Development Engineer

SW
 cc: Ron Young
 Bob Deuel

G
 PUD 95-1

ZONING / VICINITY MAP



File No.: PUD-95-1 The Highlands
Applicant: KM Capital, Inc.,
(Downing, Thorpe and James, Inc., agent)

RESOLUTION NO. 8514

A RESOLUTION setting forth the City Council's decision on the appeal by the applicant of the Planning Commission's conditions of approval of the revised Highlands Planned Unit Development and the revised tentative plat for The Ridge at the Highlands.

WHEREAS, applicant Randy Travalia filed appeals from the decisions of the Planning Commission on the revised Highlands Planned Unit Development (PUD-95-1) and the revised tentative plat for The Ridge at the Highlands (LDS-97-89); and

WHEREAS, the two appeals were heard by the City Council in a consolidated hearing held on the evening of October 2, 1997; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON:

1. The City Council finds that Condition of Approval #5 from the August 14, 1997 Revised Commission Report for PUD-95-1 and Fire Marshal Condition #3 from the August 14, 1997 Revised Commission Report for LDS-97-89 are not supported by substantial evidence in the record (the conditions are the same in both cases).

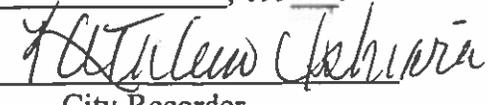
2. The applicant-appellant has stipulated and the City Council finds that the law and the facts do support the modification of the foregoing conditions of approval to read as follows:

"Due to concern about fire vehicle access on the narrower streets, no on-street parking is allowed on streets under 28 feet in width. In order to compensate for the loss of on-street parking for guests, one (1) off-street parking space per dwelling unit shall be provided. Half of the driveway space in front of garages shall be credited toward this requirement."

3. It is hereby ordered that the conditions of approval of PUD-95-1 and LDS-97-89 be modified to read as set forth in paragraph 2 above and, except as so modified, the decisions of the Planning Commission are affirmed. This is the final decision of the City on these two matters.

PASSED by the Council and signed by me in authentication of its passage this 16th day of October, 1997.

ATTEST:


City Recorder


Mayor

Resolution No. 8514

P:\JWP\RESOS\PUD95-1

CITY OF MEDFORD
EXHIBIT # M
File # LDS-15-167

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD
RECEIVED
CITY OF MEDFORD
RECORDERS OFFICE

SEP 2 - 1997

IN THE MATTER OF PLANNING COMMISSION FILE PUD-95-11-REVISED
APPLICATION FOR A PLANNED UNIT DEVELOPMENT
SUBMITTED BY MEDFORD HIGHLANDS, L.L.C. *7:51 AM* P.M.
11 12 13 14 15 16 ORDER
AUD 95-1REV

ORDER granting approval of a revision to an application to Medford Highlands L.L.C. for approval of Phases 1 and 2 of the Highlands, a 972-unit (proposed 969-unit) residential Planned Unit Development, with restaurant, on approximately 221 acres located at the north terminus of Cherry Lane, approximately 1,200 feet north of Hillcrest Road, within a SFR-4 (Single-Family Residential - 4 units per acre) zoning district, as provided for in the City of Medford Land Development Code.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.230 Application, Planned Unit Development, and
2. The Medford Planning Commission has duly held a public hearing on the matter of a revision to an application of Phases 1 and 2 of the Highlands with a public meeting a matter of record of the Planning Commission on July 24, 1997.
3. At that public meeting on said application, evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and
4. At the conclusion of said public meeting, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted a planned unit development permit and directed staff to prepare a final order with all conditions and findings set forth for the granting of the planned unit development.

THEREFORE LET IT BE HEREBY ORDERED that the application of Medford Highlands L.L.C. stands approved subject to compliance with the conditions stated in the revised Commission Report dated August 14, 1997.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this application for a planned unit development is hereafter supported by the following findings:

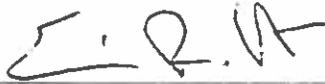
1. This project complies with the Land Development Code and all applicable criteria per Section 10.234, and

2. Including the applicant's findings received May 20, 1997, and any additional findings contained in the revised Commission Report dated August 14, 1997.

BASED UPON THE ABOVE, it is the finding of the Medford City Planning Commission that the approval of Phases 1 and 2 of the Highlands, a 972-unit (proposed 969-unit) residential Planned Unit Development will not be detrimental to the health, safety, or general welfare of the persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the City.

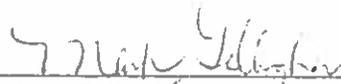
Accepted and approved this 14th day of August 1997.

CITY OF MEDFORD PLANNING COMMISSION



Eric R. Stark, Chair

ATTEST:



Mark Gallagher, Secretary

City of Medford

August 14, 1997

**REVISED
COMMISSION REPORT**

File No.: PUD-95-1 Revised The Highlands

Applicant: Randy Travalia - Medford Highlands, L.L.C.
(Hardey Engineering, agent)

Request: Consideration of a revision to Phases 1 and 2 of The Highlands, a 972-unit (proposed 969-unit) residential planned unit development, with restaurant, on approximately 221 acres, located at the north terminus of Cherry Lane, approximately 1,200 feet north of Hillcrest Road, within a SFR-4 (Single-Family Residential - 4 units per acre) zoning district.

Background:

The master plan for the Highlands Planned Unit Development was approved by the Planning Commission with the final order being adopted on April 3, 1995. Final plan approval for Phases I and II was granted by the Planning Commission, as well as tentative plat approval for the associated land division, on September 26, 1996. Related minor partitions and Conditional Use Permits were also approved in conjunction with the construction of water storage tanks owned and operated by the Medford Water Commission and which are necessary to serve The Highlands. Subsequent to the construction of the water tank closest to the project entrance at Cherry Lane, it has been determined by the project's engineers that a retaining wall is necessary to accommodate a street which was originally proposed to be constructed just downslope from the tank. The applicant is requesting a minor revision to the PUD to change the street design within Phase I and the resultant reduction in dwelling units (lots) associated with the revised street design. Virtually all issues associated with the PUD development remain unchanged from the original review except as otherwise discussed in this report and all applicable conditions of development are contained in the previously approved Staff Report dated March 16, 1995, except as revised hereunder.

Relevant Sections of the Land Development Code:

- 10.232 Preliminary Site Development Plan.
- 10.234 Criteria for a Planned Unit Development.
- 10.236 Filing Final Site Development Plan.

Findings:

The revised final plan/tentative plat map (Exhibit "A") and the letter dated May 20, 1997, containing the revised dwelling summary tables and the applicant's findings relating to the street revision (Exhibit "B"), are hereby incorporated by this reference. The adopted findings of the original PUD approval include a discussion of the PUD as well as addressing all of the applicable criteria and remain applicable to the approved PUD. Additional comments or updated information is provided in the discussion which follows.

Project Review:

The approved residential development will vary from the standard subdivision development requirements as it relates to the mix of dwelling types, inclusion of a nonresidential use (restaurant), creation of a public and private street system and common areas, variation from some yard standards, and utilization of on-street parking bays. PUD review is the means by which such a variation from the development standards can be approved. The length of Crest View Court (a cul-de-sac), and associated circulation issues, is the only change to the project being proposed that would vary from the standard subdivision development requirements.

Compliance With Criteria:

The following is an analysis of the revised proposal as it relates to the above referenced Criteria for A Planned Unit Development approval (Section 10.234).

1. Density:

The 221-acre site is now proposed to have 969 dwellings (previously 972 units) which is three units less than the maximum allowed, including the 10 percent density bonus. The minimum density requirements of the code are also applicable, particularly as the applicant has indicated that some variation in the type and mix of dwellings may occur as a result of market demand. The minimum of 2.5 units per acre would require that a minimum of 552 units be developed over the entire project site. Therefore, at the time each phase is developed (e.g., final plan approval), the applicant shall demonstrate that the project remains within the densities required by code.

This revised PUD proposal remains consistent with the maximum and minimum dwelling unit density of the underlying zoning district.

2. Intensity:

The approved original findings stated that all public services are available to the site and/or will be made available and adequate upon development. Some detail is provided in regard to provision of needed water facilities (i.e., reservoirs and pumps), sanitary sewers, and storm drains which supports a finding of adequacy. Also, a finding demonstrating that the range of proposed uses in the PUD will not be any more intense than the standard permitted development is necessary. Since the overall number of dwellings units will be reduced by this amendment, a finding can be made that the revised PUD is less intensive than the previous proposal.

3. Uses:

A mix of residential uses are proposed, as permitted by the PUD, at densities consistent with that allowed by the PUD with the underlying SFR-4 zoning. Along with the residences, the proposal includes private roads and common areas, which will be maintained through establishment of a homeowners' association; and the 3.5 acre commercial use (restaurant). As the restaurant site represents less than 2 percent of the project area, this proposal is consistent with the "use" criteria for PUD approval. The proposed revision does not change the mix of uses as originally proposed.

4. Height and Setbacks:

No change to the height and setbacks of the approved PUD will result from this amendment.

5. Site Plan Review Standards:

All necessary easement dedications for utilities, which are to be located within or adjacent to the roadways, shall be made at the time of final plat approval. Consistent with the original plan which included two cul-de-sacs connected by a walkway, and code requirements for such accessways when a cul-de-sac is proposed, a condition has been included requiring that such an accessway be provided to connect Crest View Court with Cherry Lane.

All public facilities shall be constructed to City standards consistent with the Special Report from the Public Works Director and the Medford Water Commission memo. Revised comments have been submitted (Exhibits "C" and "D") which generally reiterate those submitted with the original approval.

The Public Works Director has identified local street improvements that will be required to serve the revised project when the various phases are platted. The revised report includes a new requirement for alley improvements on the area located over the storm drain easement

which runs along the project's southwest boundary. Such a condition will be applied at the time of tentative plat approval for the revised proposal (LDS-97-89). The construction of all applicable improvements will be secured at the time of final plat approval. Provision for ownership and maintenance of common facilities shall be established by covenant at the time of final plat approval.

6. Legal Document Review Standards:

No change in requirements for Articles of Incorporation and Bylaws for the Homeowners' Association nor the Declaration of Covenants, Conditions, and Restrictions (CC&R's) document as required for Final Site Development Plan approval will result from this amendment.

Conclusion:

The proposed project is found to be in compliance with the Medford Comprehensive Plan and meets the standards and criteria per Section 10.234 of the Land Development Code (Criteria for a Planned Unit Development). Variations to standard requirements pertaining to private streets, lot size and associated site standards, and uses are consistent with that permitted by a planned unit development.

Miscellaneous

Jackson County Roads & Parks Services has submitted comments pertaining to review of a traffic study and storm drainage plan prepared for this development (Exhibit "E"). It should be noted that the original approval addressed traffic issues and included conditions pertaining to the monitoring of street capacity in the area as future phases of the PUD develop. A significant factor in regard to the capacity of streets serving the PUD, particularly Hillcrest Road, was the planned extension of McAndrews Road. No traffic study was, therefore, required nor submitted as part of the subject revision to the PUD.

Drainage plans are to be submitted as the phases of the project develop. As discussed above, the Public Works Director has included specific requirements for drainage design and review (Exhibit "C").

Commission Action:

Approval of PUD-95-1 Revised , The Highlands, per Commission Report dated July 24, 1997; Exhibit "A" - Revised Site Plan - Phase I and II; Exhibit "B" Letter from Downing, Thorpe, and James dated May 20, 1997; Exhibit "C" - Special Report from the Public Works Director #PUD-95-1 Revised dated June 18, 1997; Exhibit "D" - Memo from the Water Commission dated June 10, 1997;

Exhibit "E" - Letter from Jackson County Roads & Parks dated June 20, 1997; Exhibit "F" - Memo from Bureau of Fire Prevention dated July 21, 1997; Exhibit "G" - Letter from Lyle McLaughlin dated August 13, 1997; and subject to the following:

1. All conditions of approval contained in the approved Staff Report dated March 16, 1995, remain in effect except as specifically revised below.
2. The PUD is approved for a maximum of 969 dwellings.
3. Final Plan approval for Phases I and II granted September 26, 1996, shall remain in effect subject to Planning Commission approval of a revised tentative plat.
4. A pedestrian accessway shall be constructed to connect the end of Crest View Court with Cherry Lane in the area southeast of the water storage tank. Such accessway shall either be dedicated as right-of-way or provided with a public access easement as part of the common area of the PUD. The accessway may be 5 feet wide and will be paved as shown on the approved plans.
5. Due to concern about fire vehicle access on the narrower streets, no on-street parking is allowed on streets under 28 feet in width. In order to compensate for the loss of on-street parking for guests, one (1) off-street parking space per dwelling unit shall be provided. The driveway space in front of the garage of each unit shall not be counted toward this requirement.

The applicant acknowledged that the common areas will be irrigated which will reduce or eliminate any fire hazard in those areas and that a construction barrier will be placed downhill from any construction in order to catch any falling materials.

MEDFORD PLANNING COMMISSION



Eric R. Stark, Chair

**PLANNING COMMISSION AGENDA: JULY 24, 1997
AUGUST 14, 1997**

REVISED PUD DEVELOPMENT PLAN

THE RIDGE AT THE HIGHLANDS,
A PLANNED COMMUNITY
LOCATED IN
SECTION 23, T37S, R1W, W.M.
CITY OF MEDFORD
JACKSON COUNTY, OR.
37 1W 23
TAX LOT 200
MAY 12, 1997

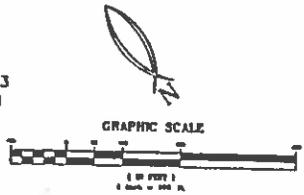
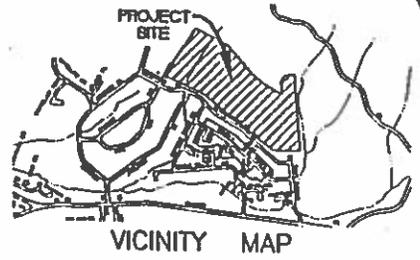
TOTAL ACRES = 45.7 AC
ZONING = RPTA
CITY AND DISTRICT = VICTORY
SCHOOL DIST. = 6400
PLANNING DIST. = 6000

OWNER / APPLICANT
HARDEY ENGINEERING & ASSOCIATES, INC.
1400 SW PARK DRIVE SUITE 1
P.O. BOX 1825
MEDFORD, OREGON 97504
TEL. (503) 775-8800

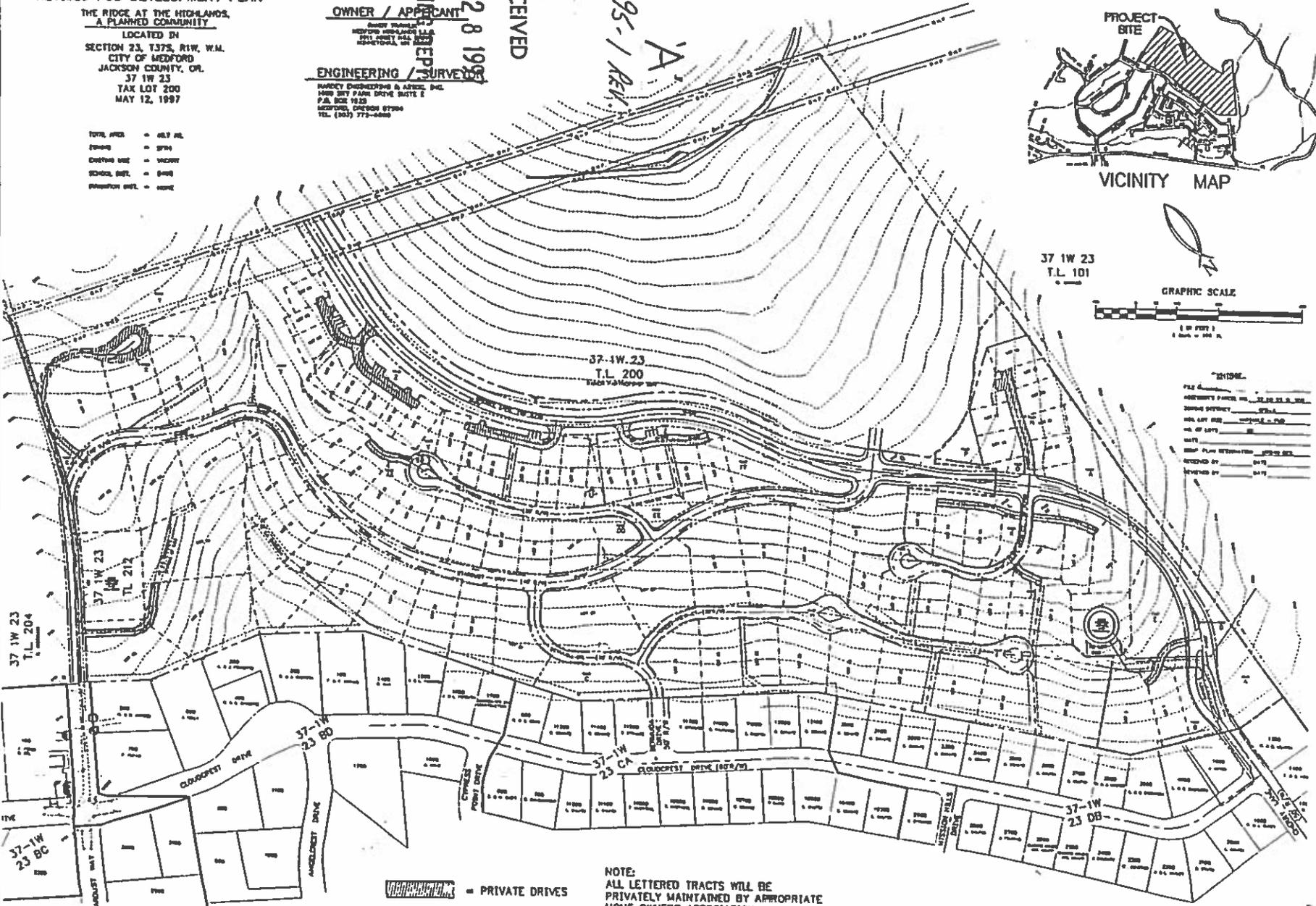
ENGINEERING / SURVEYED

RECEIVED
MAY 28 1997
PLANNING DEPT.

PUD-95-1 Rev. A



DATE: 5/18/97
FILE NO.: 95-1
ADDRESS: 1400 SW PARK DRIVE SUITE 1, MEDFORD, OREGON 97504
ZONING DISTRICT: RPTA
CITY AND DISTRICT: VICTORY
SCHOOL DIST.: 6400
PLANNING DIST.: 6000
REVISIONS:
REVISION NO. DATE BY



NOTE:
ALL LETTERED TRACTS WILL BE
PRIVATELY MAINTAINED BY APPROPRIATE
HOME OWNERS ASSOCIATION.

THE RIDGE AT THE HIGHLANDS, A PLANNED COMMUNITY
REVISED PUD DEVELOPMENT PLAN
MEDFORD, OREGON
HARDEY ENGINEERING & ASSOCIATES, INC.
P.O. BOX 1825
MEDFORD, OREGON
97504
TEL. (503) 775-8800
H.A.E. ENGINEERS
DATE: 5/18/97
DESIGN: []
CHECKED: []
DRAWING: []
FILE NO.: 95-1
DRAWING NO.: 135-135



May 20, 1997

Mr. Jim Eisenhard, Planning Director
Mr. Mark Gallagher, Project Planner
Planning Commission
MEDFORD PLANNING DEPARTMENT
City Hall
411 West 8th Street
Medford, Oregon 97051

RE: Revised PUD and Tentative Plat for The Ridge at The Highlands

Dear Jim, Mark, and Planning Commission Members:

We respectfully submit this application for a revision to the Planned Unit Development (approved in the Spring of 1995) and Tentative Plat for The Ridge at The Highlands (approved in the Fall of 1996). This request follows the procedure set forth in the Medford Land Development Code and is being submitted at the request of the applicant, Medford Highlands, LLC. This request is due to several issues which resulted in a revised site plan and subsequent reduction in total units (density), and the ratio of unit types.

The site plan modification and loss of 3 units is necessary for several reasons:

- First, a thorough review of the grading, identified retaining walls required in excess of 9 feet tall, below the Water Reservoir in Phase One. We felt these walls will be unsightly and visually detract from the project entry off of Cherry Lane.
- Secondly, the severe slopes below the water reservoir force the homes too high out of the ground, thus creating unattractive conditions for the adjacent Eagle Trace Subdivision.
- Lastly, the soil stability below the water reservoir is a concern and considered to be a restriction for the proposed site plan.

CITY OF MEDFORD

EXHIBIT # B
PUD-95-1 REVISED / LDS-97-89

Date Rec'd _____ By _____

Filed By _____

1881 Ninth Street, Suite 103
Boulder, Colorado 80302
303-443-7533
Fax 303-443-7534

RECEIVED

MAY 28 1997

PLANNING DEPT.

The Ridge at The Highlands
 May 20, 1997

These changes are summarized below:

	Approved PUD and Final Site Development Plan	Proposed Units
1. The Highland PUD (entire site) Density	972 4.40	969 (less 3) 4.38
2. Phase One	28	22 (less 6)
a. Garden Homes	7	7 (no change)
b. Patio Homes	21	15 (less 6)
c. Single-Family Detached Lots	0	0
d. Estate Lots	0	0
e. Open Space Tracts	3.59 ac.	3.66 ac (plus .07 ac.)
3. Phase Two	57	60 (plus 3)
a. Garden Homes	19	19 (no change)
b. Patio Homes	9	9 (no change)
c. Single-Family Detached Lots	15	17 (plus 2)
d. Estate Lots	14	15 (plus 1)
e. Open Space Tracts	8.11 ac.	7.95 ac. (less .16 ac.)

We feel that the proposed changes create a stronger general community concept with minimal changes to the PUD. The proposed modification to this site plan are outlined below.

1. The elimination of Star Ridge Road (directly below the water reservoir) with a private drive in its place.
2. The extension of Crestview Court cul-de-sac. The fire department has reviewed this extended cul-de-sac which is 1,000 feet long and supports the proposed redesign. A mid-point turn-around is provided for emergency vehicles and public safety.
3. Bermuda alignment has been modified to reduce the street grade to 15%. This new alignment results in a new outlot "G" which would be an open space tract.

Please review this application and feel free to call me if you have any questions.

Respectfully Submitted,

DOWNING, THORPE & JAMES, INC.



Steven W. James, AIA
 Vice President



Tracy Colling
 Planner/Landscape Architect

SPECIAL REPORT from the PUBLIC WORKS DIRECTOR

**MEDFORD HIGHLANDS
(REVISED)**

A. PRELIMINARY COMMENTS

Contractors proposing to do work on streets, sewers, or storm drains will prequalify with the Engineering Department prior to starting work. Contractors will be required to have a permit to perform any work within the public right-of-way.

The Design Engineer's original drawings on mylar shall be submitted to the City for permanent records upon completion of the project. Those drawings shall be converted to reflect "as built" conditions. Also, the Engineer shall coordinate with the utility companies and show on the "as built" drawings all utility locations.

The Design Engineer shall submit complete calculations for the structural section of each street within this development. The structural section design shall be based on the actual soil conditions within the roadway prism and shall be designed to a minimum 20 years life. A hydrology map depicting the amount of area the subdivision and each curb within 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 preliminary plans for approval by the Engineering Division. 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 directly affecting the subdivision shall be addressed on the subdivision drainage plan.

The subdivider shall be responsible for the final grading. After each house in the subdivision has been built, the finished lot shall be in compliance with the comprehensive grading plan for the subdivision filed in the Building Department.

Concrete or block walls are considered to be a permanent structure and will not be allowed to be built within a P.U.E., sanitary sewer, or storm drain easement. Walls will require a separate permit from the Building Department and may require a professional engineer's stamp.

Developer shall contact Division of State Lands for the approval or clearance of said subdivision with regard to wetlands and/or water ways if they are present on subject land.

Subdivisions five acres and greater require a run-off and erosion permit from DEQ.

Developer shall submit a preliminary draft of the final plat at the same time the construction plans are submitted. NO LOT NUMBER OR LOT LINE CHANGES ON THE PLAT WILL BE ALLOWED AFTER THAT TIME, UNLESS APPROVED BY THE CITY AND ALL UTILITIES.

CITY OF MEDFORD
PLANNING COMMISSION

EXHIBIT # 0
PUD 95-1 Revised

MEDFORD HIGHLANDS

Homes in this subdivision are subject to both street system development charge and sewer system development charge.

Developer shall construct all wheelchair ramps and driveway aprons to the current A.D.A. standards.

Developer shall be responsible for notifying, by certified letter, all property owners adjacent to any street being developed one-half plus 12 feet. The letter shall inform the property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The property owner shall be given the opportunity to install utility service within the right-of-way. Copies of the letter certifications are to be provided to the City.

All final subdivision monumentation shall be established consistent with the approved subdivision grading plan. Said final monumentation shall include both set and found monuments and shall be placed flush with the ground at grade plan elevation or not more than 6 inches below grade plan elevation. Street centerline monuments are excepted from this requirement.

B. STREET IMPROVEMENTS

Roxy Ann Road shall be improved to a 36 ft. wide section, complete with curbs, gutters, and 5 ft. wide sidewalks.

Highcrest Drive, from Cloudcrest Drive to the north terminus of existing right-of-way, shall be improved to a 36 ft. wide section, complete with curbs, gutters, and 5 ft. wide sidewalks.

Stardust Way, from Cloudcrest Drive to the proposed street to the north, shall be improved to a 28 ft. wide section, complete with curbs, gutters, and 5 ft. wide sidewalks. Developer shall be responsible for the construction of said street concurrent with Phase I.

Bermuda Drive shall be extended to connect with the proposed street to the north and shall be improved to a 28 ft. wide section, complete with curbs, gutters, and 5 ft. wide sidewalks. Developer shall be responsible for the construction of said street concurrent with Phase I.

Private streets are to be designed by a registered civil engineer and will be approved by the City. Upon completion of the project, the Design Engineer shall certify that the improvements were inspected and constructed per plan, and shall provide the City with an "As Built" plan. The structural section will be compatible with current City standards. The minimum allowable section for residential streets is two inches of asphaltic concrete on seven inches of crushed rock. We have experienced problems with the subbase material in this area and it is likely that a greater section will be needed.

Developer shall construct a 10 ft. wide paved alley, in a 12 ft. right-of-way, along the south line of the both Phase 1 & 2. The alley shall be designed with an inverted crown to improve the drainage control and maintenance access to the sanitary sewer and storm drain systems. Developer shall be responsible for the improvement of said alley from Cherry Lane to Bermuda Drive concurrent with Phase 1 and from Bermuda Drive to Stardust Way concurrent with Phase 2. Developer shall place a gate or bollards behind the sidewalk or curb, if no sidewalk, to prevent daily or general vehicular use.

MEDFORD HIGHLANDS**C. DEDICATION**

Prior to development, tentative and final plat will be required.

D. SANITARY SEWERS

All public sanitary sewers shall be constructed to the standards of the Department of Environmental Quality in addition to standards approved by the City of Medford. It should be noted that the City requests all sewer and storm drains to be placed within the street right-of-way unless same is virtually impossible.

Any grade change will cause the developer to adjust all manholes to finish grade at developer's expense.

E. STORM DRAINAGE

Subdivider shall be responsible for constructing adequate storm drain systems in accordance with Engineering Division standards. A comprehensive drainage system designed for this development shall connect to a recognized public drainage system. A comprehensive grading plan showing ties between adjacent property and the proposed subdivision will be submitted with the improvement plan for approval. This area is also subject to a storm drain system development charge, but will receive a reimbursement of 25% of the estimated cost of storm drains 24 inches in diameter or larger.

Any grade change will cause the developer to adjust all manholes to finish grade at developer's expense.

In the event the lot drainage should drain to the back of the lot, the developer shall be responsible for constructing either a public storm drain system or a private drain line, including a tee at the low point of each lot to allow for a yard drain and roof down spout connection.

F. STREET LIGHTING AND SIGNING

Developer's responsibility for the installation of street lights is specified on the attached sheet entitled " Street Lighting Requirements for New Developments".

The following street lighting and signing installation will be required.

- | | | | |
|----|---------------------------------------------------|--------------------------------------------|-----------------|
| 1. | <u>Traffic Signs and Devices - City installed</u> | | |
| | a. | <u>5</u> Street Name Signs at \$70.00 each | <u>\$375.00</u> |
| | b. | <u>3</u> Dead-End Signs at \$125.00 each | <u>\$225.00</u> |

MEDFORD HIGHLANDS

c.	<u>35</u>	No Parking Signs at \$75.00 each	<u>\$2,625.00</u>
d.	<u>5</u>	Stop Signs at \$75.00 each	<u>\$375.00</u>
e.	<u>1</u>	Dead-End Barricade at \$135.00 each	<u>\$135.00</u>
2. Street Lighting - Developer installed			
a.	<u>39</u>	100 Watt Residential Units at \$980.00 each	<u>\$38,220.00</u>
Total street lighting and signing cost for materials only			<u>\$41,955.00</u>

Note: Cost is for materials only.
Developer required to install new street lighting.

Note: If developer is going to use any other lighting system other than the City of Medford standard system for the on street illumination, they must work out a suitable trust/bond system that will insure full system operation into perpetuity. Public Works will maintain and operate the street lighting system, but not any "theme or custom lights" other than those covered by the above mentioned agreement.

BOARD OF WATER COMMISSIONERS
Staff Memorandum

TO: Planning Department, City of Medford
FROM: Larry Rains, Water Commission Principal Engineer
SUBJECT: Land Development Committee Meeting File No. PUD-95-1 R
Title: Medford Highlands, Cherry Lane
Planner: Scott

RECEIVED

JUN 10 1997

CITY OF MEDFORD
PLANNING DEPT.

EXHIBIT # D
PUD-95-1 Revised

DATE: June 10, 1997

I have reviewed the above plan authorization application for requested comments. Comments made are of a general land use nature and are not final design approval conditions. I recommend the following items be included in any report.

1. **Final design requirements** and cost estimates, fees, and charges can only be assessed when initial construction plans are submitted by a design professional engineer to the Water Commission for review. Preliminary discussions with the design team and the Water Commission are highly recommended **before** detailed plans are generated.
2. Master planning of any known future development or phases by the applicant is highly recommended for the Water Commission to properly evaluate current design parameters to be required.
3. All Water Commission requirements as well as the feasibility of a water system for this development are highly dependent on the requirements of the City of Medford Fire Department and cannot be fully addressed until their response is known. A joint preliminary discussion with the design team, City of Medford Fire Marshal, and the Water Commission is highly recommended **before** detailed plans are generated.
4. All proposed property divisions will have a domestic metered water service installed prior to plan authorization approval for establishment of the lots or parcels. If the property is dividable in the future, a note may be placed on the final plat stating the absence of any such water service. Be aware that paving moratoriums established by the City of Medford may prevent water service installation for a period of time or have cost implications.
5. Actual water service will be withheld until all requirements of the Water Commission have been completed and approved through the final billing process.
6. The design/construction process will be done in accordance with the Water Commission "Standards for Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
7. **SITE SPECIFIC COMMENTS ARE AS FOLLOWS: Domestic metered water service IS NOT existing to this property. New mainline water connection's ARE available. Extensive off-site water facility work IS required. CAUTION!!! These are our written comments prior to joint review with other agencies. The developer is fully aware of water requirements to serve this project and has proceeded accordingly.**

18



JACKSON COUNTY, OREGON

200 ANTELOPE ROAD • WHITE CITY, OREGON 97503

ROADS & PARKS SERVICES
JOSEPH L. STRAHL, DIRECTOR
(503) 826-3122 or (503) 776-7268
FAX: (503) 830-6407

June 20, 1997

Attention: James M. Eisenhard
City of Medford Planning
411 West 8th Street, Room 358
Medford, OR 97501

RECEIVED

JUN 23 1997

PLANNING DEPT.

RE: Planning File PUD-95-01-Revised

Dear Mr. Eisenhard:

Thank you for the opportunity to comment on the revision to Phases 1 and 2 of the Highlands Planned Unit Development, a 972 unit residential planned unit development with restaurant, on approximately 221 acres located at the north terminus of Cherry Lane approximately 1200 feet north of Hillcrest Road. Roads and Parks Services has the following comment:

1. We would like to review a traffic study prepared for this development. Prior to approval, we recommend that traffic impact mitigation be established and agreed upon.
2. We would like to review a storm drainage plan.

If you have any questions or need further information feel free to call me at 830-6400 ext. 230.

Sincerely,

Eric Nicmeyer
Traffic & Development Section

CITY OF MEDFORD
PLANNING COMMISSION
EXHIBIT # 'E'
File # PUD-95-1 Revised
Date Rec'd _____
Created By _____

FAXED
6/20/97

I:\DEVELOP\CITIES\MEDFORD\PUD95-01.R1D

BUREAU OF FIRE PREVENTION
A DIVISION OF THE MEDFORD FIRE DEPARTMENT

Inter-Office Memo

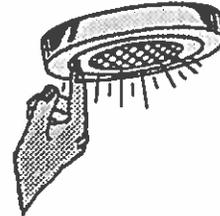
RECEIVED
JUL 23 1997
PLANNING DEPT.

TO: Medford Planning Department

FROM: R. A. Chiponis, Fire Marshal *Chiponis*

DATE: July 21, 1997

RE: MEDFORD HIGHLANDS PUD-95-1 (Scott)



MEDFORD HIGHLANDS - residential subdivision located at the north terminus of Cherry Lane, approx. 1200 feet north of Hillcrest Road.

We reiterate our response to the proposal that was presented on September 11, 1996. The plan, as proposed at that time, presented significant fire and life safety concerns to the Medford Fire Department. Concerns include, the percent and/or length of grades on View Crest, as well as several other streets and private drives in this proposed development. Many of the streets and private roads have been designed with grades in excess of City street and Fire Department response standards. In attempting to provide a means of minimizing some of these concerns we required that the ends of the Private Drives off of Mnt. Ridge Rd. be extended to connect with Cherry Lane. The extension of the Private Drive, proposed to serve lots 76, 77, 78, 79 be extended to connect with Cherry Lane. The Private Drives that were proposed to serve lots 64, through 73 be connected through lots 68 and 69 to form continuous access to Cherry Lane. These changes would allow for quicker response for Fire Units, and allow residents two ways out in the event of major fire incident.

We required the installation of numerous fire hydrants throughout this subdivision. Prior to the preparation of any preliminary utility plans, the applicant shall consult with the Fire Marshal to determine the exact number and location of all required fire hydrants. Prior to final plat approval, required fire hydrants shall be installed and working to the City of Medford Fire Department and Medford Water Commission standards.

CITY OF MEDFORD

EXHIBIT # F
PUD-95-1 Revised
Date 7/24/97

Medford Highlands PUD -95-1

July 21, 1997

Page 2

There was a requirement to provide address signs at all entrances to Private Drives serving more than one property. Signs would indicate all addresses serviced from these Private Drives. Address signs were to be installed, to City standards, prior to final plat approval.

Design and size of landscaping islands proposed for cul-de-sac turnarounds must meet Fire Department approval prior to construction. All development landscape design shall take into consideration utilizing plants and shrubs that have fire resistant qualities.

There have been several meetings with project developers and City staff, the last being March 20, 1997, to discuss risk reduction alternatives acceptable to the Medford Fire Department .

During these meetings, we reviewed our specific concerns for the travel distance from existing response stations, response time that is in excess of Department goals due to distance, the reduction of generally accepted access road standards including width, grade, single access roads (dead end streets) the use of combustible building construction materials, fire resistant landscaping and strategies for fuel reduction.

The Fire Department has indicated to the developer that we would be open to explore alternate means that would allow for development while providing a means to accomplish our fire and life safety goals. Following is a proposed list of risk reduction strategies that would be acceptable:

Where single access roads might be impaired by vehicle congestion, condition of terrain or other factors that could limit access; and/or dead-end streets/access exceed 150 feet without approved provisions for turning around fire apparatus; and/or cul-de-sacs exceed 450 feet; and or street/access grades exceed 15 percent, all impacted buildings shall be protected with an approved residential sprinkler system; roofing materials shall be classified non-combustible; reduction of, and continued maintenance of combustible vegetation within 50 feet of structures. These requirements shall be tied to a covenant attached to a legal instrument of ownership and conveyed as binding upon all future owners.

Medford Highlands PUD-95-1

July 21, 1997

Page 3

There shall be a plan provided for the maintenance of combustible fuel growth in all common areas. This plan shall be made binding to any "homeowners" Association where applicable.

No parking shall be allowed on street/access roads less than 28 feet in width. Parking will be permitted on one side of the street on access roads 28 feet or greater in width . Additional provisions for guest parking should be provided by developer when road width is less than 28 feet.

When considering the development of areas within our community, public safety considerations will always be used as the primary standard by the Medford Fire Department.

04

PLANNING DEPARTMENT
C. 2 22.0 3.3

The Ridge at the Highlands

Medford Highlands, LLC.
Randy Travalia - Chief Manager

RECEIVED

AUG 14 1997

PLANNING DEPARTMENT

221 North Central Avenue - Suite 363
Medford, Oregon 97501

Phone (541) 772-4068
Fax (541) 772-4082

August 13, 1997

Chairman
Medford Planning Commission
Medford City Hall
411 W 8th Street
Medford, Oregon 97501

Dear Mr. Stark:

I would like to let you know our position on the issue of visitor parking in the Revised PUD and Tentative Plat for "The Ridge at the Highlands".

We have had extensive discussions with the Planning Department on what constitutes visitor parking and feel that we are comfortable with the requirement of providing one "offstreet" visitor parking space for every one housing unit.

The industry standard is 1/2 space per housing unit but we will acquiesce to the higher standards required by the Planning Commission.

Therefore, Medford Highlands, LLC. agrees to provide one offstreet parking space per single housing unit.

Sincerely,


Lyle McLaughlin
Project Manager

c.c. Planning Staff

CITY OF MEDFORD

EXHIBIT # CT

PUD 95-1

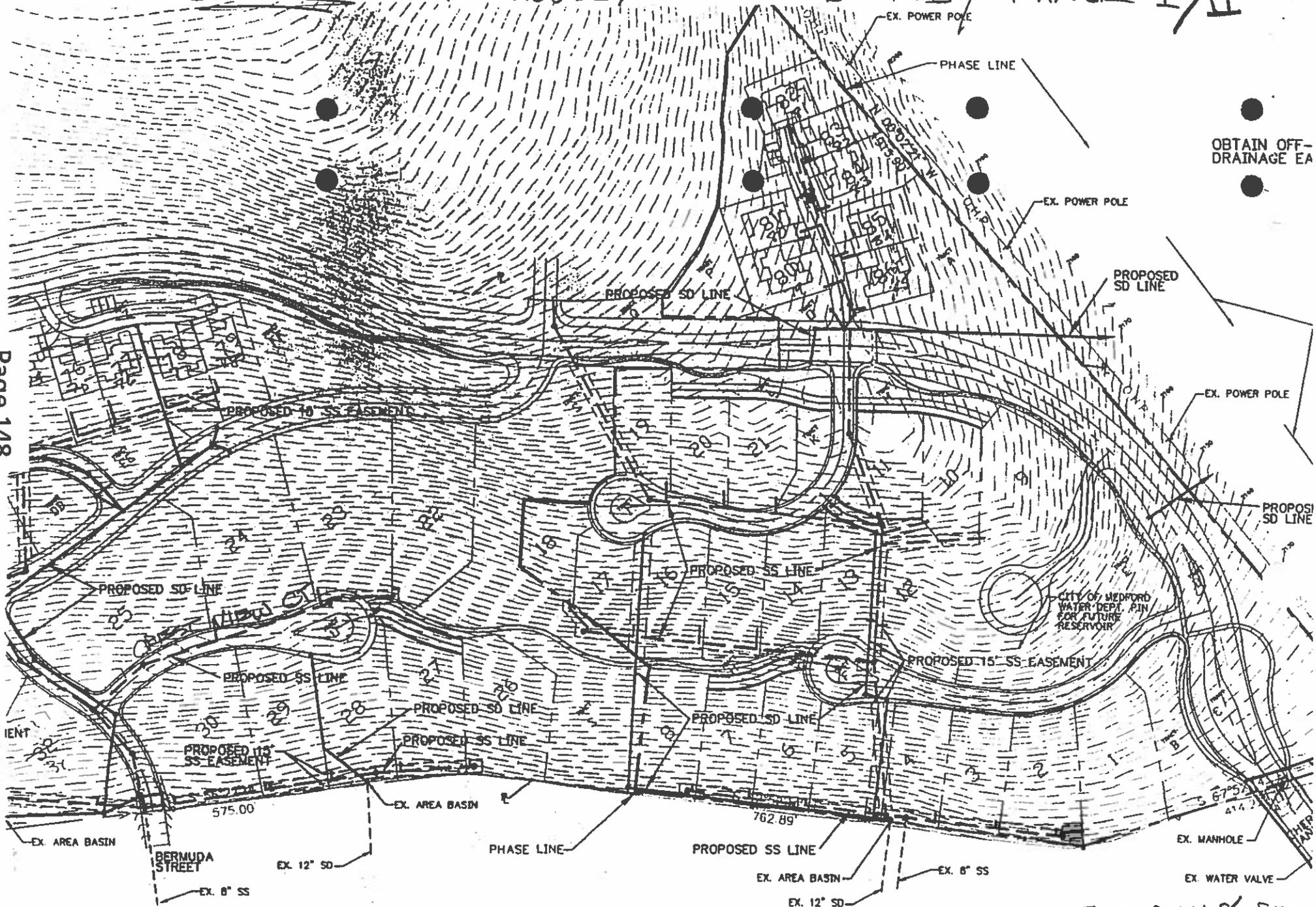
Date Rec'd _____

By _____

EXPANDED
DETAIL

PREVIOUSLY APPROVED ROD / PHASE I/II

Page 148



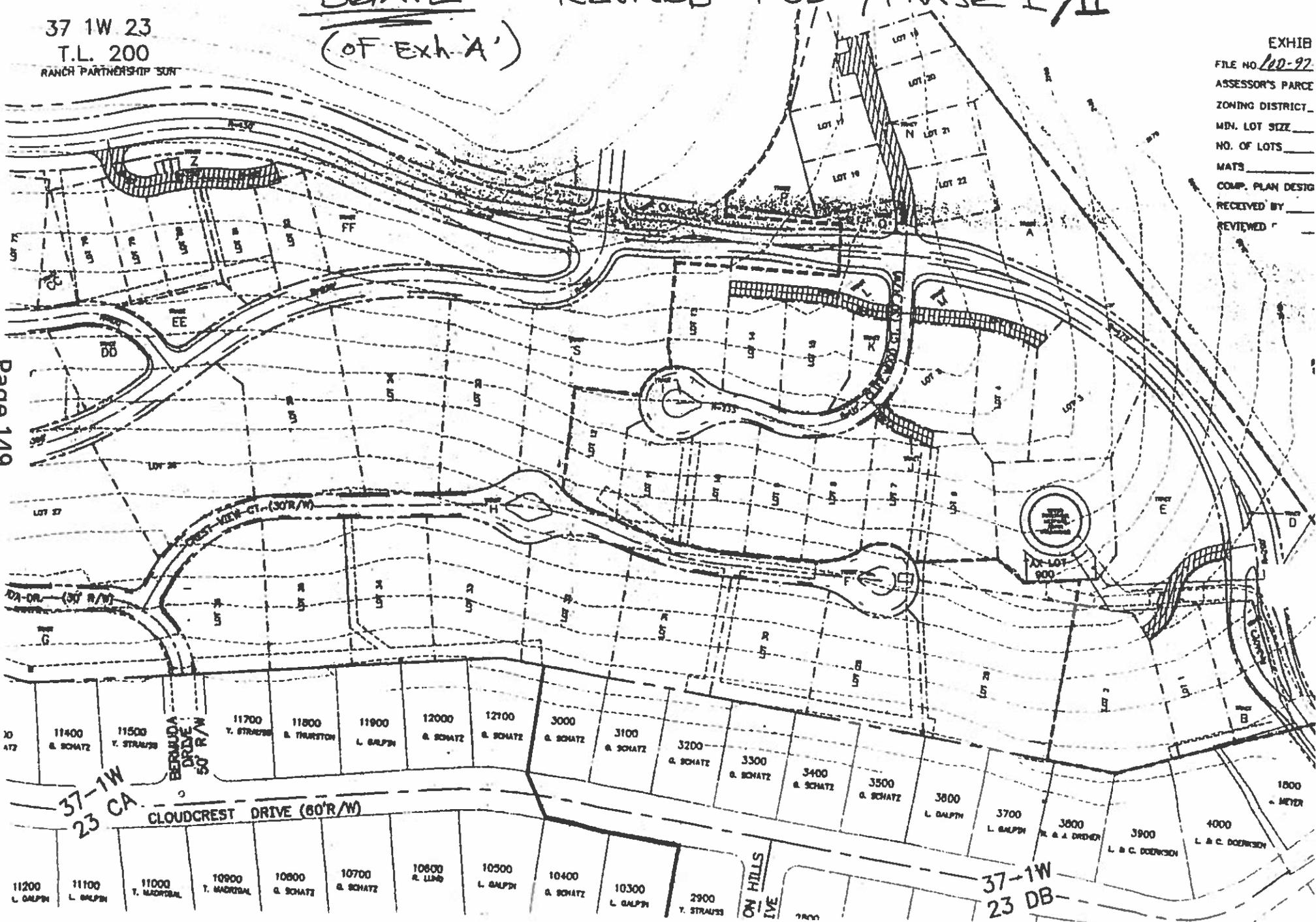
FINAL PLAN 8 OF 12

EXPANDED
DETAIL REVISED PUD (PHASE I/II)
 (OF EXH 'A')

37 1W 23
 T.L. 200
 RANCH PARTNERSHIP SUB

EXHIB
 FILE NO. 100-97
 ASSESSOR'S PARCE
 ZONING DISTRICT
 MIN. LOT SIZE
 NO. OF LOTS
 MATS
 COMP. PLAN DESIG
 RECEIVED BY
 REVIEWED

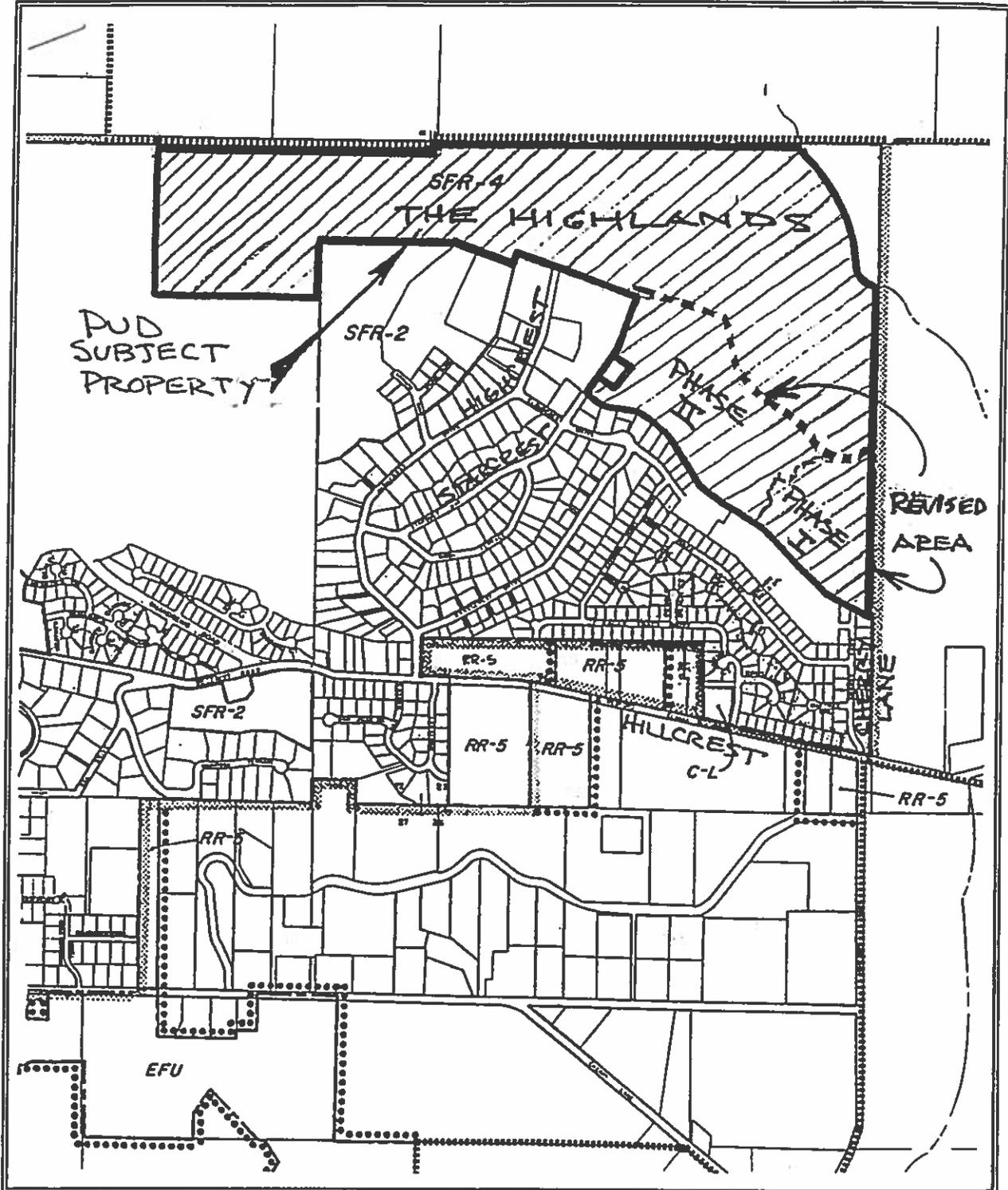
Page 149



37-1W
 23 CA

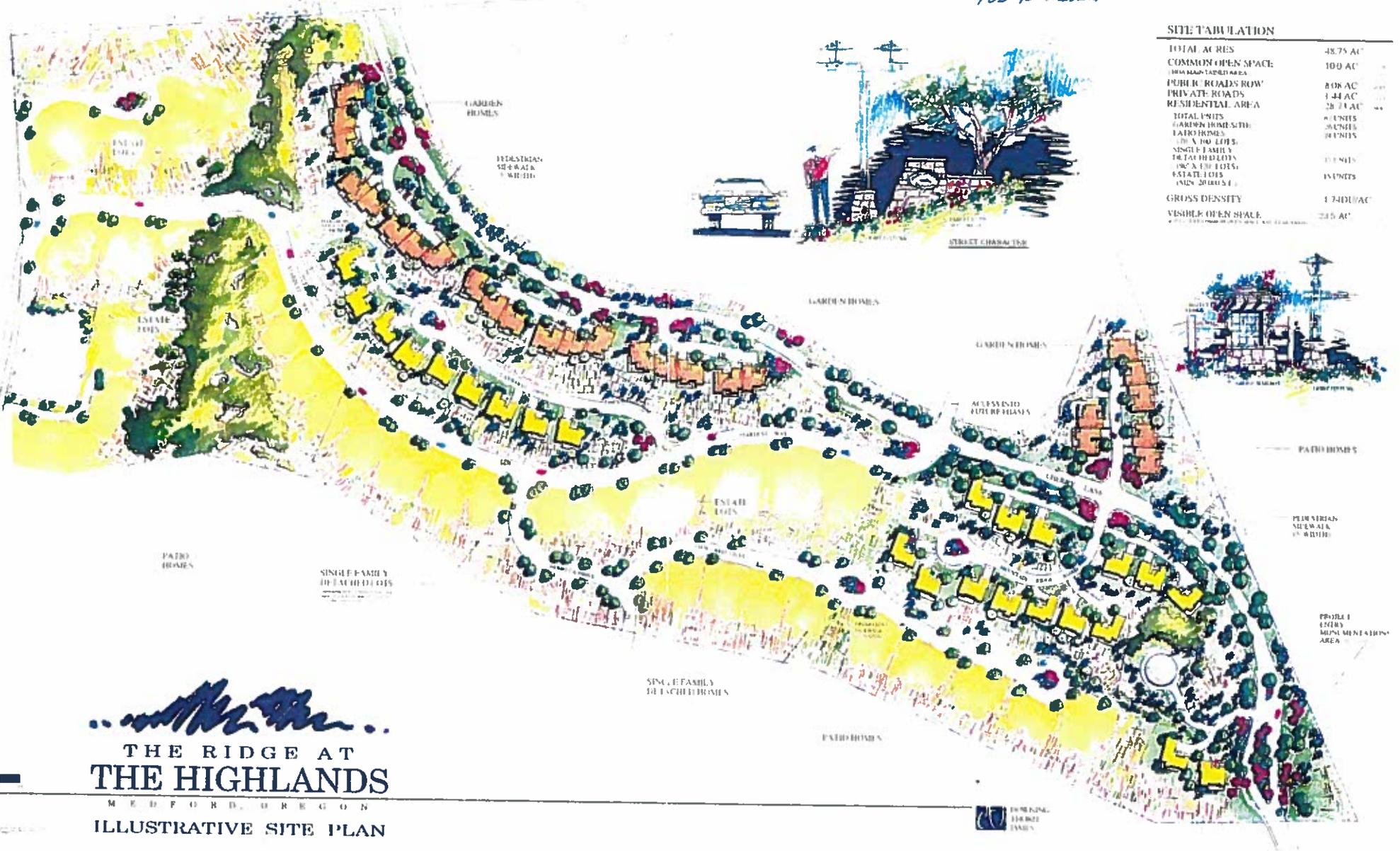
37-1W
 23 DB

ZONING/ VICINITY MAP



File No.: PUD-95-1 The Highlands Revised
Applicant: Randy Travalia (Medford Highlands, LLC)
(Hardey Engineering, agent)

PUD-95-1 Revised



SITE TABULATION

TOTAL ACRES	48.75 AC
COMMON OPEN SPACE (W/O MARKET AREA)	100 AC
PUBLIC ROADS ROW	808 AC
PRIVATE ROADS	28.71 AC
RESIDENTIAL AREA	1.44 AC
TOTAL UNITS	6 UNITS
GARDEN HOME SITE LARGE HOMES 70' X 100' LOTS	30 UNITS
SINGLE FAMILY DETACHED LOTS 100' X 130' LOTS	31 UNITS
ESTABLISHED LOTS (SINCE 2000'S)	15 UNITS
GROSS DENSITY	1.74 DU/AC
VISIBLE OPEN SPACE	23.5 AC

...with the...
**THE RIDGE AT
 THE HIGHLANDS**
 MEDFORD, OREGON
 ILLUSTRATIVE SITE PLAN





CITY OF MEDFORD

PLANNING DEPARTMENT

January 16, 2008

Jim Maize
Maize & Associates
PO Box 628
Medford, OR 97501

RE: De minimis request allowing: (1) an increase in dwelling units from 60 to 83 in Phase 2; and (2) the division of Phase 2 into 5 sub-phases.
The Highlands Planned Unit Development (PUD-95-001)

Dear Mr. Maize:

This letter is in response to your December 21, 2007 letter and associated plans (Exhibits A and B) requesting a de minimis revision to The Highlands PUD, namely to make an increase the density in Planning Area 1, and to allow Phase II of Planning Area 1 to be final platted in sub-phases. I recognize that this request is driven (a) existing terrain; (b) the current housing market; (c) and the large size of the phase.

Regarding your request to increase the number of dwelling units from 60 to 83: as detailed in your letter, condition 1 of the Planning Commission Report dated March 16, 1995 requires that at time of final plan approval, each phase shall remain within the minimum and maximum densities required by code. The maximum number of dwelling units approved by the Planning Commission is 108. Your request for an increase in the number of dwelling units in Phase 2 from 60 to 83 brings the total number of dwelling units for Planning Area 1 to 105: within the approved maximum of 108.

Regarding your request to divide Phase 2 into 5 sub-phases: §10.240(C) allows the Planning Director to approve a Final PUD Plan in phases, provided that essential services are available to serve each successive phase. Page 5 of Exhibit A contains a table identifying the proposed sub-phase dwelling types. The division of Phase 2 into 5 sub-phases shall be consistent with this table: Table 4 (Exhibit A).

Under MLDC 10.245(A)(4) De minimis Revisions, the Planning Director may approve revisions to an approved Preliminary or Final PUD Plan that he/she determines are de minimis. Proposed revisions shall be considered de minimis if the Planning Director determines the changes to be slight and inconsequential and will not violate any substantive provision of this Code.

Several facts are relied upon to support this decision:

- 1) The de minimis request is within the scope of the Planning Commission approval dated March 16, 1995;
- 2) The slight increase in density for Phase 2 of Planning Area 1 lies within the minimum and maximum density range for the zone, and as approved by the Planning Commission;

Lausmann Annex * 200 South Ivy Street * Medford OR 97501

phone (541) 774-2380 * fax (541) 774-2564

CITY OF MEDFORD

EXHIBIT # N

File # LDS-15-167

HIGHLANDS PUD DE MINIMUS REQUEST

- 3) Section 10.240(C) allows the Planning Director to approve a Final PUD Plan in phases, provided that essential services are available to serve each successive phase;
- 4) Due to its slight and inconsequential nature, the modifications are not considered an issue that requires public scrutiny or participation; and is therefore consistent with Goal 1 of the Oregon Statewide Planning Goals and Guidelines;
- 5) It is determined that the changes do not violate any substantive provision of the Land Development Code and are in keeping with the purpose and intent of the general provisions of the Planned United Development Section 10.230(1-8); and
- 6) No written (or oral) request for notification of future de minimis revisions were submitted while the record was open during the original hearing in 1995 for The Highlands PUD; therefore, a Type "C" procedure (public hearing) for this revision is not required.

Based upon the review and analysis, a de minimis revision to allow an overall increase in dwelling units in Planning Area 1, Phase 2 and the division of Phase 2 into 5 sub-phases as outlined on page 5 of Exhibit A, is found to be slight and inconsequential.

The request for de minimis approval is hereby granted.

Sincerely,



Bianca Petrou
Acting Planning Director

cc: City of Medford Planning Commission
City Attorney
Files: PUD-95-001

MAIZE & ASSOCIATES

PLANNING CONSULTANTS

P.O. Box 628 • Medford, Oregon 97501 • Phone 541.776.4142 • Fax 541.776.4143 • jmaize3145@charter.net

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DEC 21 2007

PLANNING DEPT.

December 20, 2007

Robert O. Scott, Planning Director
City of Medford Planning Department
Lausmann Annex
200 South Ivy Street
Medford, OR 97501

Subject: De minimis Revision Request – Phase 2 of Planning Area 1 of The Highlands (PUD-95-1)

Dear Rob:

As a representative for the owners of The Ridge at the Highlands PUD, we request, in accordance with Section 10.245(4) of the Land Development Code, that certain revisions to the approved Final PUD Plan for Phase 2 of that development be approved by the Planning Director as de minimis revisions. The facts of the request are summarized in the following sections.

CHRONOLOGY OF PREVIOUS APPROVALS:

1. The Preliminary PUD Plan for the entire 221-acre Highlands site was approved by the Planning Commission in 1995. The approved Preliminary Site Development Plan is included as Exhibit "1" (File: PUD-95-1).
2. The Tentative Plat for the two phases (Phases 1 and 2) that make up Planning Area 1 was approved by the Planning Commission in 1996 (File: LDS-96-34).
3. The Final Plan for Phases 1 and 2 of Planning Area 1 was approved by the Planning Commission in 1996 (File: LDS-96-34).
4. The Preliminary PUD Plan for the entire Highlands development was revised by the Planning Commission in 1997 (File: PUD-95-1 Revised) primarily to make a change to the street design within Phase 1 of Planning Area 1 (Exhibit "2"), which resulted in the reduction of 3 dwelling units within that phase, to a maximum total of 969 units for the entire development. The remainder of the project remained the same as the original approval. This approval carried forth almost all of the conditions from the original approval (#1 above).

CITY OF MEDFORD
EXHIBIT # A
File # PUD-95-001

5. The Tentative Plat for Phases 1 and 2 of Planning Area 1 was revised by the Planning Commission in 1997 (File: LDS-97-89) to reflect the changes made to the Revised PUD, under #4 above.
6. The Final Plat for Phase 1 of Planning Area 1, comprised of 15 lots for detached Single-Family Residences and 7 lots for attached garden homes, was approved in September of 2007.

BACKGROUND:

Unlike the majority of the PUD's approved by the Planning Commission, The Highlands PUD contains nine specific Planning Areas as shown on the Preliminary Development Site Plan (Exhibit "1") approved as part of the Preliminary PUD Plan. The uses and number of dwelling units for each housing type were defined for each of the nine Planning Areas. Page 2 of the Planning Commission's Revised Commission Report dated August 14, 1997 (#4 above) includes the following statement:

"The 221-acre site is now proposed to have 969 dwellings (previously 972 units) which is three units less than the maximum allowed, including the 10 percent density bonus. The minimum density requirements of the code are also applicable, particularly as the applicant has indicated that some variation in the type and mix of dwellings may occur as a result of market demand. The minimum of 2.5 units per acre would require that a minimum of 552 units be developed over the entire project site. Therefore, at the time of each phase is developed (e.g. final plan approval), the applicant shall demonstrate that the project remains within the densities required by code." (emphasis added)

The Planning Commission realized that because of the large size of the development, a certain amount of flexibility needed to be "built in" to their approval. The Preliminary PUD Plan, therefore, included several planning areas, each with their own land uses and maximum number of dwellings.

Because of the several Planning Areas, the various uses, phases, and over-all size of The Highlands PUD, it makes sense to review the following table that illustrates the PUD's various components. This Planning Area/Use Summary Table is found on the Preliminary Development Site Plan, originally approved in 1995 (Exhibit "1"). That table has been revised below to reflect the revision that was approved by the Planning Commission in 1997, under #4 above.

Table 1

PLANNING AREA/LAND USE SUMMARY
(reflecting 1997 revision)

PROPOSED LAND USE TYPES										
PA	SFD Low	SFD Medium	SFD Cluster	SFA	Condo Low	Condo Med	Coml	Acres	DU	Density DU/AC
1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/>			40.5	108	2.7
2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			19.5	139	7.1
3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		29.0	435	15.0
4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			10.0	25	2.5
5	<input type="checkbox"/>						<input type="checkbox"/>	3.5	n/a	n/a
6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			8.5	21	2.5
7	<input type="checkbox"/>	<input type="checkbox"/>						8.0	12	1.5
8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			24.5	115	4.7
9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/> *			34.5	114	3.3
SUB-TOTAL								178 ac	969 du	5.4 du/ac
NEIGHBORHOOD COLLECTOR ROAD								14 ac		
OPEN SPACE, TRAILS, EASEMENTS								29 ac		
TOTAL								221ac	969du	4.3 du/ac

PA = Planning Areas

Indicates uses allowed within specified Planning Areas

* Indicates uses limited to hatched areas on Preliminary Site Development Plan

Table 1 shows that Planning Area 1 was approved to contain five housing types with a maximum of 108 dwelling units.

The following table is based upon documentation from the applicant (Letter from Downing, Thorpe, and James dated May 20, 1997) showing the dwelling types and open space acres that were proposed for Planning Area 1. The Planning Commission approved this stipulation as part of the 1997 revision.

Table 2

PLANNING AREA 1 – APPROVED LAND USE SUMMARY

	Dwelling Types					Open Space Tracts
	Garden Homes	Patio Homes	Single-Family Detached Lots	Estate Lots	Total Dwelling Units	
Phase 1	7	15	0	0	22	3.66 ac.
Phase 2	19	9	17	15	60	7.95 ac
Totals	26	24	17	15	82	11.61 ac

The applicant's submittals includes the following description of the housing type terms that are utilized throughout the PUD:

Garden Homes – Single Family Attached

Patio Homes – Single Family Detached – Cluster

Single Family Homes – Single Family Detached – Medium

Estate Lots – Single Family Detached

APPLICANT'S REQUEST:

The applicant has recently received Final Plat approval for Phase 1 of Planning Area 1, and is proceeding with the planning for Phase 2 of the same Planning Area.

The applicant's request for a de minimis revision to the approved Final PUD Plan for Phase 2 consists of two elements: (1) an increase in the number of dwelling units from 60 to 83, and the division of Phase 2 into 5 sub-phases.

The table below compares Phase 2 as it is currently approved, together with the requested de minimis revision for the increase in the number of dwelling units.

Table 3

	Attached Units	Detached SFR Units	Total Units
Phase 2 - Current Approval	19	41	60
Phase 2 - Proposed Revision	19	64	83
Phase 1 – As Approved	7	15	22
Total – With Proposed Revision	26	79	105

The second part of the de minimis request is that Phase 2 be sub-phased in accordance with the following table.

Table 4

PHASE 2 – PROPOSED SUB-PHASE DWELLING TYPES

	Dwelling Types				
	Garden Homes	Patio Homes	Single-Family Detached Lots	Estate Lots	Total Dwelling Units
Phase 2	0	0	21	0	21
Phase 3	0	9	22	3	34
Phase 4	0	0	3	6	9
Phase 5	11	0	0	0	11
Phase 6	8	0	0	0	8
Totals	19	9	46	9	83

REQUEST RATIONALE AND DISCUSSION:

There are several reasons for the revision to the Final PUD Plan based upon the existing terrain, the current housing market, density, and the large size of the phase.

- Most importantly, the Planning Commission allowed the developer a certain amount of flexibility in their approval of the Preliminary Plan. Each Final Plan submittal would have to show that that phase was meeting the stipulated uses and density range prescribed by the Commission.
- The current housing market favors lots that are smaller than some of the lots originally approved. Several of the large single-family lots have been divided into lots that are comparable in size to those in Phase 1 and those in the adjacent neighborhood.
- The increase to 105 dwellings in Planning Area 1, remains below the number approved (108 dwelling units). An increase in density will result to approximately 2.6 dwelling units per acre, slightly below the 2.7 dwelling units approved by the Planning Commission.
- The large size of the approved Phase 2 (60 dwellings approved; 83 dwellings proposed) is too big to be developed at one time, particularly in the current housing market. For that reason, the property owner requests that it be divided into sub-phases as shown on Table 4.

- As shown on the aerial photograph of the site, there is a drainage swale (highlighted) that runs through the site, roughly parallel with Stardust Way, creating a reasonable boundary between Phase 2 and the two phases to the southeast.
- Section 10.240(C) of the Land Development Code authorizes the Planning Director to approve a Final PUD Plan in phases, even though the Planning Commission did not do so in their Preliminary PUD Plan approval, provided that essential services are available to serve each successive phase.

In accordance with Section 10.245(A4), the Planning Director's written approval of the de minimis revisions shall be appended to the Final Order of the Planning Commission.

The applicant believes that the Planning Commission anticipated that there would need to be changes as development of the PUD proceeded, and allowed for that flexibility in their approvals. The two de minimis revisions will allow for that flexibility, while at the same time maintaining the housing types and density range prescribed in the PUD's approval. With the information provided, the property owners respectfully request approval of the de minimis revisions to the Final PUD Plan for Phase 2.

If there is any additional material that I can provide please do not hesitate call me.

Sincerely,



Jim Maize
Maize & Associates, Inc.

cc Medford Highlands Investments, LLC
Carly Meske, Medford Planning Department

Attachments

Exhibit "1"	Preliminary Site Development Plan for The Highlands (PUD-95-1)
Exhibit "2"	Revised PUD Development Plan for Phases 1 and 2 (PUD-95-1 Rev.)
Exhibit "3"	Proposed Modified Tentative Plat showing Phases 2 - 6
Exhibit "4"	Aerial Photograph

REVISED PUD DEVELOPMENT PLAN

THE RIDGE AT THE HIGHLANDS,
A PLANNED COMMUNITY,
LOCATED IN

SECTION 23, T37S, R1W, W.M.
CITY OF MEDFORD
JACKSON COUNTY, OR.
37 1W 23
TAX LOT 200
MAY 12, 1997

1" = 100' HORIZ. SCALE
1" = 10' VERT. SCALE
1" = 10' CURVE RADIUS
1" = 10' GRADE
1" = 10' ELEVATION

OWNER / APPLICANT

PLANNING DEPT.
CITY OF MEDFORD

ENGINEERING / SURVEYOR

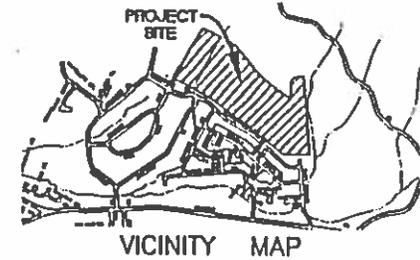
HARDEY ENGINEERING & SURVEY, INC.
1000 SW PARK DRIVE SUITE E
P.O. BOX 9720
MEDFORD, OREGON 97504
TEL. (503) 775-0888

MAY 28 1997

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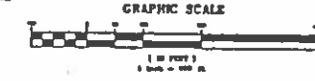
PUD-95-1 REV. A

APPLICANTS EXHIBIT "2"



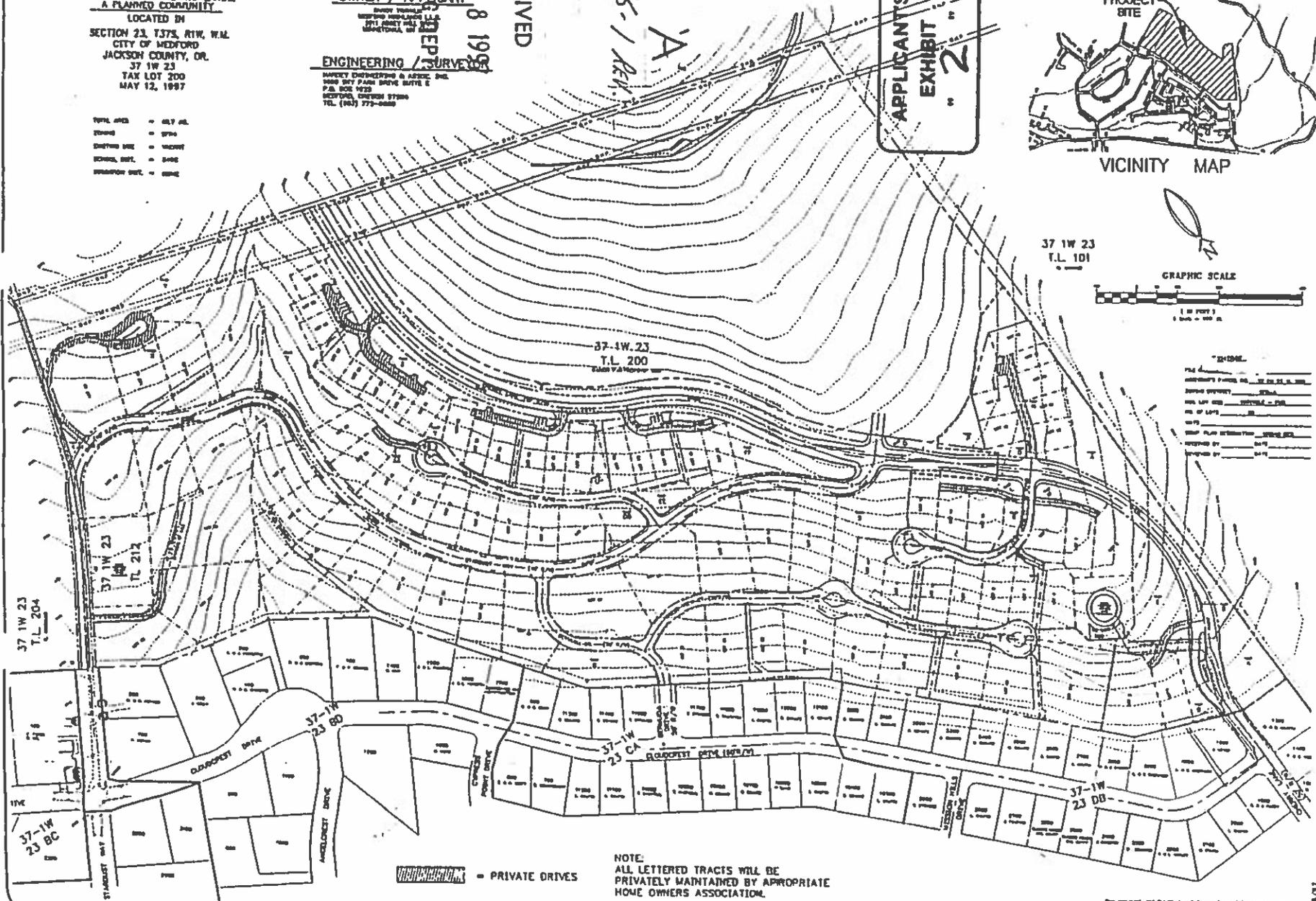
VICINITY MAP

37 1W 23
T.L. 101



REVISIONS

NO.	DATE	DESCRIPTION
1	5/12/97	ISSUED FOR PERMITTING
2	5/12/97	ISSUED FOR PERMITTING
3	5/12/97	ISSUED FOR PERMITTING
4	5/12/97	ISSUED FOR PERMITTING
5	5/12/97	ISSUED FOR PERMITTING
6	5/12/97	ISSUED FOR PERMITTING
7	5/12/97	ISSUED FOR PERMITTING
8	5/12/97	ISSUED FOR PERMITTING
9	5/12/97	ISSUED FOR PERMITTING
10	5/12/97	ISSUED FOR PERMITTING



= PRIVATE DRIVES

NOTE:
ALL LETTERED TRACTS WILL BE
PRIVATELY MAINTAINED BY APPROPRIATE
HOME OWNERS ASSOCIATION.

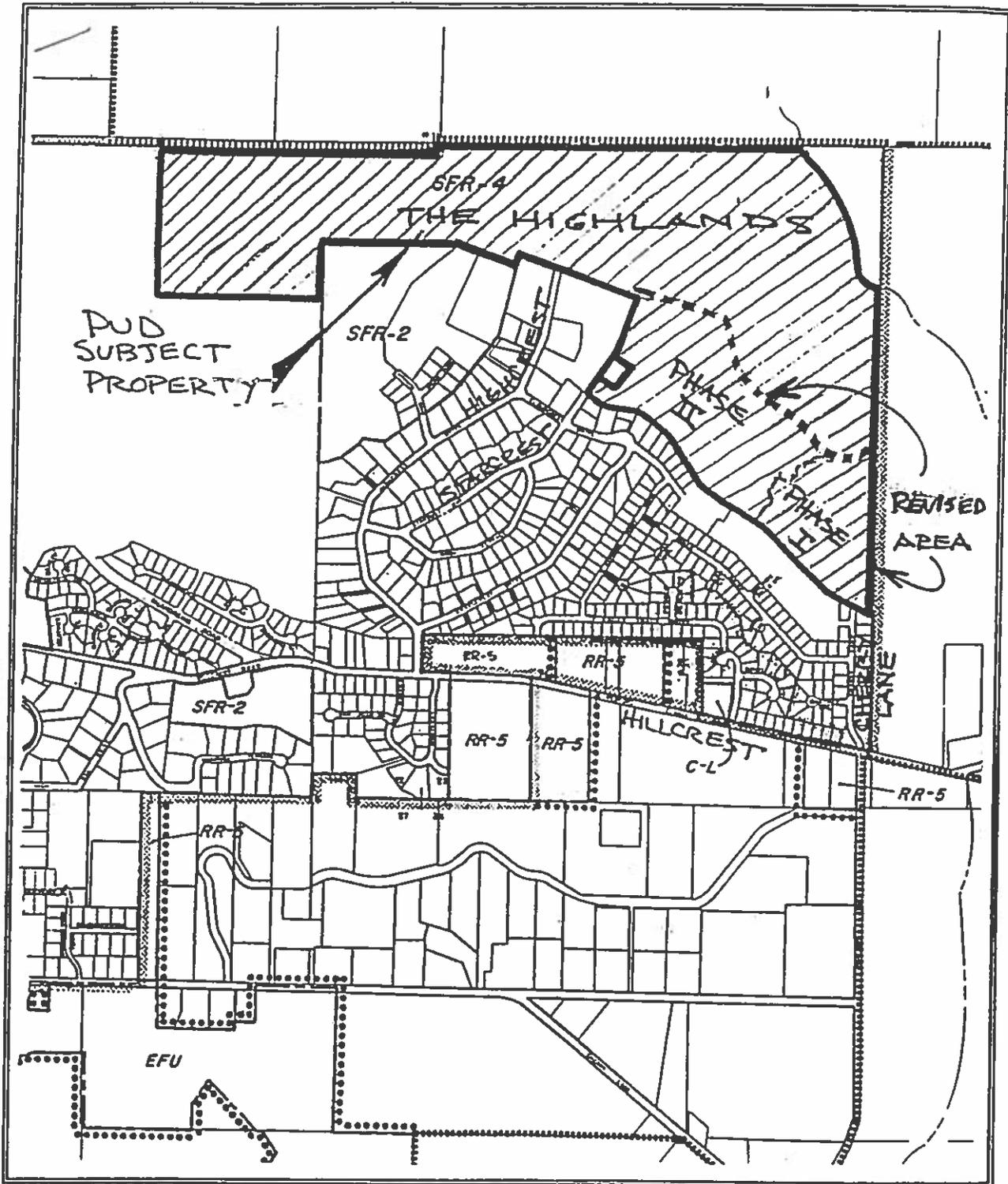
Hardey Engineering & Associates, INC.
P.O. BOX 1625
MEDFORD, OREGON
97501-0025
HAE
(503) 775-0888

THE RIDGE AT THE HIGHLANDS, A PLANNED COMMUNITY
REVISED PUD DEVELOPMENT PLAN
MEDFORD, OREGON
Page 161

SHEET 1 OF 1
DESIGN: ALL IN BY B.L.R.
DRAWING: ALL IN BY A.L.K.
CHECKED: ALL IN BY B.L.R.
FILE NO.: 3-97-01-10
DRAWING FILE: TONATION.DWG
DATE: 5/12/97

3/8/97

ZONING/ VICINITY MAP



File No.: PUD-95-1 The Highlands Revised
 Applicant: Randy Travalia (Medford Highlands, LLC)
 (Hardey Engineering, agent)

APPLICANT'S
 EXHIBIT
 " 2 "

2/2

PORTLAND DISTRICT, M.D.
 DIVISION OF PLANNING, 1025 NE MIDLAND
 AREA 44-3305
 ZONING DIST. 4
 EXISTING USE: PLANNED
 PROPOSED USE: PLANNED UNIT DEVELOPMENT - RESIDENTIAL

AGENT

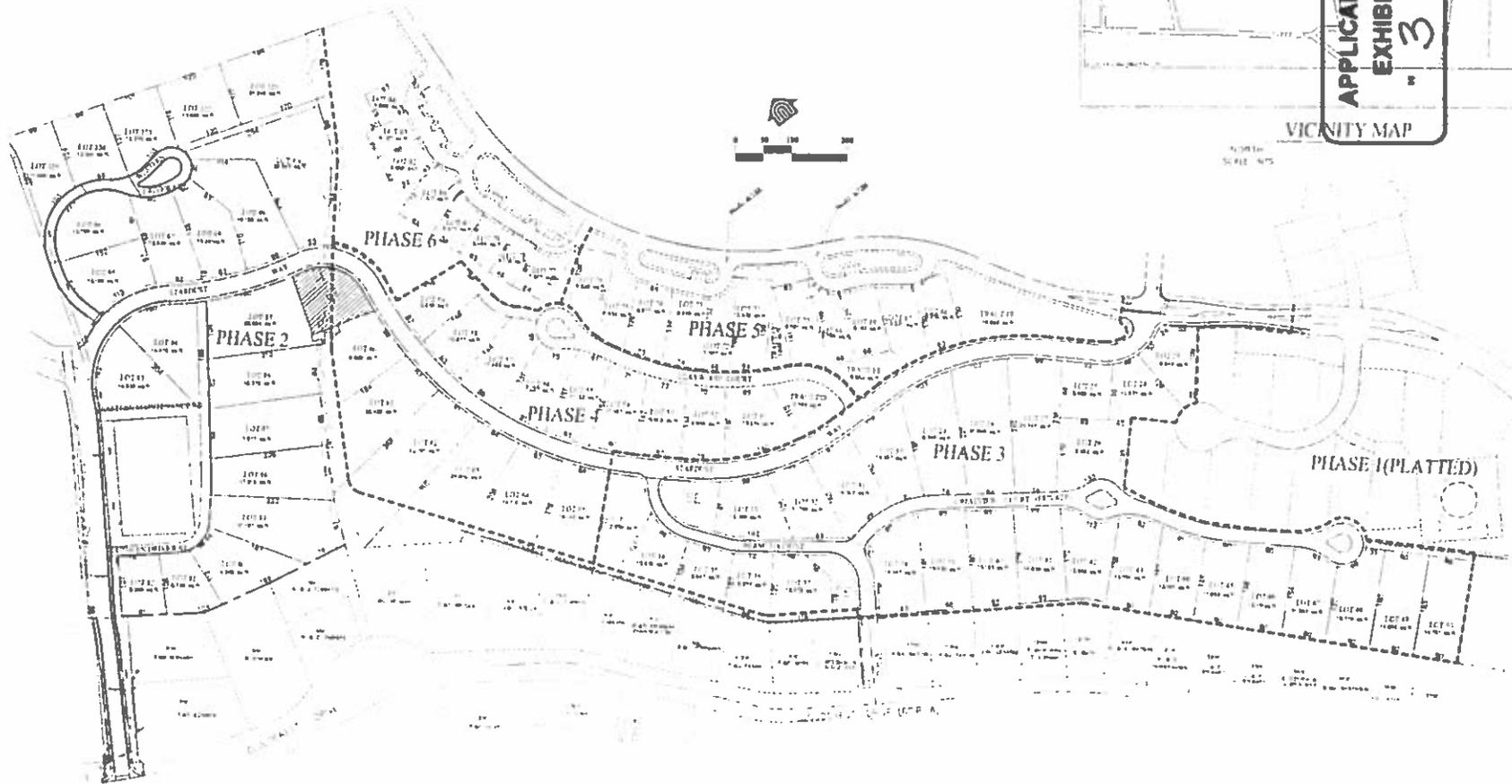
Company: DAVID EVANS AND ASSOCIATES, INC.
 Contact: DAVID EVANS
 130 UPPER BEAVER CREEK DRIVE 201
 BEACON, OREGON 97112
 Phone: (541) 389-7814
 Fax: (541) 389-7823

APPLICANT/OWNER

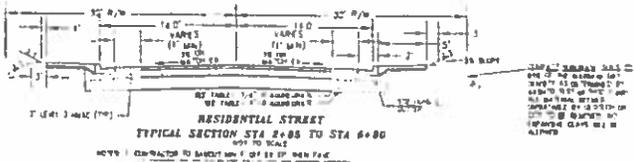
Project: Medford Highlands Apartments, LLC
 Contact: LARRY FINE
 250 N.W. FRANKLIN AVE.
 MEDFORD, OREGON 97504
 Phone: (541) 877-1838

MODIFIED TENTATIVE PLAT OF RIDGE AT THE HIGHLANDS PUD PHASES 2-6

SECTION 23, T.37S., R.1W., W.M.
 MEDFORD, JACKSON COUNTY, OREGON
 DATE: NOVEMBER 2007



**APPLICANT'S
 EXHIBIT
 3**



MODIFIED TENTATIVE PLAT
 RIDGE AT THE HIGHLANDS
 SECTION 23, T.37S., R.1W., W.M.
 MEDFORD, OREGON

DATE	BY	REVISION

INFORMATION TECHNOLOGY

Map Maker Application

Front Counter Legend

Tax Lot Outlines (orange color for Aerial)

Countywide Color Aerial Photos 2005

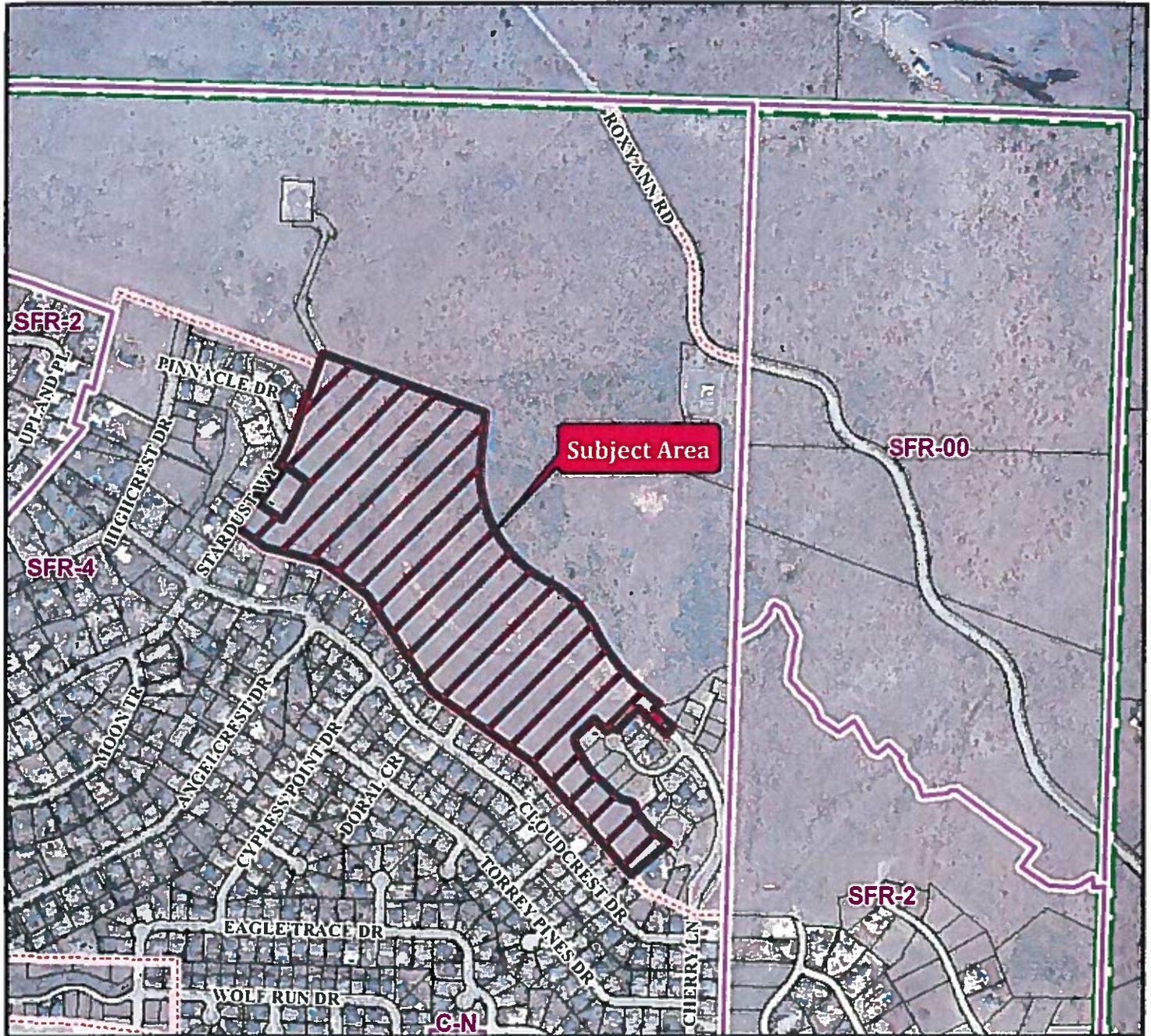


APPLICANT'S EXHIBIT
" 4 "



JACKSON COUNTY
 OREGON

This map is based on a digital database compiled by Jackson County from a variety of sources. Jackson County cannot accept responsibility for errors, omissions, or potential accuracy. There are no warranties, expressed or implied.



Project Name:

**The Ridge - Phase II
(67 Lot Subdivision)**

Map/Taxlot:

371W23 TL 2300



12/11/2015

-  Subject Area
-  Medford Zoning
-  UGB
-  Tax Lots
-  PUD

