

# PLANNING COMMISSION

## AGENDA

### JUNE 9, 2016



#### Commission Members

Tim D'Alessandro  
David Culbertson  
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

June 9, 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 ZC-16-035 Final Order for a request of a change of zone from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-10 (Single-Family Residential, 10 dwelling units per gross acre) on approximately 2.26 acres located along the north side of Maple Park Drive approximately 353 feet east of Ross Lane N. (372W23DD Tax lots 600 & 601) (Ron & Christine Horton, Applicants; Scott Sinner Consulting, Inc., Agent)
- 20.2 ZC-16-041 Final Order for a request of a change of zone from SFR-6 (Single-Family Residential-6 dwelling units per acre) to I-L (Light Industrial) on approximately 47.14 net acres located east of Corona Avenue, west of Whittle Avenue, and 195 feet south of Crater Lake Highway 62. (Jackson County, Applicant; Richard Stevens & Associates, Agent)
30. Minutes
- 30.1 Consideration for approval of minutes from the May 26, 2016, hearing.
40. Oral and Written Requests and Communications  
Comments will be limited to 3 minutes per individual or 5 minutes if representing an organization. **PLEASE SIGN IN.**
50. Public Hearings  
Comments are limited to a total of 10 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. All others will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**
- New Business**
- 50.1 LDP-16-015 Consideration of a request to create three lots on a 1.04 acre parcel located on the west side of the intersection of Cedar Links Drive and N Foothill Road, within the SFR-4 (Single-Family Residential – 4 dwelling units per gross acre) zoning district. (C.A. Galpin, Applicant; Jim Zundel, Agent)
- 50.2 PUD-16-037 Consideration of a revision to the approved Preliminary PUD Plan for Stewart Meadows Village, including the incorporation of additional property into the PUD boundary which will result in an overall PUD area of approximately 77 acres. The subject site is generally bounded by Stewart Avenue, South Pacific Highway, Garfield Avenue and Myers Lane and zoned SFR-6 (Single Family Residential, 6 dwelling units per

gross acre), SFR-10 (Single Family Residential, 10 dwelling units per gross acre), C-C (Community Commercial), I-L (Light Industrial) and I-G (General Industrial) with the PD (Planned Unit Development) overlay. (KOGAP Enterprises, Inc., Applicant; Maize & Associates, Inc., 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**



RECEIVED

MAR 18 2016

PLANNING DEPT.

85-13348



Exhibit "B"

Cr-61306. J9P  
WARRANTY DEED

1113 31-2w. 2300 (601)

1:00 4.00  
2.00

CARRIE M. FOSTER, grantor, conveys and WARRANTS to JAMES L. SULTZ AND MELANIE M. SULTZ HUSBAND AND WIFE AS TENANTS BY THE ENTIRETY, grantee, the following described real property, together with appurtenances, free of encumbrances except as specifically set forth herein, situated in JACKSON County, Oregon  
SEE LEGAL DESCRIPTION ATTACHED AND MADE A PART HERETO

TL 601  
LEGAL

Commencing at a point 1687.0 feet West and 528.0 feet North of the Southeast corner of Donation Land Claim No. 88 in Township 37 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon; thence North, 200.0 feet to the true point of beginning; thence continue North, 328.0 feet; thence West, 180.0 feet; thence South, 528.0 feet; thence East, 75.0 feet; thence North, 200.0 feet; thence East, 105.0 feet to the true point of beginning, being a portion of Lot 13 of MAPLE PARK, unrecorded.

Subject to liens and encumbrances of record as shown in items 1 2 3 4 5 6 of Crater Title Insurance Co. order no. 61306P or Subject to any covenants created hereby.  
1985-86 REAL PROPERTY TAXES, A LIEN NOT YET PAYABLE

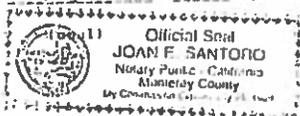
The true consideration paid for this conveyance is FORTY THOUSAND AND 00/100 DOLLARS ( ) however the whole consideration includes other value given or promised. (check if other consideration statement applies.)

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate City or County Planning Department to verify approved uses.

*Carric M. Foster*  
CARRIE M. FOSTER

CALIFORNIA  
STATE OF OREGON )  
County of Medford )

This instrument was acknowledged before me on the 6th day of August 1985 by CARRIE M. FOSTER



*Joan E. Santoro*  
Notary Public for California  
My commission expires 10-5-89

Until a change is requested, send all tax statements to:  
James L. Sultz and Melanie M. Sultz  
1314 Maple Park Drive  
Medford, OR 97501

*James L. Sultz and Melanie M. Sultz*  
in presence of *Notary*  
*Joan E. Santoro*

Return document to:  
Crater Title Insurance Co.

Jackson County, Oregon  
Recorded  
OFFICIAL RECORDS  
1:00 AUG 13 1985 P.M.  
KATHLEEN S. BECKETT  
CLERK and RECORDER  
*Kathleen S. Beckett*

CITY OF MEDFORD

EXHIBIT  
FILE # ZC-16-035

RECEIVED

MAR 18 2016

PLANNING DEPT.

*2-15-16  
T-600*

**EXHIBIT 8**

PARCEL 1 (1254 Maple Park Drive, Medford, OR)

Beginning at a point 1687.0 feet West and 528.0 feet North of the southeast corner of Donation Land Claim No. 88 in Township 37 South, Range 2 West, of the Willamette Meridian in Jackson County, Oregon; thence North 528.0 feet; thence West 180.0 feet; thence South 528.0 feet; thence East 180.0 feet to the point of beginning. Being a portion of Lot 13 of MAPLE PARK, unrecorded.

EXCEPTING THEREFROM THE FOLLOWING: Commencing at a point 1687.0 feet West and 528.0 feet North of the southeast corner of Donation Land Claim No. 88 in Township 37 South, Range 2 West, of the Willamette Meridian in Jackson County, Oregon, thence North 200.0 feet to the true point of beginning, thence continue North 328.0 feet, thence West 180.0 feet, thence South 528.0 feet, thence East 75.0 feet, thence North 200.0 feet, thence East 105.0 feet to the true point of beginning, being a portion of Lot 13 of MAPLE PARK, unrecorded.

(Map 27-2W-23DD, Tax Lot 600)

**SUBJECT TO**

1. The rights of the public in and to that portion of the premises herein described lying within the limits of public roadways, if any, and or rights of private parties over any portion lying within existing alleyways, roadways or driveways not disclosed by the public record.
2. Regulations, including levies, liens, assessments, rights of way, and easements of Maple Park Water District. (Paid by ad valorem)
3. Regulations, including levies, liens, assessments, rights of way, and easements of the Bear Creek Valley Sanitary Authority
4. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of the Medford Irrigation District.
5. An easement created by instrument, including the terms and provisions thereof in Volume 186, Page 307 Deed Records, Jackson County, Oregon

Recorded

CITY OF MEDFORD

EXHIBIT \_\_\_\_\_

FILE # ZC-16-035

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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-16-041 APPLICATION )  
FOR A ZONE CHANGE SUBMITTED BY JACKSON COUNTY ROGUE VALLEY ) **ORDER**  
INTERNATIONAL-MEDFORD AIRPORT )

ORDER granting approval of a request for a change of zone from SFR-6 (Single-Family Residential-6 dwelling units per acre) to I-L (Light Industrial) on approximately 47.14 net acres located east of Corona Avenue, west of Whittle Avenue, and 195 feet south of Crater Lake Highway 62 (371W18DB Tax lot 100 & 371W18A Tax lot 4200).

WHEREAS, the City Planning Commission in the public interest has given consideration to change of zone from SFR-6 (Single-Family Residential-6 dwelling units per acre) to I-L (Light Industrial) on approximately 47.14 net acres located east of Corona Avenue, west of Whittle Avenue, and 195 feet south of Crater Lake Highway 62(371W18DB Tax lot 100 & 371W18A Tax lot 4200); and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Planning Commission Report dated May 26, 2016, and the Findings contained therein – Exhibit “A,” and Legal Description – Exhibit “B” attached hereto and hereby incorporated by reference; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MEDFORD, OREGON, that:

The zoning of the following described areas within the City of Medford, Oregon:

37 1W 18DB Tax Lot 100  
37 1W 18A Tax Lot 4200

is hereby changed from SFR-6 (Single-Family Residential-6 dwelling units per acre) to I-L (Light Industrial) on approximately 47.14 net acres located east of Corona Avenue, west of Whittle Avenue, and 195 feet south of Crater Lake Highway 62 (371W18DB Tax lot 100 & 371W18A Tax lot 4200).

Accepted and approved this 9th day of June, 2016.

CITY OF MEDFORD PLANNING COMMISSION

\_\_\_\_\_  
Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Planning Department Representative

78-13583  
6-26-78

Exhibit "B"

4.16  
Highway Division  
File 49378

No fee

RECEIVED

MAR 29 2016

PLANNING DEPT.

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That VICTOR MILNES, "Grantor", for the consideration of the sum of Twenty Three Thousand One Hundred and <sup>no</sup>/<sub>100</sub> DOLLARS, (\$23,100<sup>00</sup>), received does hereby convey unto JACKSON COUNTY, a political subdivision of the State of Oregon, "Grantee", the following described property, to wit:

A parcel of land lying in Lot 11, Block 1, ROGUE VALLEY HEIGHTS, Jackson County, Oregon and being that property described in that deed to Victor Milnes, recorded as Document No. 66-03522 of the Official Records of Jackson County; the said parcel being described as follows:

Commencing at the Southwest corner of Lot 11 in Block 1 of ROGUE VALLEY HEIGHTS in Jackson County, Oregon, according to the official plat thereof, now of record; thence South 89° 52' East, along the South line of said lot, 90.0 feet to the true point of beginning; thence North 0° 05' East 168.0 feet; thence North 89° 52' West 90.0 feet; thence North 0° 05' East 60.0 feet; thence South 89° 52' East 120.0 feet; thence North 0° 05' East 120.0 feet to the North line of said lot; thence South 89° 52' East along said North line, 510.44 feet to the Northeast corner thereof; thence South 0° 05' West along the East line of said lot, 348.0 feet to the Southeast corner thereof; thence North 89° 52' West along the South line of said lot, 539.71 feet to the true point of beginning, containing 4.35 acres, more or less.

And Grantor does hereby covenant to and with Grantee, its successors and assigns, that he is the owner in fee simple of the said property which is free from all encumbrances and will warrant and defend the property herein conveyed from all lawful claims whatsoever.

Dated this 28 day of June, 1978.

Victor Milnes

STATE OF OREGON, County of Jackson  
June 28, 1978. Personally appeared the above named Victor Milnes, who acknowledged the foregoing instrument to be his voluntary act.



Nora Folsom  
Notary Public for Oregon

My Commission expires 6-17-79

APPROVED FOR RECORDING: Ronald E. Fields  
JUNE 29, 1978 RONALD E. FIELDS, AIRPORT MANAGER

Jackson County, Oregon  
Recorded  
OFFICIAL RECORDS  
4:16 JUN 29 1978 P.M.  
HARRY CHIPMAN  
CLERK and RECORDER  
By Thomas D. Jewett Deputy

CITY OF MEDFORD  
EXHIBIT #  
File # ZC-16-041

Exhibit "B"

ORIGINAL

Highway Division  
File 49389 (#16)

*No fee*

78-14206

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That ST. MARY'S ENDOWMENT FUND, a corporation, Grantor, for the consideration of the sum of Twelve Thousand Six Hundred Sixty and No/100 DOLLARS (\$12,660.00) received, does hereby convey unto JACKSON COUNTY, a political subdivision of the State of Oregon, Grantee, the following described property, to wit:

A parcel of land lying in the N $\frac{1}{2}$  of Lot 21, Block 1 ROGUE VALLEY HEIGHTS, Jackson County, Oregon and being that property described in that deed to St. Mary's Endowment Fund, recorded as Document No. 74-16738 of the Official Records of Jackson County; the said parcel being described as follows:

The North one-half of Lot 21, Block 1 of Rogue Valley Heights in the City of Medford, Jackson County, Oregon, excepting Parcels "A" and "B" described as follows, to wit:

Parcel "A": Commencing at the Northeast corner of Lot 21, in Block 1 of Rogue Valley Heights Subdivision in Jackson County, Oregon; thence South 0° 19' 15" West along the East line of said Lot, 30.0 feet to the true point of beginning; thence North 89° 52' West, parallel to the North line of Lot 21, a distance of 120.0 feet; thence South 0° 19' 15" West, parallel to the East line thereof, 75.0 feet; thence South 89° 52' East, 120.0 feet to the East line of Lot 21; thence North 0° 19' 15" East along said East line, 75.0 feet to the true point of beginning.

Parcel "B": Commencing at the Northeast corner of Lot 21, in Block 1 of Rogue Valley Heights Subdivision in Jackson County, Oregon; thence South 0° 19' 15" West along the East line of said Lot, 105.0 feet to the true point of beginning; thence North 89° 52' West, parallel to the North line of Lot 21, a distance of 120.0 feet; thence South 0° 19' 15" West, parallel to the East line of said Lot, 69.0 feet to a point on the South line of the North half of Lot 21; thence South 89° 52' East along said South line, 120.0 feet to the East line of said Lot; thence North 0° 19' 15" East along said East line, 69.0 feet to the true point of beginning.

The parcel of land to which this description applies contains 2.11 acres, more or less.

Subject to the restrictive covenants, conditions and limitations set out in instrument recorded May 27, 1949 in Volume 318 page 179 of the Deed Records of Jackson County, Oregon.

*ac*

78-14206

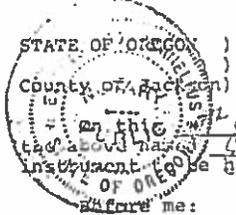
And Grantor does hereby covenant to and with Grantee, its successors and assigns, that it is the owner in fee simple of said property which is free from all encumbrances, except as above stated, and will warrant and defend the same from all lawful claims whatsoever, except as aforesaid.

Dated this 19 day of May, 1978.

Jackson County, Oregon  
Recorded  
OFFICIAL RECORDS  
4:29 JUN 26 1978 P.M.  
HARRY CHIPMAN  
CLERK and RECORDER  
By [Signature] Deputy

ST. MARY'S ENDOWMENT FUND,  
a corporation

By [Signature]  
President  
By [Signature]  
Secretary



STATE OF OREGON )  
County of Jackson ) ss:  
On this 19 day of May, 1978, personally appeared  
the above named St. Mary's Endowment Fund and acknowledged the foregoing  
instrument to be his voluntary act.  
Before me:

[Signature]  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 5-2-80

STATE OF OREGON )  
County of Jackson ) ss:

On this 30 day of May, 1978, personally appeared  
the above named Carl B. Brubaker and acknowledged the foregoing  
instrument to be his voluntary act.

Before me:



[Signature]  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 5/19/78

APPROVED FOR RECORDING [Signature]  
Ronald E. Fields  
Airport Manager  
June 26, 1978

2



# Planning Department

*Working with the community to shape a vibrant and exceptional city*

## PLANNING COMMISSION REPORT

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

PROJECT      Rogue Valley International-Medford Airport - Zone Change  
 Applicant: Jackson County; Agent: Richard Stevens & Associates, Inc.

FILE NO.      ZC-16-041

DATE          May 26, 2016

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### BACKGROUND

#### Proposal

Consideration of a request for a change of zone from SFR-6 (Single Family Residential, 6 dwelling units per gross acre) to I-L (Light Industrial) on approximately 47.14 net acres located east of Corona Avenue, west of Whittle Avenue, and 195 feet south of Crater Lake Highway 62 (371W18DB Tax lot 100 & 371W18A Tax lot 4200).

#### Subject Site Characteristics

Zoning:        SFR-6  
 GLUP:         A (Airport)  
 Use:          Vacant

#### Surrounding Site Characteristics

North	I-L	In & Out Gardens, Sky Park Mini Storage, Safeway
South	SFR-6	Single family homes
East	SFR-6	Single family homes
West	SFR-10	Single Family Residential, 10 dwelling units per gross acre
	SFR-6	Single family homes
Northwest	MFR-20	Multiple Family Residential, 20 dwelling units per gross acre
		Apartment buildings
	C-H	Heavy Commercial
		U-Haul, Quad Motors

#### Related Projects

GLUP-13-78	GLUP Map Amendment
PA-15-072	Pre-Application
CP-13-076 & CP-13-077	Comprehensive Plan Amendment

Applicable Criteria

Medford Land Development Code Section 10.227: Zone Change Approval Criteria

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

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

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

\*\*\*

*(d) For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought:*

- (i) The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant can show it would be suitable pursuant to (1) (e) below.*

\*\*\*

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

- (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.*
- (b) Adequate streets and street capacity must be provided in one of the following ways:*
- (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or*
- (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition*

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

- (ii) *Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,*
- (iii) *Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.*

## ISSUES AND ANALYSIS

### Background

The subject site is owned by Jackson County, and is composed of two contiguous parcels totaling 47.14 acres currently consisting of vacant/undeveloped land under the jurisdiction of the Jackson County Airport Authority.

The subject parcels were part of the Medford International Airport's 2013 Airport Master Plan update. In response to the Airport's Master Plan update, Medford City Council approved an amendment to the Medford Comprehensive Plan in 2013 in order to incorporate the Airport Master Plan into the Transportation System Plan and the Transportation and Environmental elements of the Medford Comprehensive Plan (CP-13-076 & CP-13-077).

Additionally, as part of this multifaceted process of incorporating the Airport Master Plan into the Medford Comprehensive Plan, a major legislative Comprehensive Plan Amendment to modify the GLUP map for properties surrounding the Medford International Airport, including the subject site, was approved in June 2015 (CP-13-078). This amendment officially changed the subject site's GLUP designation from Urban Residential (UR) to its current designation of Airport (A) in an effort to convert all of the County/Airport owned properties to the Airport (A) GLUP designation in the interest of helping to group and identify airport properties from other properties.

Just prior to the aforementioned (CP-15-078) amendment to the Comprehensive Plan's GLUP map, the applicant submitted a Pre-Application in May 2015 (PA-15-072) requesting information regarding a change to the subject site's GLUP designation from UR to General Industrial (GI) along with a change of zone from SFR-6 to I-L. The Planning staff opted to change the GLUP designation of the subject parcels to Airport (A) which was felt to be more appropriate given the properties ownership, and could still be accomplished without precluding the applicant's dual request for a zone change to allow for future development.

With the applicant's request for a change of its GLUP map designation fulfilled, the applicant is now proceeding with the request to rezone the subject site from its current SFR-6 classification to I-L in order pursue potential non-residential development in the future.

### Analysis

An itemized analysis of the proposed rezone request based on the criteria outlined in Medford Land Development Code (MLDC) Section 10.227 cited above is as follows:

*Section 10.227(1):*

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

*(d) For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought:*

*(i) The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant can show it would be suitable pursuant to (1) (e) below.*

*Findings of Fact, Staff:*

The proposed change of zone is consistent with the goals and policies of the City of Medford Transportation System Plan (TSP). The Public Works Department did determine that a Traffic Impact Analysis (TIA) was required for the proposed change of zone, and a TIA report was included with the submittal of the application (Exhibit I).

The General Land Use Plan (GLUP) map designation for the subject properties is the Airport (A) designation. The Airport GLUP designation allows for I-L the zoning district. The requested zone change for the subject properties is I-L and is consistent with the GLUP designation.

The subject parcels are in compliance with the locational standards of subsection (d)-(i), as the subject parcels abut properties within residential, commercial, and the I-L zoning districts, and do not abut a Heavy Industrial (I-H) zoned parcel consistent with the locational criteria as outlined in subsection (d)-(i) above.

*Section 10.227(2):*

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

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

*Findings of Fact, Staff:*

*Storm drainage:* The City of Medford Public Works Department has determined that the subject properties have access to existing storm drainage facilities in Corona Avenue and the Hopkins Canal, and that the subject site would be able to connect to these facilities at the time of development (Exhibit C).

*Sanitary sewer:* The subject site lies within the City of Medford sewer service area. The Public Works Department has determined that there is an existing 8 inch sanitary sewer line in Corona Avenue and an existing 10 inch line in Whittle Avenue. Though sanitary sewer lines exist to serve the subject property, Public Works states in their submitted staff report that there are downstream capacity constraints within the City's sanitary sewer service. Due to the uncertainty of what type of development may occur on the subject site, the Public Works Department recommends that the subject zone change be denied, or the applicant stipulate to only develop so the total sewer flows do not exceed current zoning limitations, or the developer make improvements to the downstream sanitary sewer system to alleviate the capacity constraints, or the developer may perform a sanitary sewer study to show that there is capacity to convey increased flows (Exhibit C).

*Water:* Municipal water services are provided to the subject properties by the Medford Water Commission. The Water Commission staff has determined that access to MWC water lines for connection is available to the subject property, as there is an existing 6 inch water line in Corona Avenue, a 6 inch water line in Steelhead Drive, an 8 inch water line in Whittle Avenue, and an 8 inch water line in Skypark (Exhibit D).

- (b) *Adequate streets and street capacity must be provided in one of the following ways:*
  - (i) *Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or*

*Findings of Fact, Staff:*

Based on the Traffic Impact Analysis (TIA) conducted by Southern Oregon Transportation, LLC on behalf of the applicant, it is demonstrated that the existing public streets currently serving the subject site, with a stipulated traffic generation cap of 318 peak hour trips, has adequate capacity to serve the subject site and the proposed change of zone.

*Traffic Impact Analysis*

MLDC Section 10.467(3) states the following:

*If a proposed application has the potential of generating more than 250 net average daily trips (ADT) or the Public Works Department has concerns due to operations or accident history, a TIA will be required to evaluate development impacts to the transportation system. The Public Works Department may waive the TIA if it is concluded that the impacts are not substantial.*

In its scoping letter submitted to the applicant on February 8, 2016, the Public Works Department made the determination that the existing SFR-6 zoning is expected to generate 2,749 ADT, while the I-L zone would generate 14,142 ADT. The difference between the two proposals is 11,393 ADT, which exceeds the net increase of 250 ADT to the transportation system; therefore, a request to change the zoning from SFR-6 to I-L would require a TIA to determine project impacts to the transportation system.

The applicant retained Southern Oregon Transportation Engineers, LLC to conduct the TIA for the subject site, and submitted the TIA on March 28, 2016. In their submitted TIA study, it was determined that the net ADT increase resulting from the proposed zone change would cause the intersection of Owens Drive and Crater Lake Avenue to perform below the Level of Service D operational standard. MLDC Section 10.462 dictates that whenever a level of service is determined to be below level D for arterials or collectors, development is not permitted unless the developer makes the roadway or other improvements necessary to maintain level of Service D. In SOTE's attached summary report, it is stated that the applicant's intent is to not make roadway or other improvements to the public streets, rather, to pursue the alternate option of requesting a trip cap stipulation.

Pursuant to MLDC Section 10.461, when an unconditional approval is not possible without some form of mitigation to maintain an adequate level of service, an applicant has the alternative option of requesting a trip cap stipulation. The submitted TIA shows that the maximum stipulation would include the basic zoning ADT (SFR-6) plus up to 249 ADT, which is 3,048 ADT (or an equivalent 318 p.m. peak hour trips). A trip cap stipulation of 3,048 ADT (or and equivalent 318 p.m. peak hour trips) is, therefore, proposed for the application.

#### *Wetlands*

A significant portion of the northerly parcel is identified by the Oregon Department of State lands Local Wetland Inventory as containing significant wetlands. A wetland delineation was submitted to the Department of State Lands in 2005. Since the report is more than five years old, it is a reference document only. A new delineation on the property will be required prior to future site development (Exhibit J).

#### *Other Agency Comments*

- The Medford Fire Department approved the request as submitted, and reported no special concerns (Exhibit E).
- The Rogue Valley Irrigation District identified 24.9 Acres of irrigated land on the subject property (Exhibit F).
- The Oregon Department of Aviation reported no direct comment for the proposed zone change, but stated that they will have comments upon future development of the subject property (Exhibit G).

## **FINDINGS AND CONCLUSIONS**

Staff has reviewed the applicant's findings and conclusions (Exhibit B) and recommends the Commission adopt the findings with the following modifications:

- Accept the applicant's stipulation to generate no more than 3,048 ADT (318 peak hour trips), and
- Accept the applicant's stipulation to only develop so the total sanitary sewer flows do not exceed the current SFR-6 zoning limitations (Exhibit H).

## **ACTION TAKEN**

Adopted findings as recommended by staff and directed staff to prepare a Final Order for approval of ZC-16-041 per the Planning Commission Report dated May 26, 2016, including Exhibits A through J.

## **EXHIBITS**

- A Conditions of Approval
- B Applicant's Findings of Fact received March 29, 2016
- C Public Works Department Staff Report received May 4, 2016
- D Medford Water Commission Staff Memo received May 4, 2016
- E Medford Fire Department report received May 4, 2016
- F Rogue Valley Irrigation District Report received April 28, 2016
- G Oregon Department of Aviation letter received May 3, 2016
- H Agent email received May 18, 2016
- I GLUP Map
- J Fair Housing Council of Oregon comments received May 24, 2016  
Vicinity map

## **MEDFORD PLANNING COMMISSION**

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Patrick Miranda, Chair

**PLANNING COMMISSION AGENDA:**

**MAY 26, 2016  
JUNE 9, 2016**



May 24, 2016

City of Medford  
411 West 8th Street  
Medford, Oregon 97501

RECEIVED  
MAY 24 2016  
PLANNING DEPT.

Re: **Zone Change 16-041 – Amending 47 acres from Single Family Residential to Light Industrial at 371W18DB Tax Lot 100 and 371W18A Tax Lot 4200.**

Dear Medford Planning Commission:

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

The staff report relating to this proposal neither mentions nor analyzes the impact of the amendment on the City's Statewide Planning Goal 10 (Goal 10) obligations. Goal 10 requires the city to inventory buildable lands for residential use and uses this inventory to show that an adequate number of needed housing units can be supported. The proposed conversion of land zoned as Single Family Residential to Light Industrial certainly implicates Goal 10 because it removes 47 acres from the available housing supply. Removing land from the available housing supply increases the cost of housing and decreases the flexibility of the type of housing that can be constructed on remaining land.

HLA and FHCO urge the Commission to decline to adopt the proposed amendment because the staff report failed to analyze the impact of the proposed amendment on the City's Goal 10 obligations and the zone change will have a negative impact on the availability of affordable housing and is incongruent with the City's Goal 10 obligations. Thank you for your consideration. Please provide written notice of your decision to, FHCO and HLA, c/o Louise Dix, at 1221 SW Yamhill Street, #305, Portland, OR 97205.

Sincerely,

Louise Dix  
AFFH Specialist  
Fair Housing Council of Oregon

Jennifer Bragar  
President  
Housing Land Advocates

1221 SW Yamhill Street, Portland, Oregon 97205

CITY OF MEDFORD  
EXHIBIT # 5  
File # ZC-16-041



# Minutes

From Public Hearing on **May 26, 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  
David Culbertson  
Joe Foley  
Bill Mansfield  
Mark McKechnie

**Staff Present**

Jim Huber, Planning Director  
Kelly Akin, Principal Planner  
Kevin McConnell, Deputy City Attorney  
Alex Georgevitch, City Engineer  
Greg Kleinberg, Fire Marshal  
Terri Rozzana, Recording Secretary  
Dustin Severs, Planner II

**Commissioners Absent**

Jared Pulver, Excused Absence  
Tim D'Alessandro, Excused Absence

10. **Roll Call**

20. **Consent Calendar/Written Communications.**

**20.1 CUP-16-022 / E-16-023** Final Orders for a request of a Conditional Use Permit for the Kids Unlimited Public Charter School Master Campus Plan to allow for the expansion of existing facilities; including but not limited to 18,000 square foot multipurpose building, a two classroom modular building and outdoor athletic field. The Applicant has submitted an associated Exception Application requesting relief from street side setbacks, maximum lot coverage, and reduction of public right-of-way for Edwards Street and Austin Street. The subject site is located west of Riverside Avenue, South of Edward Street, East of Niantic Street and north of Austin Street. The campus is located in the SFR-10 (Single Family Residential -10 units per gross acre), MFR-20 (Multiple-Family Residential – 20 units per gross acre and C-C (Community Commercial) zoning districts and encompasses approximately 2.8 net acres. (Kids Unlimited of Oregon, Applicant; Scott Sinner Consulting, Inc., Agent)

**Motion:** Adopt the consent calendar as submitted.

**Moved by:** Vice Chair McFadden

**Seconded by:** Commissioner Culbertson

**Voice Vote:** Motion passed, 6–0.

**30. Minutes**

**30.1.** The minutes for May 12, 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 PUD-00-116 / CUP-04-109 / LDS-16-045** Consideration of a request for a revision to Stonegate Estates Planned Unit Development to 1) amend the exterior boundary of the PUD, 2) revise the Conditional Use Permit to allow riparian encroachments for a multi-use path, street, bridge, public storm water facilities, and utilities and 3) tentative plat review of Phases 2B, 2C, and 2D. The project is located on the east side of North Phoenix Road, north of Coal Mine Road. (Louie & Charles Mahar, Applicants; Richard Stevens & Associates, Clark Stevens, 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.

Sarah Sousa, Planner IV, read the planned unit development, planned unit development revision, conditional use permit and the land division criteria and gave a staff report.

The public hearing was opened.

a. Clark Stevens, Richard Stevens & Associates, P. O. Box 4368, Medford, Oregon, 97501-0168. Mr. Stevens reported that staff has presented a complete report to the Planning Commission. The one acre location in the northeast corner of the site the revision allows the applicant to extend the pedestrian/bike path and build a bridge within the middle fork of Larson Creek to Stanford Avenue. The bridge will be built during Phase 2B and will tie-in to the Eastgate project to the north.

The amendment will provide modification to Lot 166 and increase the single family dwelling units by four. The additional lots are the result of the applicant not needing as big of an area for the storm drainage. There was sufficient area to meet lot depth and width standards.

The improvements include a portion of the greenway along Larson Creek in Phase 2A that will be installed this summer along with the improvements along Phase 5. The applicant is hoping to do two bridges and the planting all in one swoop as the project develops and completes in Phase 5.

The applicant has reviewed the staff report and is in agreement with all of the recommendations and conditions for approval with the exception of the condition made by the Public Works Department regarding the timing of the bridge for Stanford Avenue over Larson Creek where it makes the connection to Coal Mine Road. Public Works is requesting this bridge be constructed with Phase 2C. The applicant is requesting that the bridge be constructed with Phase 2D. Part of the reason is that the applicant would have to tie in utilities that will come from the west to develop Phase 2D and then the applicant can tie in the utilities and the bridge work at the same time.

Currently there are two emergency fire accesses one from Coal Mine Road that traverses that ties in to Phase 2A. Eastgate has an emergency fire access that goes to Harbrooke.

As a side note undeveloped land to the east and west are owned by relatives of the applicant and will need the bridge. The applicant has requested through the Public Works Department a reimbursement district. It needs to be a condition of approval to ensure that the applicant is responsible for building that bridge.

Creek View Drive goes out to North Phoenix Road. An additional way out is along Ashford Way up to Harbrooke to provide a secondary way out. Creek View Drive is not the only way out of this project. Rutherford Drive will connect to Ashford Way.

Commissioner McKechnie asked does the applicant agree with the conditions from staff except for the timing of the south bridge construction over Larson Creek? Mr. Stevens reported that is correct.

Commissioner McKechnie asked if there was 12 acres of land to be dedicated to the public? Mr. Stevens stated dedicated to the Medford Parks Department. That is part of the greenway.

Commissioner McKechnie asked when will that take place or has it already taken place? Mr. Stevens reported that has not taken place. The applicant needs to complete all the improvements. They will have to install the pathway, irrigation system and the plantings along with a long term agreement for maintenance. The Medford Parks Department will have to do an inspection to make sure it is acceptable for their maintenance program.

Commissioner McKechnie stated that with Phases 2A, 2B and 2C it looks like those residences have exactly one way to get across Larson Creek without the bridge and extension of Stanford down to Coal Mine Road. Is that correct? Mr. Stevens stated that is not correct. The applicant is putting in the bridge on Stanford over the middle fork to tie into Eastgate which will also tie back into Creek View Drive. There will be two bridge crossings over the middle fork of Larson Creek.

Alex Georgevitch, City Engineer, reported that there has been a little back and forth on which phase to construct the bridge. Originally when Public Works reviewed this they had no issues with Phase 2D being the final phase for constructing the bridge. As Public Works did their analysis to finalize their staff report they reviewed the original traffic analysis for Stonegate and it showed the original development was planning on splitting the traffic about 50% going down Coal Mine Road and 50% down Creek View Drive. Public Works requested the applicant construct the bridge as part of Phase 2C. The applicant worked with Public Works to have Southern Oregon Transportation Engineering review Creek View Drive. Unfortunately they reviewed Creek View Drive as a whole not at the intersection of Creek View Drive and North Phoenix Road where Public Works had their concerns. Public Works has safety concerns and unfortunately the applicant has not been able to provide Public Works with additional information to make them recommend anything other than what is in their current staff report to construct the bridge in Phase 2C.

Mr. Georgevitch also stated that reimbursement districts are a request to the Public Works Director from the applicant prior to starting construction. The applicant needs to make sure they make that request to the Public Works Director prior to start of construction.

Commissioner McKechnie stated that the plans show a major relocation of Coal Mine Road to tie into a cross intersection of Juanipero Way. Whose responsibility is the realignment and when will that happen? Mr. Georgevitch reported that the facility is a higher order street, a collector, so it could be the City's responsibility over time but there are no plans for the City to do that work right now. It is primarily developer driven. Currently approximately a third of it is being realigned with Stonegate Phase 5. As future development continues the realignment will be completed. Coal Mine Road goes to North Phoenix Road. There is connectivity regardless of the realignment.

Mr. Stevens reported that the applicant did not look at the intersection of Creek View Drive. However, they believe Ashford Way can provide an additional way out of the project to Harbrooke Road. There have been many traffic impact studies on this project when they did the original Planned Unit Development. It is their belief that the safety aspects of that intersection could be mitigated.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as presented and adopts the Final Orders for approval of PUD-00-116 Revision, CUP-04-109 Revision and LDS-16-045 per the second revised staff report dated May 19, 2016, including Exhibits A-1 through GG and keeping the recommendation from Public Works of the bridge construction during Phase 2C.

Moved by: Vice Chair McFadden

Seconded by: Commissioner McKechnie

Vice Chair McFadden spoke to the motion stating that he basically agrees with the applicant that the bridge construction could wait. The difficulty is the intersections.

Commissioner McKechnie reported that he is sympathetic to the developer but it is important to have a couple of independent ways out of the project. There is nothing that requires the developer to Phase 2B first and Phase 2C next then Phase 2D. The developer could essentially do Phase 2D first and move the other direction. It is reasonable to leave the recommendation.

Voice Vote: Motion passed, 6-0.

**50.2 ZC-16-035** Consideration of a request for a change of zone from SFR-00 (Single-Family Residential, one dwelling unit per existing lot) to SFR-10 (Single-Family Residential, 10 dwelling units per gross acre) on approximately 2.26 acres located along the north side of Maple Park Drive approximately 353 feet east of Ross Lane N. (372W23DD Tax lots 600 & 601) (Ron & Christine Horton, Applicants; Scott Sinner Consulting, Inc., Agent)

Chair Miranda inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner McKechnie disclosed that Scott Sinner, the agent for the applicant, is his neighbor, but that 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.

Dustin Severs, Planner II, read the zone change criteria and gave a staff report.

Vice Chair McFadden stated that Mr. Severs did not indicate there would be a return from Katie May Drive to Maple Park. Is that to be expected and if not is there a block length that will require that to be done to comply with block length standards? Mr. Severs stated that the applicant's intentions during Phase 5 will extend Katie Mae Drive and creating another minor residential street running north and south that will connect to Maple Park. Mr. Severs deferred the question to the applicant.

The public hearing was opened.

a. Scott Sinner, Scott Sinner Consulting, Inc., 4401 San Juan Drive, Medford, Oregon, 97504. Mr. Sinner reported that this application meets the requirements of the Transportation System Plan and Oregon Transportation Rule. It meets the locational standards and the adequate capacity of Category "A" services that have been developed. There is a connection that meets all of the applicable criteria for the land division in an upcoming application.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of ZC-16-035 per the staff report dated May 19, 2016, including Exhibits A through J.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Foley

Voice Vote: Motion passed, 6-0.

**50.3 ZC-16-041** Consideration of a request for a change of zone from SFR-6 (Single-Family Residential-6 dwelling units per acre) to I-L (Light Industrial) on approximately 47.14 net acres located east of Corona Avenue, west of Whittle Avenue, and 195 feet south of Crater Lake Highway 62. (Jackson County, Applicant; Richard Stevens & Associates, 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.

Dustin Severs, Planner II, stated that staff received comments from the Fair Housing Council of Oregon after the agenda packet had been submitted. It was forwarded to the Planning Commissioners by email. It will be submitted into the record as Exhibit J. Mr. Severs also stated that the zone change criteria had been read in the previous application and gave a staff report.

Commissioner McKechnie stated that regarding the submitted letter from the Fair Housing Council of Oregon it stated that the staff report relating to this proposal neither mentions nor analyzes the impact of the amendment on the City's Statewide Planning Goal 10 obligations. Has staff taken care of that? Kelly Akin, Principal Planner, reported that Goal 10 is one of the Statewide Planning Goals. The Statewide Planning Goals are addressed at the time of Comprehensive Plan amendments. When staff did the General Land Use Plan map amendment last year that is when the analysis was done. It is not a zoning criterion.

Commissioner McKechnie asked if the Fair Housing Council of Oregon would be able to appeal the Planning Commission's decision based on not addressing Goal 10? Ms. Akin replied they could appeal on that basis since they raised the issue before the Planning Commission but it is not an approval criterion.

Commissioner McKechnie asked if access to this site is from Whittle Avenue to Crater Lake Highway or Corona to McAndrews? Mr. Severs deferred the question to the applicant.

Commissioner Mansfield asked if all of the development is impaired then why is the applicant bringing this application forward? Mr. Severs reported that there are types of developments that could occur. In the applicant's narrative it mentioned possibly having a park on the land or for Public Works Department vehicles.

The public hearing was opened.

a. Clark Stevens, Richard Stevens & Associates, P. O. Box 4368, Medford, Oregon, 97501-0168. Mr. Stevens reported that this application is in compliance with Medford Land Development Code Section 10.227 and the Comprehensive Plan General Land Use Plan map designation which is Airport. They are in compliance with the location standards for the proposed Light Industrial zoning. They are also in agreement with Public Works conditions for the trip cap stipulation to develop no more than the SFR-6 plus the 249 trips and to develop the sanitary sewer flows consistent with the SFR-6 designation.

A question was raised about access to and from the site. Skypark Drive, Whittle Avenue and Grandview go to Crater Lake Avenue. Whittle Avenue also goes to Highway 62. Corona goes to McAndrews. There are multiple ways in and out.

The Airport purchased the property to protect the runway approach. They did not want homes built on this site due to public safety. It is part of the FAA requirements. One of the potential uses is a public park. Currently there are no agreements or contracts. It is just in the discussion phase. Another option is a Public Works facility.

b. Jim Porter, 2352 Whittle Avenue, Medford, Oregon, 97504. Traffic on Whittle Avenue gets bad when there are things going on at Lava Lanes. If a park is constructed what will they do with the increased traffic? What will it do to the residents taxes if it is Light Industrial? He would like for the Airport to keep the residents more informed.

c. Jess Walls, 2473 Corona Avenue, Medford, Oregon, 97504. He lives across the street from the open area and is concerned with his view of Roxy Ann. There are a lot of geese on the wetlands in that area.

d. Courtney Cunningham, 2540 Whittle Avenue, Medford, Oregon, 97504. She is concerned with the impacts of property values and crime.

e. Jesse Moore, 2516 Whittle Avenue, Medford, Oregon, 97504. How long has this been zoned single family housing? At one time the project area was going to be a golf course. Traffic is another concern of his. Are the changes being done because of the new construction on the road coming off Whittle Avenue and the new road to White City? He has concerns with the view of Roxy Ann.

f. Thomas Burns, 2440 Whittle Avenue, Medford, Oregon, 97504. He concurs with the previous testimonies. He also has concerns with the traffic and the viaduct.

g. Jeanette Gioissi, 2576 Whittle Avenue, Medford, Oregon, 97504. She is concerned with the impacts of her view, traffic, property values, noise and crime. A park would be great.

h. Judy Cheatum, 2319 Whittle Avenue, Medford, Oregon, 97504. She has concerns with the traffic.

i. Chad McComas, 1743 Alcan Drive, Medford, Oregon, 97504. His concern is traffic. It would be nice to know what the Airport is planning for that area.

j. Bern Case, Rogue Valley International-Medford Airport, 1000 Terminal Spur Road, Medford, Oregon, 97504. He appreciates that comments that have been made. He agrees with many of them. The reason they fenced the area was due to safety. They are anxious to do things that are compatible. Any development plans have to get reviewed by the City and the County.

Vice Chair McFadden asked if Public Works was up-to-date on the Oregon Department of Transportation plans? Mr. Georgevitch reported that there was a proposal to take Hilton to Corona to Highway 62, potentially head east along the north side of this property. There were several options but none of those moved forward. The current by-pass that is under construction today has Whittle turning right in and right out. That will help reduce some of the traffic. Hilton Road to the west where it ties into Poplar is a right in and right out that was done under another phase of the Highway 62 project. Northeast of the subject property Highway 62 will be turning off its current alignment and head north along the old Haul Road alignment to White City. A significant amount of traffic is intended to use that facility instead of the old Highway 62. The old Highway 62 will become a Medford facility over time assuming the City Council will accept it through a jurisdictional exchange.

Mr. Stevens reported that some of the concerns from the neighbors were in regards to access, traffic generation, wetlands, and creeks that are definitely valid. One of the misconceptions is that the line next to the wetlands is a creek. It is Hopkins canal with the Rogue Valley Irrigation District. There are wetlands on site. The applicant did a delineation that has expired. A new one will be required.

The area will not be 100% developed to Light Industrial use. The applicant wants low density and low impact because of the runway approach. Safety is their utmost concern.

The applicant did a traffic study that identified the impacts. The subject site will not create traffic greater than what is already there under the SFR-6 zone. It is the existing zoning plus 249 trips which is allowed.

It is hard to say what property values will do. Property value is not a criterion.

Commissioner Culbertson stated that the Airport Master Plan had the runway moving to the east. Is that correct? Mr. Case stated that the Airport Master Plan calls for a parallel runway that they are proposing to be no more than 6,500 feet non-instrumented. It would be an alternate that would give redundancy if they have a gear up landing, snow removal or construction. Its impact is less due to its length.

Vice Chair McFadden stated that over the years he has heard two or three times this property has been impacted by an airplane that did not reach the end of the runway. Is that number true? Mr. Case replied there was a crash landing north of the airport prior to his tenure. A plane came up short of the runway that landed north of Highway 62 and south of the airport fence.

Commissioner Culbertson asked what was the primary purpose of the airport acquiring the property? Mr. Case reported that it was for runway protection and safety that has been discussed. It was also for noise.

Commissioner Culbertson asked why has it changed from then to now? Mr. Case replied technology.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of ZC-16-041 per the staff report dated May 19, 2016, including Exhibits A through J.

Moved by: Vice Chair McFadden

Seconded by: Commissioner McKechnie

Vice Chair McFadden spoke to his motion stating there are always concerns with the location of the property. The applicant has met the criteria for a zone change. Crime and traffic needs to be handled by the police. Talk to your City Council representative about issues. Future development of this property will have signs and notifications that the neighbors will receive. Vice Chair McFadden thanked the audience for coming.

Commissioner McKechnie spoke to the motion stating that having single family residential right underneath the approach to the airport is a bad idea. This will most likely be better designed. He does not think this will impact the view like they think it might. He would like if there is a potential to access Skypark Drive that it be explored especially if there are industrial users.

Commissioner Foley stated that he appreciated and thanked the audience for coming and voicing their concerns.

Voice Vote: Motion passed, 6-0.

**50.4 E-16-047** Consideration of a request for relief from the minimum lot area and lot width requirements for two properties totaling approximately 0.3 acres located at the southwesterly corner of E McAndrews Road and Court Street within the C-C (Community Commercial) zone district. (1173 and 1165 Court Street, Tax lots 372W24AC 2300 and 2403) (Court Street Properties LLC, Applicant; Neathamer Surveying, Inc., 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.

Kelly Akin, Principal Planner, read the exception criteria and gave a staff report. Ms. Akin noted a correction that when this application was submitted it was scheduled for the Site Plan and Architectural Commission but they do not have the authority over land configuration. The findings were not amended to reflect that. The findings note the Site Plan and Architectural Commission rather than the Planning Commission.

Commissioner McKechnie asked if the businesses were individually owned? Ms. Akin replied they are currently under single ownership.

The public hearing was opened.

a. Bob Neathamer, Neathamer Surveying, Inc., 3126 State Street, Suite 203, Medford, Oregon, 97504. Mr. Neathamer stated that the buildings in question are under a single ownership but have the potential for sale is one of the driving forces for this application.

The public hearing was closed.

**Motion:** The Planning Commission adopts the findings as recommended by staff and adopts the Final Order for approval of E-16-047 per the staff report dated May 19, 2016, including Exhibits A through J and that the findings reflect the Planning Commission and not the Site Plan and Architectural Commission.

**Moved by:** Vice Chair McFadden

**Seconded by:** Commissioner Foley

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

## 60. Reports

### 60.1 Site Plan and Architectural Commission.

Kelly Akin, Principal Planner reported that the Site Plan and Architectural Commission had no business for their Friday, May 20, 2016, meeting. The meeting was cancelled.

### 60.2 Report of the Joint Transportation Subcommittee.

Chair Miranda asked for a volunteer for the Joint Transportation Subcommittee. There were no volunteers. The item was tabled.

### 60.3 Planning Department

Kelly Akin, Principal Planner, stated the next Planning Commission study session is scheduled for Monday, June 13, 2016. There is no business at this time but staff will keep the Planning Commission informed.

There is business scheduled for the Planning Commission on Thursday, June 9, 2016, and Thursday, June 23, 2016.

Last week the City Council adopted the code amendment for residential site development standards of revised setback calculations and lot coverage. They also updated the Planning Departments fee schedule.

June 2, 2016, City Council meeting the Planning Department does not have any business for the City Council. The Urban Growth Boundary amendment is scheduled for City Council on Thursday, June 16, 2016.

### 70. Messages and Papers from the Chair.

70.1 Chair Miranda reported that placed and the Commissioner's places was an information sheet regarding ORS 260.432 Quick Referenced – Restrictions on Political Campaigning for Public Employees. "A public employee" includes public officials who are not elected, whether they are paid or unpaid (including appointment boards and Commissions).

80. Remarks from the City Attorney. None.

90. Propositions and Remarks from the Commission. None.

### 100. Adjournment

The meeting was adjourned at 7:49 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

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Terri L. Rozzana  
Recording Secretary

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Patrick Miranda  
Planning Commission Chair

Approved: June 9, 2016



## STAFF REPORT

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

PROJECT Galpin Partition  
 Applicant: C. A. Galpin  
 Agent: Jim Zundel

FILE NO. LDP-16-015

TO Planning Commission *for June 9, 2016 hearing*

FROM Tracy Carter, Planner II

REVIEWER Kelly Akin, Principal Planner *KA*

DATE June 2, 2016

### BACKGROUND

#### Proposal

Proposed tentative plat to create three lots on a 1.04 acre parcel located on the west side of the intersection of Cedar Links Drive and N Foothill Road, within an SFR-4 (Single-Family Residential – 4 dwelling units per gross acre) zoning district.

#### Subject Site Characteristics

Zoning: SFR-4 (Single-Family Residential – 4 dwelling units per gross acre)  
 GLUP: UR (Urban Residential)  
 Use: Vacant

#### Surrounding Site Characteristics

North	SFR-4	Single family homes
South	SFR-4 SFR-00	Single family homes Single-Family Residential, 1 dwelling unit per lot Vacant
East	SFR-00 RR-5	Single family homes County Rural Residential, 5 acre minimum lot size Single family homes
West	SFR-4	Single family homes

### Related Projects

PA-15-124 C.A. Galpin Pre-Application

### 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.

## ISSUES AND ANALYSIS

### Project Summary

The subject site is vacant and undeveloped. The applicant seeks to partition the 1.04 acre site into three separate parcels. All three parcels will have access via a shared driveway that originates on parcel 1.

### Code Compliance

#### *Density*

The standard density calculation for the SFR-4 zone is between two and a half and four dwelling units per gross acre. The permitted density range for the proposed partition is between three to four dwelling units. The applicant is proposing three parcels (and three dwelling units), which meets the minimum and does not exceed the maximum number of dwelling units (Exhibit L).

#### *Lot Standards*

All of the proposed parcels meet the lot design standards found in Article V, Site Development Standards, of the Medford Land Development Code. The proposed shared driveway serving the development shall be private, and constructed in accordance with applicable Building and Medford Municipal Codes. The shared access will need to meet the requirements of MLDC section 10.550 for access standards (Exhibit F).

#### *Street Dedications*

The Public Works Department Staff Report identifies Cedar Links Drive as a Major Collector Street, which requires a total right-of-way width of 74 feet. The developer shall provide sufficient width of right-of-way for the half street width of a Major Collector Street, which is 37 feet. The developer's surveyor shall verify the amount of additional right-of-way required, which appears to be needed primarily along the frontage of Parcel 1. Lastly, a 10-foot Public Utility Easement, adjacent to the street frontage, shall be dedicated along the entire frontage of this development (Exhibit F).

#### *Street Improvements*

Per the Public Works Staff Report (Exhibit F), Cedar Links Drive shall be improved to Major Collector Street standards consistent with MLDC section 10.428, and as currently proposed will require one street light. The applicant has requested that sidewalks be placed curb-tight along the frontage of Cedar Links Drive for topographical reasons, which the Planning Commission has the authority to approve per MLDC 10.501(5). If the

Planning Commission approves the placement of curb-tight sidewalks, Public Works recommends that 7-foot sidewalks be constructed.

#### *Storm Drainage*

A drainage plan showing the project's impacted site with sufficient information to determine the direction of runoff to the existing or proposed drainage system, and showing elevations of the proposed drainage system, shall be submitted with the first building permit application for approval. The development shall provide stormwater detention and water quality treatment in accordance with MLDC § 10.481 and 10.729 and in accordance with the Rogue Valley Stormwater Quality Manual (Exhibit F).

#### *Sanitary Sewer*

The site lies within the Medford Sewer service area. Each parcel is to be provided one service lateral prior to approval of the Final Plat. The developer shall cap any other remaining unused sewer laterals within the project frontage at the main. A condition of approval has been included requiring the developer to comply with the Public Works Staff Report dated May 11, 2016 (Exhibit F).

#### *Water Facilities*

The Medford Water Commission (MWC) memorandum identifies neither off-site water line installation nor on-site water facility construction is required for this development. All proposed parcels are required to have metered water service prior to approval of the final plat, and the existing water meters on proposed Parcel 3 are required to be abandoned. Access to MWC water lines is available to this development via an existing 24-inch water transmission line located within a 50-foot easement across this development. Lastly, in the event a suitable location for a fire hydrant cannot be found, the new residences shall be protected with fire sprinkler systems and will require "Residential Fire Sprinkler Water Meters" to each of the three proposed parcels. A condition of approval has been included requiring the applicant to comply with the revised memorandum from the Medford Water Commission dated May 12, 2016 (Exhibit G).

#### *Fire Safety*

According to the report from the Medford Fire Department, one fire hydrant will be required for this project. If a suitable location for a hydrant cannot be found, the homes shall be protected with fire sprinkler systems in lieu of the fire hydrant. A condition of approval has been included requiring the applicant to comply with the revised Fire Department Report dated May 12, 2016 (Exhibit H).

## **FINDINGS AND CONCLUSIONS**

Staff has reviewed the applicant's Findings and Conclusions (Exhibit E) and recommends the Commission adopt the Findings as amended. First, the applicant refers to a minimum access easement to serve the three future parcels. A minimum access easement is needed when lots do not have street frontage, which is not the case for this development. The means of access for this development is a shared driveway. Next, the applicant mentions an Exception request to allow the sidewalks to be curb-tight, an Exception was never filed or required. The Medford Land Development Code Section 10.501(5) gives the Planning Commission authority to approve modifications to sidewalks for aesthetic purposes or reasons such as topography or to avoid existing trees.

## **RECOMMENDED ACTION**

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDP-16-015 per the staff report dated June 2, 2016, including Exhibits A through L.

## **EXHIBITS**

- A Conditions of Approval dated June 2, 2016
- B Tentative Plat received April 11, 2016
- C Conceptual Grading & Drainage Plan received April 11, 2016
- D Proposed Future Sidewalk Plan received April 19, 2016
- E Applicant's Findings of Fact (Land Division – Partition) received April 15, 2016
- F Public Works Staff Report received May 11, 2016
- G Revised Medford Water Commission memo received May 12, 2016
- H Revised Medford Fire Department Report received May 12, 2016
- I Oregon Department of Aviation email received May 3, 2016
- J Medford Building Department memo received May 11, 2016
- K Oregon Department of Transportation email received May 16, 2016
- L Density Calculation Spreadsheet created May 20, 2016  
Vicinity map

**PLANNING COMMISSION AGENDA:**

**JUNE 9, 2016**

Galpin Partition  
LDP-16-015  
Conditions of Approval  
June 2, 2016

**CODE REQUIREMENTS**

1. Comply with the Public Works Department Report received May 11, 2016 (Exhibit F);
2. Comply with the revised Medford Water Commission memo received May 12, 2016 (Exhibit G);
3. Comply with the revised Medford Fire Department Report received May 12, 2016 (Exhibit H).

APR 11 2011

PLANNING DEPT.

**TENTATIVE PARTITION PLAT**  
In the N.E. 1/4 of Section 16, T37S, R17W, W.M. 4  
in the City of Medford Jackson County, Oregon

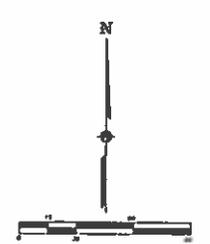


Scale: 1" = 100'

FILE NO.: \_\_\_\_\_ DATE: \_\_\_\_\_  
 RESIDENT'S PARCEL NO.: STORMWATER DRAINAGE  
 JOB NO.: STW-0  
 MIN. LOT SIZE: 6000 SF MAX. LOT SIZE: 18750 SF  
 NO. OF PARCELS: 4  
 MAPS TRACT: \_\_\_\_\_  
 COMP. PLAN REQUIREMENTS: UNDER REVIEW  
 RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**GENERAL NOTES**

SCHOOL DISTRICT: MEDFORD S.W.C.  
 AIRSPACE: AIRSPACE 4.14 AC  
 BIRTH: BIRTH ACRES: 1.21 AC  
 NET ACRES: 1.04 AC  
 PUD = PRIVATE UTILITY DRAINAGE EASEMENT  
 PSE = PRIVATE SURVEY EASEMENT



REGISTERED PROFESSIONAL LAND SURVEYOR <i>James H. Hilly</i> OREGON JULY 11, 1988 JAMES H. HILLY 333 S. W. 10th St. Medford, OR 97504	TENTATIVE PARTITION PLAT MAP NO. 2 STORMWATER DRAINAGE	SHEET NO. 1 TOTAL SHEETS 1
	L.J. CRAB & ASSOCIATES P.C. 1000 S.W. 10th St. Medford, OR 97504	DATE OF SURVEY: _____ DATE OF PLAT: _____ DATE OF RECORD: _____

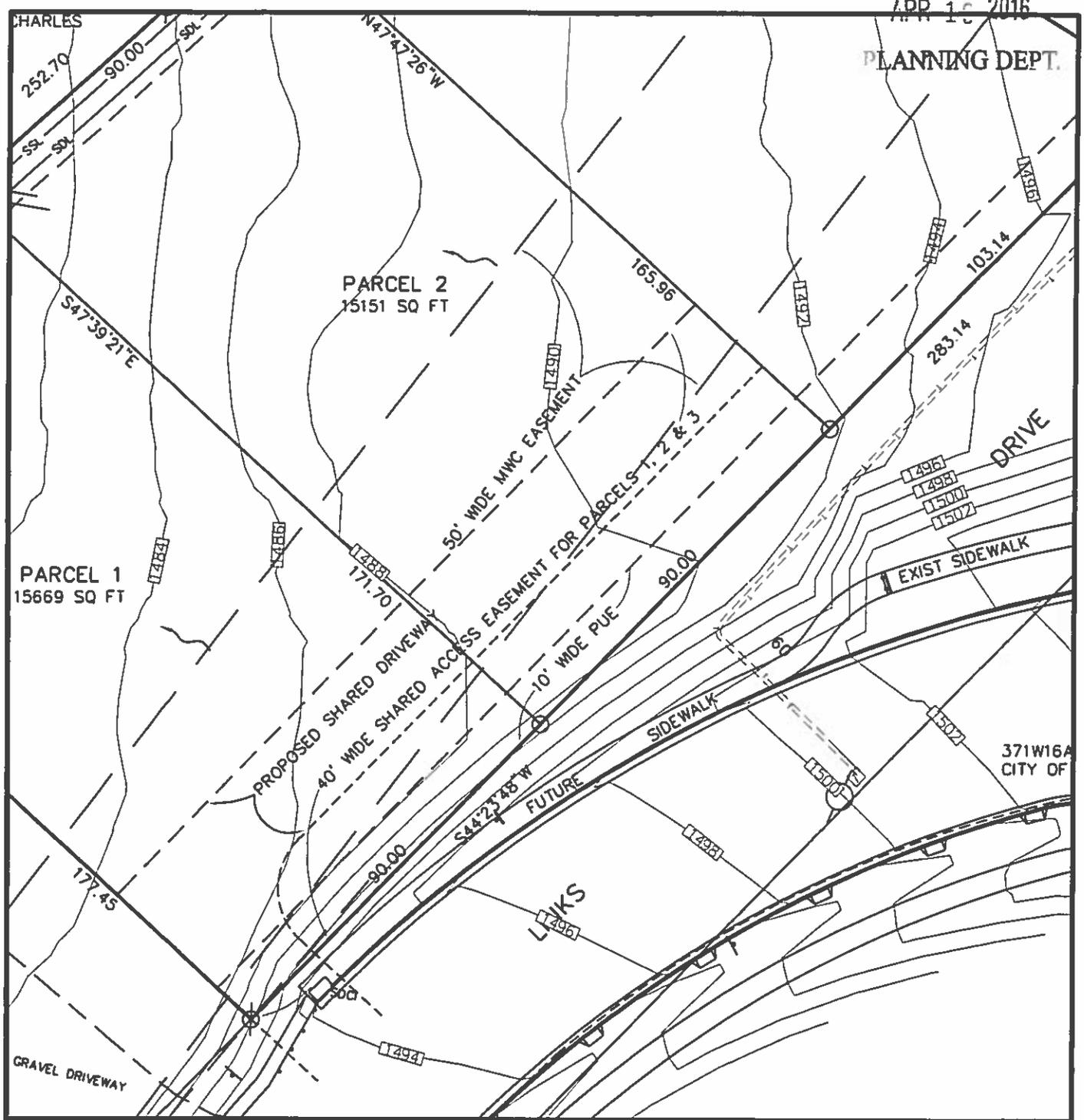
**CITY OF MEDFORD**  
**EXHIBIT # B**  
**File # LDP-16-015**



RECEIVED

APR 18 2016

PLANNING DEPT.



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*James E. Hibbs*

OREGON  
JULY 17, 1986  
JAMES E. HIBBS  
2234

RENEWAL DATE: 6-30-17

TITLE:  
**PROPOSED FUTURE SIDEWALK**

ASSESSOR'S MAP #:  
**371W16AC TL800**

FOR:  
**C.A. GALPIN  
730 CARDLEY, SUITE 100  
MEDFORD, OR 97504**

DATE:  
18 APR 2016

SCALE:  
1 inch : 30 feet

DRAWN BY:  
CHK BY:

ORIGIN:

ROTATION: 0°  
JOB#: 15204FM

Sheet 1 of 1.

**L.J. FRIAR & ASSOCIATES P.C.**  
CONSULTING LAND SURVEYORS

P.O. Box 1947, Phoenix, OR 97535  
Phone: (541) 772-2782  
Email: lfriar@charter.net

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CITY OF MEDFORD  
EXHIBIT # D  
File # LDP-16-015

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**PLANNING DEPT.**

**FINDINGS OF FACT**

**BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD, OREGON:**

IN THE MATTER OF AN APPLICATION FOR	}	FINDINGS OF FACT
LAND DIVISION OF PROPERTY IDENTIFIED AS	}	AND
T371W16AC TL 800 APPLICANT	}	CONCLUSIONS
C. A. GALPIN	}	OF LAW
JIM ZUNDEL, AGENT		

**I. BACKGROUND INFORMATION**

**Applicant:** C.A. Galpin  
C.A. Galpin, Owner  
744 Cardley Ave, Suite 100  
Medford OR 97504

**Agent:** Jim Zundel  
744 Cardley Ave, Suite 100  
Medford OR 97504

**Property:** 371W16AC TL 800  
C.A. Galpin  
3705 Cedar Links Drive  
Medford OR 97504  
1.04 Acres  
Single Family Residential (4) units per acre (SFR-4) City of Medford Zoning  
Urban Residential (UR) General Land Use Plan Map Designation

**Summary:**  
This application is submitted to comply with the Land Division Criteria contained within the City of Medford Land Development Code (MLDC).

## FINDINGS OF FACT

The subject property is 1.04 acres within the SFR-4 zoning district.

The property is not in a steep slope area and is not subject to the requirements of the Medford Hillside Ordinance. The property does not contain any wetland or water features. The street layout proposed is designed to be consistent with the area's Circulation Plan and provides circulation opportunities for the existing and proposed development in the vicinity.

### Relevant Approval Criteria

#### 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, and 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.

**Findings in Fact**

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

The Tentative Plat submitted with this application has been designed to be consistent with the Comprehensive Plan, the General Land Use Plan Map (GLUP), Transportation System Plan (TSP), and all applicable design standards for the proposed public improvements as well as the lot design standards of the Medford Land Development Code (MLDC), with the approval of the Exception of sidewalk.

The lots established with this plat conform to the standards of the MLDC for length, width, square footage, lot frontage, and access.

Minimum Access Easement is proposed to service all three lots. Consistent with 10.450 (1) (c) An access way is provided consistent with the standards for access ways in Section 10.454 through Section 10.466.

The Minimum access drive will serve three lots and have a minimum width of twenty (20) feet. The minimum lot frontage will be twenty (20) feet. The required front yard setback shall be measured from the lot frontage property line. The minimum driveway throat width shall be determined as per Section 10.550 of the Municipal Code.

The sidewalk will be built curb tight and be contiguous to back of curb in order to be compatible with the topography of the land where the sidewalk is to be installed. Consistent with 10.501 (5) of the MLDC

**Conclusions of law**

The Planning Commission can conclude the proposed tentative plat 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;*

**Findings in Fact**

The Tentative Plat submitted with this application proposed development on the entire parcel. Properties to the North, South, and West are built in SFR type uses consistent with what is proposed.

**Conclusions of law**

The Planning Commission can conclude the proposed tentative plat proposed development on the entire parcel at urban densities and the approval of this plat will not prevent development or access on adjoining properties.

- (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;

**Findings in Fact**

This is a land division and requires no name.

**Conclusions of law**

The Planning Commission can conclude the division name proposed with this application is a unique name within Jackson County.

- (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;*

**Findings in Fact**

Minimum Access Easement is proposed to service all three lots. Consistent with 10.450 (1) (c) An access way is provided consistent with the standards for access ways in Section 10.454 through Section 10.466.

The Minimum access drive will serve three lots and have a minimum width of twenty (20) feet. The minimum lot Frontage will be twenty (20) feet. The required front yard setback shall be measured from the lot frontage property line. The minimum driveway throat width shall be determined as per Section 10.550 of the Municipal Code.

Parking will be prohibited along Minimum Access Drive.

Cedar Links Drive is designated as a Major Collector Street. No additional Right of way is required.

**Conclusions of law**

The planning Commission can conclude the proposed plat is consistent with existing and planned streets in the vicinity.

*(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;*

**Findings in Fact**

The tentative plat submitted with this application includes a minimum access drive. There are no private streets or alleys proposed with this plat.

**Conclusions of law**

The Planning Commission can conclude that no streets or alleys are proposed as part of this tentative plat.

*(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.*

**Findings in Fact**

The subject property does not abut any agricultural lands in any agricultural zoning district.

**Additional Applicable Criteria**

The City of Medford land division application requires a complete application must demonstrate compliance with the Hillside Ordinance contained in section 10.929 to 10.933.

**Hillside Ordinance**

*10.929 Hillside Ordinance, Purpose: Applicability*

*Sections 10.929 to 10.933 establish procedural requirements for development on Slopes in excess of fifteen percent (15%) to decrease soil erosion and protect public safety.*

*Sections 10.929 to 10.933 apply in addition to all other requirements set forth by ordinance. In the case of conflict between Sections 10.929 to 10.933 and other requirements set forth by ordinance, Sections 10.929 to 10.933 shall govern.*

As per referenced section of the MLDC, the site is not within a high slope area and the requirements to comply with the hillside ordinance requirements, including the constraints analysis do not apply to this property and the current development application.

The Submission of the Constraints Analysis is not required when the Hillside Ordinance is not applicable.

**Conclusions of law**

The planning Commission can conclude the application complies with the requirements of compliance with the submittal requirements contained with the Medford Hillside Ordinance and the requirements of the relevant section are not applicable to this application.

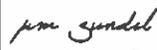
**Application Summary and Conclusions**

This application for a land division on the subject property demonstrates compliance with all relevant sections contained within the Medford Land Development Code.

The lot dimensions and design standards are consistent with the requirements of the SFR-4 zoning district.

On behalf of the applicant, I respectfully request the approval of the application or Tentative Plat approval of this Land Division.

Thank you,  
Signed by:



Jim Zundel, Agent

Ca Galpin & Associates



Continuous Improvement Customer Service

**CITY OF MEDFORD**

**RECEIVED**  
MAY 11 2016  
PLANNING DEPT.

LD Date: 5/11/2016  
File Number: LDP-16-015

**PUBLIC WORKS DEPARTMENT STAFF REPORT**  
**Land Partition – Cedar Links Drive (Galpin)**

- Project:** Consideration of a request to create three lots on a 1.04 acre parcel.
- Location:** Located on the west side of the intersection of Cedar Links Drive and N. Foothill Road, within the SFR-4 (Single-Family Residential – 4 dwelling units per gross acre) zoning district.
- Applicant:** C.A. Galpin, Applicant (Jim Zundel, Agent). Tracy Carter, Planner.

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

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

**A. STREETS**

**1. Dedications**

Cedar Links Drive is classified as a Major Collector Street, and in accordance with Medford Land Development Code (MLDC) Section 10.428(3), it requires a total right-of-way width of 74 feet. The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the half width of right-of-way, which is 37 feet. The Developer’s surveyor shall verify the amount of additional right-of-way required (appears to be needed primarily along frontage of Parcel 1).

The Developer shall receive S.S.D.C. (Street System Development Charge) credits for the public right-of-way dedications on Cedar Links Drive, per the value established by the Medford Municipal Code (MMC), Section 3.815. **Should the developer elect to have the value of the S.S.D.C. credits determined by an appraisal, a letter to that effect must be submitted to the City Engineer within 60 working days of the date of the Final Order by the Planning Commission. The City will then select an appraiser and a deposit will be required as stated in Section 3.815.**

The proposed **Shared Driveway** shall be private and have a shared access easement for the benefitting parcels.

**Public Utility Easements**, 10 feet in width, shall be dedicated along and adjacent to the street frontage of all three Parcels within this Partition (MLDC 10.471).

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

## **2. Public Improvements**

### **a. Public Streets**

**Cedar Links Drive** shall be improved to Major Collector Street Standards per MLDC 10.428. Previous developments have completed improvements to only a portion of this developments frontage of Cedar Links Drive. Therefore, along this partially improved portion, the Developer shall improve the remaining north half to provide a 22-foot half street width. This shall include saw cutting the existing north 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 Applicant discussed placement of curb-tight sidewalk along the frontage of Cedar Links Drive within their "Findings of Fact" and shown on drawing "Proposed Future Sidewalk". Per 10.501, curb-tight sidewalks may be requested if certain conditions exist and will then be decided upon by an approving authority (i.e., Planning Commission). If a curb-tight sidewalk is approved, then Public Works recommends 7-foot wide sidewalks be constructed.

The proposed **Shared Driveway** shall be private and be constructed in accordance with applicable Building and Medford Municipal Codes. The shared access will have to meet the requirements of Section 10.550.

### **b. Street Lighting and Signage**

The Developer shall provide and install in compliance with MLDC Section 10.495.

Based on the preliminary plan submitted, the following number of street lights will be required:

- A. 1 – 250W HPS street light, conduit and wire to power source (can be fed from

existing lighting circuit located at the intersection of N Foothill Road and Cedar Links Drive.

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

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

**c. Pavement Moratoriums**

There is a pavement cutting moratorium currently in effect along the frontage to Cedar Links Drive, which is set to expire November 13<sup>th</sup>, 2019.

**d. Soils Report**

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

**e. Access to Public Street System**

**Cedar Links Drive** is a Major Collector Street. Parcels 2 and 3 shall not have direct vehicular access to Cedar Links Drive, per MLDC Section 10.383. All Parcels will take access off of a Shared Driveway (private) as shown on Tentative Plat.

**f. 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.

**3. MLDC Section 10.668 Analysis**

To support a condition of development that an applicant dedicate land for public use or provide 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 recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

### **Cedar Links Drive:**

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

### **B. SANITARY SEWERS**

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 separate service lateral to each Parcel prior to approval of the Final Plat.

The Developer shall cap any other remaining unused sewer laterals within the project frontage at the main.

## **C. STORM DRAINAGE**

### **1. Drainage Plan**

A drainage plan showing the project's impacted site with sufficient information to determine the direction of runoff to the existing or proposed drainage system, and also showing elevations of the proposed drainage system (if applicable), shall be submitted with the first building permit application for approval. Any new or reconstructed area catch basins shall meet Department of Environmental Quality (DEQ) requirements, which include a down-turned elbow and sump.

The Developer shall provide copies of either a Joint Use Maintenance Agreement or a private stormdrain easement for any stormwater draining onto or from adjacent private property.

All private storm drain lines shall be located outside of the public right-of-way and/or any public utility easements (PUE).

### **2. Grading**

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

### **3. Detention and Water Quality**

Stormwater quality and detention facilities may be required in accordance with MLDC Section 10.481 and 10.729.

### **4. Certification**

If applicable, upon completion of the project, and prior to certificate of occupancy of the building, the developer's design engineer shall certify that the construction of the stormwater quality and detention system was constructed per plan. Certification shall be in writing and submitted to the Engineering Division of Public Works. Reference Rogue Valley Stormwater Quality Design Manual, Appendix I, Technical Requirements.

### **5. Mains and Laterals**

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

A storm drain lateral shall be constructed to each parcel prior to approval of the Final Plat. Easements shall be shown on the Final Plat for storm drain laterals crossing property other than the one being served by the lateral. If a private storm drain system is being used to

drain this site, the applicant shall provide a joint use maintenance agreement.

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

## **6. Erosion Prevention and Sediment Control**

All development that disturbs 5,000 square feet or greater shall require an Erosion Prevention and Sediment Control Plan. Developments that disturb one acre and greater shall require a 1200C permit from the Department of Environmental Quality (DEQ). Erosion Prevention and Sediment Control Plans shall be submitted to the Building Department with the project plans for development. All disturbed areas shall be covered with vegetation or properly stabilized prior to certificate of occupancy.

### **D. SURVEY MONUMENTATION**

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

### **E. GENERAL CONDITIONS**

#### **1. Design Requirements and Construction Drawings**

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

#### **2. Construction Plans**

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the 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. Construction and Inspection**

The Developer or Developer's contractor shall obtain appropriate right-of-way permits from the Department of Public Works prior to commencing any work within the public right-of-way that is not included within the scope of work described within approved public improvement plans. Pre-qualification is required of all contractors prior to application for any permit to work in the public right-of-way.

### **4. Draft of Final Plat**

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

### **5. Permits**

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

Concrete or block walls built within a 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**

Future buildings in this development are subject to sewer collection and treatment and street system development charges. These SDC shall be paid at the time individual building permits are taken out.

This division of land is subject to a storm drain system development charges for the additional parcels being created thereby. The storm drain system development charge shall be paid prior to Final Plat Approval.

Prepared by: Doug Burroughs

## SUMMARY CONDITIONS OF APPROVAL

### Land Partition – Cedar Links Drive (Galpin)

LDP-16-015

#### A. Streets

##### 1. Street Dedications to the Public:

- Dedicate additional right-of-way on Cedar Links Drive.
- Dedicate 10-foot Public Utility Easements (PUE) along frontage of all three parcels.

##### 2. Improvements:

###### a. Public Streets

- Improve the remaining north portion of Cedar Links Drive.
- Construct the Shared Driveway (private).

###### b. Lighting and Signing

- The Developer shall provide and install in compliance with Section 10.495 of the MLDC.

###### c. Other

- Provide soils report.
- No direct access to Parcels 2 or 3 from Cedar Links Drive.

#### B. Sanitary Sewer

- Provide a private lateral to each lot.

#### C. Storm Drainage

- Provide an investigative drainage report.
- Provide a comprehensive grading plan.
- Provide Erosion Control plans as required.
- Provide water quality and detention facilities, as required.
- Provide storm drain laterals to each tax lot.

#### 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.

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**

**RECEIVED**  
MAY 12 2016  
PLANNING DEPT.

**TO:** Planning Department, City of Medford  
**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer  
**SUBJECT:** LDP-16-015  
**PARCEL ID:** 371W16AC TL 800  
**PROJECT:** Consideration of a request to create three lots on a 1.04 acre parcel located on the west side of the intersection of Cedar Links Drive and N. Foothill Road, within the SFR-4 (Single-Family Residential – 4 dwelling units per gross acre) zoning district; C.A. Galpin, Applicant (Jim Zundel, Agent). Tracy Carter, Planner.  
**DATE:** May 11, 2016

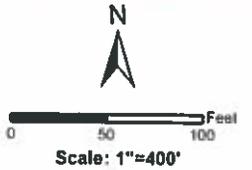
I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

**CONDITIONS**

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The existing water meters located on proposed Parcel 3 are required to be abandoned due to their existing location.
4. Applicants' civil engineer shall coordinate with MWC Engineering department for approved location of Medford Fire Department Conditioned "Residential Fire Sprinkler Water Meters" to each of the proposed three (3) lots. Applicant/Owner shall also coordinate with MWC engineering department for payment of abandonment and new meter installation fees.
5. MWC requires the installation of a State of Oregon approved backflow device to be installed behind each water meter for these parcels. New backflow devices shall be tested by an Oregon certified backflow tester. See MWC website for list of certified testers at the following web link: <http://www.medfordwater.org/Page.asp?NavID=35>.

**COMMENTS**

1. Off-site water line installation is not required.
2. On-site water facility construction is not required.
3. MWC-metered water service does exist to this property. There are two (2) "vacant" meter boxes that served previous homes. (See Condition 3 & 4 above)
4. Access to MWC water lines is available. There is an existing 24-inch water transmission line that is located within a 50-foot easement across this parcel.



**Water Facility Map for LDP-16-015**

**Legend**

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



This map is based on a 2016 GIS data compilation. Medford Water Commission does not assume any liability for errors or omissions in printed drawings. It is the user's responsibility to verify information in printed drawings. This is a planning, conceptual product.



# Medford Fire Department

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

**RECEIVED**  
MAY 12 2016  
PLANNING DEPT.

## LAND DEVELOPMENT REPORT - REVISED

To: Tracy Carter

LD Meeting Date: 05/11/2016

From: Greg Kleinberg

Report Prepared: 05/04/2016

Applicant: C.A. Galpin, Applicant (Jim Zundel, Agent). Tracy Carter, Planner

File #: LDP - 16 - 15

### Site Name/Description:

Consideration of a request to create three lots on a 1.04 acre parcel located on the west side of the intersection of Cedar Links Drive and N. Foothill Road, within the SFR-4 (Single-Family Residential - 4 dwelling units per gross acre) zoning district; C.A. Galpin, Applicant (Jim Zundel, Agent). Tracy Carter, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
----------------------------	-----------

Requirement FIRE HYDRANTS

OFC

508.5

A fire hydrant with reflectors will be required for this project in front of the properties on Cedar Links Drive. If a fire hydrant cannot be put in, the homes shall be protected with fire sprinkler systems in lieu of the fire hydrant.

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.

**Tracy R. Carter**

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**From:** CAINES Jeff <Jeff.CAINES@aviation.state.or.us>  
**Sent:** Tuesday, May 03, 2016 10:32 AM  
**To:** Tracy R. Carter  
**Subject:** LDP-16-015 - ODA Comment

**RECEIVED**  
MAY 03 2016  
**PLANNING DEPT.**

Tracy:

The Oregon Department of Aviation has reviewed the proposed partition located at the intersection of Cedar Links Dr & N Foothill Road Map/Tax lot: 371W16AC 800), located approximately 2.25 miles east of the Rogue Valley Airport.

Dues to the site location and that there are already existing structures between the site and the airport, ODA finds that the proposed partition will not cause a hazard to air navigation. Therefore, no FAA form 7460-1 will be required to be filed with ODA or the FAA.

Thank you for allowing ODA to comment on this application. If you or the applicant have any questions please feel free to contact me.

Jeff

**Jeff Caines, AICP**  
Oregon Department of Aviation  
Aviation Planner / SCIP Coordinator  
3040 25th St. SE | Salem, OR 97302  
Office: 503.378.2529  
Cell / Text: 503.507.6965  
Email: [Jeff.Caines@aviation.state.or.us](mailto:Jeff.Caines@aviation.state.or.us)

\*\*\*\*\*CONFIDENTIALITY NOTICE\*\*\*\*\*

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.



RECEIVED  
MAY 11 2016  
PLANNING DEPT.

# Memo

**To:** Tracy Carter, Planning Department  
**From:** Mary Montague, Building Department  
**CC:** C.A. Galpin; Cedarvale Partition  
**Date:** May 11, 2016  
**Re:** LDP-16-015; Ref. PA-15-124

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## 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](http://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](http://www.ci.medford.or.us) Go to "City Departments" at top of screen; click on "Building"; click on "ELECTRONIC PLAN REVIEW (ePlans)" for information.
3. Site Excavation permit required to develop, install utilities.
4. Demo Permit is required for any buildings being demolished. Appears to be done.
5. If Expansive soils are encountered, then a site specific soils geotech report is required by a Geotech Engineer prior to foundation inspections. The report must contain information on how you will prepare the lot for building and a report confirming the lot was prepared per their recommendations.

**Tracy R. Carter**

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**From:** MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us>  
**Sent:** Friday, May 13, 2016 4:37 PM  
**To:** Tracy R. Carter  
**Subject:** LDP-16-015

**RECEIVED**  
MAY 19 2016  
PLANNING DEPT.

Tracy,

Thank you for sending agency notice of a consideration of a request to create three lots on a 1.04 acre parcel located on the west side of the intersection of Cedar Links Drive and N. Foothill Road, within the SFR-4 (Single-Family Residential – 4 dwelling units per gross acre) 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**

## DENSITY CALCULATION FORM

For all residential LDP, LDS, PUD, and AC Application Files

File No.	LDP-16-015
Planner	Tracy Carter
Date	May 20, 2016

Page 60

GROSS ACREAGE	
Tax Lot Numbers	
371W16AC800	1.04 AC
	AC
	AC
	AC
	AC
	AC
Existing ROW to Centerline	0.20 AC
Gross Acres	1.24 AC
Effective Acres (Gross - Subtracted)	1.24

SUBTRACTED ACREAGE	
Large Lots for Existing Development	- AC
Reserved Acreage	- AC
Other <sup>1</sup>	- AC
	AC
	AC
	AC
	AC
Subtracted Acres	- AC

DENSITY RANGE	
Zoning District	SFR-4
Density Range	
Minimum	2.50
Maximum	4.00
No. DU Proposed	3.00
No. DU Permitted	4.00
Minimum	3.10
Maximum	4.96
Percentage of Maximum	60.48%

### EXISTING R-O-W CALCULATION

	LF	Width	SF	Acreage
Cedar Links Drive	283.20	31.50	8,920.80	0.20
(Street Name)	-	-	-	-
(Street Name)	-	-	-	-
			8,920.80	0.20

<sup>1</sup> Such as future ROW dedication, resource protection areas, common open space, other dedication areas, etc.



Project Name:  
**Cedarvale Partition**

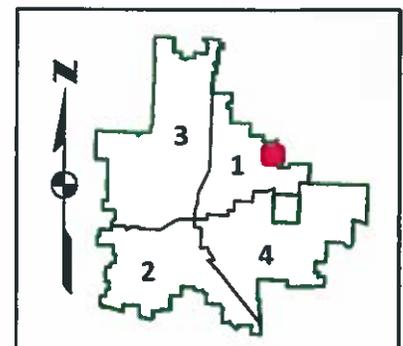
Map/Taxlot:  
**371W16AC TL 800**



**02/25/16**

**Legend**

- Subject Area
- Medford Zoning
- Tax Lots
- Streets
- City Limits
- PUD





# Planning Department

*Working with the community to shape a vibrant and exceptional city*

## STAFF REPORT

for a Type-C quasi-judicial decision: PUD Revision

PROJECT Stewart Meadows Village PUD Revision  
 Applicant: KOGAP Enterprises Inc.; Agent: Maize & Associates Inc.

FILE NO. PUD-16-037

TO Planning Commission *for June 9, 2016 hearing*

FROM Desmond McGeough, Planner III

REVIEWER Kelly Akin, Principal Planner *KA*

DATE June 2, 2016

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### BACKGROUND

#### Proposal

Consideration of a revision to the approved Preliminary PUD Plan for Stewart Meadows Village, including the incorporation of additional property into the PUD boundary which will result in an overall PUD area of approximately 77 net acres (87.1 gross acres). The subject site is generally bounded by Stewart Avenue, South Pacific Highway, Garfield Avenue and Myers Lane and zoned SFR-6 (Single Family Residential, 6 dwelling units per gross acre), SFR-10 (Single Family Residential, 10 dwelling units per gross acre), C-C (Community Commercial), I-L (Light Industrial) and I-G (General Industrial) with the P-D (Planned Unit Development) overlay.

#### Subject Site Characteristics

Zoning SFR-6, SFR-10, C-C, I-L & I-G with P-D zoning overlay  
 GLUP UR (Urban Residential), CM (Commercial), G-I (General Industrial)  
 Use Vacant

#### Surrounding Site Characteristics

North	I-G	Southern Oregon Select
South	C-C, I-L	Vacant, warehouse
	EFU	Exclusive Farm Use (Jackson County) Agricultural uses
	SFR-00	Single Family Residential, 1 dwelling unit per existing parcel Residential

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East	I-G, C-R	Hayes Oil, National Guard Armory, City Park, Walmart, Rogue Credit Union
West	C-C, SFR-6	Office uses, Stewart Meadows Golf Course

**Related Projects**

PUD-06-141                      Stewart Meadows Village Preliminary PUD, Zone Change to C-C,  
ZC-06-347                      I-L and SFR-10 and a 21-Lot tentative subdivision plat.  
LDS-06-348

PUD-06-141                      First revision to Stewart Meadows Village Preliminary PUD,  
ZC-09-005                      including boundary expansion, and Zone Change increasing C-C  
LDS-08-161                      zoned property, SFR-10 property, and reducing I-L zoned  
   property, and revised tentative plat identifying a total of 18 lots  
   rather 21 lots provided in the 2006 tentative plat submittal.

PUD-06-141                      Stewart Meadows Village PUD, second revision for purposes of  
   amending design of commercial streets within the project.

AC-12-012                      Phase 1 of Stewart Meadows Village PUD, Hansen Creek  
   realignment and landscaping.

AC-14-009                      Architectural and landscape design standards for Stewart  
   Meadows Village.

**Applicable Criteria**

**Planned Unit Development, §10.235(D)**

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

1. The proposed PUD:
  - a. preserves an important natural feature of the land, or
  - b. includes a mixture of residential and commercial land uses, or
  - c. includes a mixture of housing types in residential areas, or
  - d. includes open space, common areas, or other elements intended for common use or ownership, or
  - e. is otherwise required by the *Medford Land Development Code*.
  
2. The proposed PUD complies with the applicable requirements of this Code, or
  - a. the proposed modified applications of the Code are necessary for the project to be consistent with the criteria in Section 10.235(C)(1)(a-e), and

- b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
    - c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.
3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria there under:
  - a. Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
  - b. Public Facilities Strategy pursuant to ORS 197.768 as amended.
  - c. Limited Service Area adopted as part of the Medford *Comprehensive Plan*.
4. The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.
5. If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.230(D) (8)(c), the applicant shall alternatively demonstrate that either:
  - 1) demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or
  - 2) the property can be supplied by the time of development with the following Category "A" public facilities which can be supplied in sufficient condition and capacity to support development of the proposed use:
    - a. Public sanitary sewerage collection and treatment facilities.
    - b. Public domestic water distribution and treatment facilities.
    - c. Storm drainage facilities.
    - d. Public streets.

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

6. If the Preliminary PUD Plan includes uses proposed under Subsection 10.230(D)(8)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.248.
7. If approval of the PUD application includes the division of land or the approval of other concurrent development permits applications as authorized in Subsection 10.230(C), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional development applications.

#### **Revision or Termination of a PUD, §10.245(A)(3)**

3. Burden of Proof; Criteria for Revisions: The burden of proof and supporting findings of fact and conclusions of law for the criteria in Subsections 10.235(D) or 10.240(G), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Subsection 10.235(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

#### **Conditional Use Permit Approval Criteria, §10.248**

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

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

#### **Corporate Names**

KOGAP Enterprises, Inc. is the owner of this property. The Oregon Secretary of State Business Registry lists Marvin Hackwell as the Registered Agent and President, and Ann Istel as Secretary.

## ISSUES AND ANALYSIS

### Project History

The Stewart Meadows Village PUD was initially approved in November 2007. The approved Preliminary PUD plan consisted of approximately 650,000 square feet of retail and office space, and 297 single family residences and apartment units on 72 acres. The approval of an associated zone change resulted in a combination of zoning designations: C-C (Community Commercial), I-L (Light Industrial), and SFR-10 (Single Family Residential – 10 units per acre) (ZC-06-347). A 21-lot subdivision was also tentatively approved at that time.

The Planning Commission approved revisions to the PUD in 2009 that included the realignment of Myers Lane to correctly align with Myers Lane south of Garfield Street, realignment of Hansen Creek through the project; increasing the overall net acreage of the PUD to 77.39 acres; adjustments to the cumulative acreages of the underlying zoning based on master plan design revisions; an improved internal circulation system; revised phasing plan; and the reduction in the overall number of residential units from 297 to 190, the reduction of the gross retail square footage by 30,595 square feet, and reduction of the office square footage by 31,629 square feet. The revision also included a zone change that increased the area zoned SFR-10 by 2.05 acres and C-C by 2.94 acres. The overall I-L zoned area was reduced by 4.99 acres. A revised tentative subdivision plat reduced the number of lots from 21 to 18 and reconfigured the internal public street system.

A Final PUD Plan for Phase 1 was approved by the Planning Director in May 2012. This first phase plan approval was for the realignment and restoration of Hansen Creek through the project. The Site Plan and Architectural Commission approved the landscaping as required.

In August of 2013, the Planning Commission approved a second revision to the Planned Unit Development, which amended the design of the commercial streets the internal to the site. The approved revision did not affect the required right-of-way widths; rather, it altered the approved the street cross-section design. The purpose of the design is to provide improved facilities for bicyclists, pedestrians and motorists while treating a portion of the storm drainage runoff within the right-of-way.

The Stewart Meadows Village Planned Unit Development, approved in November 2007, contained a condition of approval that delegated authority to the Site Plan and Architectural Commission (SPAC) for the approval of site plan details for the development, including landscaping of the common areas and building design.

In April of 2014, the applicant received approval from the Site Plan and Architectural Commission of the Stewart Meadows Village Design Guidelines (AC-14-009) to ensure design elements of the development have a consistent design statement and enhanced sense of place. The design principles listed were employed in the formation of the project guidelines: provide a pedestrian friendly and mixed use environment utilizing Hansen Creek as its centerpiece; provide a sense of community by creating a consistent design statement and cohesive sense of place; incorporate the built history of the site; integrate the form and function of the natural environment, maintain the health of Hansen Creek, and incorporate environmentally sustainable materials and strategies where feasible.

### Project Update

The restoration and realignment of the creek amenity has been completed by the applicant. The applicant is currently in the process of realigning Myers Lane from Stewart Avenue on the north to Garfield Street on the south. At the present time, no buildings have been constructed on site.

The applicant is currently requesting a third PUD revision. A neighborhood meeting to discuss proposed amendments with the community was held by the applicant on March 16, 2016. Initially, it may be difficult to identify the various changes proposed. The general configuration of the uses, open space, and circulation patterns remain generally consistent with the 2009 approved development plan.

### Proposed PUD Revision – June 2016

Subsection B of the Applicant's findings, "Scope, Purpose and Overview of the Application" (Exhibit B, pg. 2-5), clearly outlines the change requested for the PUD development at this time. The nine points identified as proposed changes are summarized below.

#### *Changes to Proposed Uses*

The most significant and substantive revision proposed is that of the land use for the north portion of the PUD along Stewart Avenue. Previous versions of the PUD included a mixture of "Office Use", contained within separate buildings, each building being two stories in height. The proposed plan for this PUD revision, immediately south of Stewart Avenue, now consists of three buildings. Buildings 10 and 11 are still intended to be used for general office purposes. The preliminary development plan suggests a possibility that Buildings 10 and 11 might be constructed as three-story offices; however, the Applicant's Table 1 still suggests that they will retain a two story height. Building 12 is the most significant change to the development overall. The applicant is proposing a three-story, 66,837 square foot medical office building located at the northeast corner of the site rather than a two story general office building.

**Table 1  
Proposed Use and Building Size Changes**

Building Number	2009 Approval			Proposed Revision		
	Use	Building Sq. Ft.	Building Stories	Use	Building Sq. Ft.	Building Stories
10	Office	15,540	2	Office	22,400	2
11	Office	15,540	2	Office	38,400	2
12	Office	39,630	2	Medical Office	66,837	3
13	Office	30,400	2	Eliminated		
31	Retail	7,245	2	Office	7,245	2
32	Retail	21,150	2	Office	21,150	2
35	Retail	13,300	2	Office	13,300	2
36	Retail	18,540	2	Office	13,675	2
47	Retail	5,700	2	Office	9,300	2
48	Retail	23,330	1	Furniture	23,330	1
49	Retail	3,600	2	Eliminated		
50	Retail	4,800	2	Eliminated		
<b>Total</b>		<b>198,775</b>			<b>215,637</b>	

These proposed revisions to the PUD do not result in a change in traffic generation. With the addition of the medical office building and several other amenities, the applicant has submitted a zone change application to revise conditions of the 2009 zone change approval regarding traffic mitigation requirements. In order to balance traffic generation to not exceed the 2009 traffic generation rate, other adjustments in building square footages have been made to the plan and are provided in Table 1.

*Allow medical office use within in one building of the development*

The prime purpose of this revision is to add the medical office building and use. The medical office use building was not contemplated in the approved 2009 PUD, nor is it a use that is ordinarily permitted within an I-L zone district. Approval of this application will allow for the medical office use to be included as part of the uses that are not typically permitted within a zoning district that may occupy up to 20% of the gross area of the PUD per Section 10.230(D)(7). As the subject use is within 200 feet of the PUD boundary, the use is subject to the Conditional Use Permit Criteria, Section 10.249. The applicant has prepared findings addressing the conditional use permit criteria, which will be discussed further below.

*PUD Boundary Expansion*

The original PUD plan for Stewart Meadow Village showed two exception parcels, located near the northeast corner of the site, adjacent to the railroad tracks. The two parcels totaling 1.6 acres were previously owned by the Grange Co-operative and Supply

Association. The applicant has acquired the two parcels, which will be incorporated into the development plan as a common open space area for the project.

*Elimination of Ingmar Drive*

As previously proposed, Ingmar Drive was intended to be a short span of public right-of-way that ran between Myers Lane and Bower Drive. The applicant seeks to eliminate the public street and replace the alignment with a shared driveway access routed through the office complex parking field. There is a thoroughly integrated pedestrian path network that allows pedestrians easily traverse through the parking area to each building within the complex or to Myers Lane, Stewart Avenue or Bower Drive.

*Request modification to the standard design cross section of the Stewart Avenue sidewalk and landscape strip*

The existing sidewalk along Stewart Avenue is presently seven feet wide and located adjacent to the curb. The standard cross section for a Major Arterial Road includes a five-foot wide sidewalk separated from the curb by a 10-foot wide landscape planter strip. The applicant proposes along this segment of Stewart Avenue a 15-foot wide sidewalk separated from the curb with a 15-foot wide landscape strip, from Myers Lane to the railroad right-of-way.

*Request revisions of the Stewart Meadows Village site design standards.*

The applicant received approval of the Stewart Meadows Village Design Guidelines from the SPAC in 2014. As those design guidelines were deferred to SPAC for consideration as a condition of approval (and subsequently considered and approved by SPAC), the applicant requests the Planning Commission delegate authority to SPAC to consider the revised guidelines. The submittal of the proposed medical office building (AC-16-044) has been submitted for review of SPAC. The applicant has submitted updated guidelines with that application for their review and approval. The subject application is currently scheduled for a public hearing before SPAC on July 1, 2016.

*Request inclusion of pedestrian promenade along South Pacific Highway/railroad right-of-way*

The revised Preliminary PUD Plan and Landscape Plan identify a proposed pedestrian promenade that will extend along the eastern boundary of the PUD from the medical office building to Garfield Street. The proposed promenade will also link to the pedestrian pathways extending along the east and west sides of Hansen Creek.

*Request revision to the development phasing plan (Applicant's Exhibit 4)*

The revised Phasing Plan identifies two phases. Phase 2 is located east of Hansen Creek and includes office, retail and mixed use buildings. Sub-phases are not identified for Phase 2. Phase 1 includes Hansen Creek and all development located west of Hansen Creek. Phase 1 is phased into eleven separate subareas. The first phase was the restoration of Hansen Creek. Subsequent phases generally trend north to south between Hansen Creek and the east side of the existing Myers Lane alignment. The final phase is located on the west side of the current Myers Lane alignment.

Additional Considerations

*Additional PUD Modifications*

1. The first modification has been identified above in the nine significant changes of the PUD Revision. The applicant is requesting "Medical Office" use to be permitted within the I-L zoned portion of the PUD as a part of the 20% of gross area of the PUD that may be occupied by uses other than those permitted in the underlying zoning district.
2. The second modification request is to eliminate the standard for required street frontage for the newly added 1.6 acres on the east side of the project. The two parcels proposed be incorporated into the PUD will be developed as common open space area. Due to the location of Bower Drive and Hansen Creek, it would be generally inefficient and difficult to extend a public street to the open space area as it since it will primarily serve the adjoining office buildings. Additionally, general access to the open space can be provided through the parking lot areas and through the on-street parking along Bower Drive, via a short walk on the creek side pathways.

*Future PUD Revisions*

The applicant seeks the changes in the other building sizes within the development as to not impact the number of permitted trips generated by the project and to facilitate the square footage and trips associated with the medical office building. The applicant has recently submitted a zone change to address the traffic mitigation requirements associated with the 2006 zone change. Due to time constraints associated with a completed building deliverable, and due the many other minor changes sought, the applicant has proceeded with the proposed changes of identified in this PUD Revision. However, the applicant also notes that based on results of traffic analysis, and with the anticipation of a subsequent approval of the zone change application modifying traffic mitigation, it is their intent to provide a subsequent PUD Revision shortly that will

increase commercial intensity, residential density and introduce new uses to the development.

## **FINDINGS AND CONCLUSIONS**

The applicant has provided findings of Fact and Conclusions of Law pertaining to the PUD Revision that support KOGAP Enterprises, Inc. is the owner of 77 acres of the vacant real property representing 100% of the Stewart Meadows PUD. Findings addressing relevant decisional criteria of Section 10.235(D) and 10.248 of the Medford Land Development Code have also been addressed.

### Planned Unit Development Criteria, §10.235(D)

#### *Criterion 1*

Based on the Preliminary Development Plan, Applicant's exhibits and findings, the Commission can find that Criterion 1 is met. Findings demonstrate that the PUD meets four of the five items listed in the criteria; the fifth item is not applicable to the subject PUD Revision. The Stewart Meadows PUD has preserved, and resurrected, an important natural feature of the land. It also includes a mixture of both commercial and residential development, contains a mixture of housing types and includes open space and common areas intended for common use.

#### *Criterion 2*

The Commission can find that Criterion 2 is met. The Applicant's findings demonstrate that the requested modifications contained in this application are related specifically to the rationale for the PUD, and enhance the development. Proposed modifications do not impair the function safety or efficiency of the circulation system or development as a whole.

One of the primary planning purposes of the subject PUD is to create a mixed-use character of residential, office, retail and community uses. The proposed medical office building strengthens the diversity of uses provided by development. Overall trip generation is not effected by the subject application with the proposed square footage reductions of other buildings within the development.

Regarding the required street frontage modification, as noted above, the open space area can be reached by pedestrians from many directions by a short walk from the public street, parking lot or the promenade along the east side. The lack of street frontage upon the added 1.6 acre open space area would have no material impact on the subject development.

*Criterion 3*

The Commission can find that Criterion 3 is met. The Applicant's findings identify that the development is not subject to a moratorium, subject to a Public Facilities Strategy pursuant to ORS 197.768, or located within a Limited Service area as provided by the Medford Comprehensive Plan. Staff concurs with this position.

*Criterion 4*

The Commission can find that Criterion 4 is met. The Applicant's findings note that the location size and shape and character of the currently approved common elements have not changed from the approved 2009 PUD plan, although additional open space has been added to the development at the terminus of the Hansen Creek greenway element. Open space areas are connected throughout the entire development and easily traversed from the pedestrian promenade and Hansen Creek pathways. In total the larger open space amenities comprise approximately 8.5 acres of the project, or approximately 9.7 percent of the gross area.

*Criterion 5*

The Commission can find that Criterion 5 is met. The Applicant's findings analyze and compare the added Medical Office use with a use that is permitted within the Light Industrial zone district. Findings demonstrate that that four 6,000 square foot high-turnover restaurants would have a greater or equal impact to the Category A public facilities than the 66,837 medical office building. Category A public facilities include the transportation system facilities, water distribution and treatment facilities, sanitary sewer collection and treatment facilities and storm drainage facilities.

Findings conclude that the proposed medical office use would generate 29 fewer P.M. peak hour trips and 711 fewer average daily trips. Impact on the public water distribution and treatment facilities would be nine times less than an area of high turnover restaurants. The impact on sanitary sewer collection would be no greater than the high turnover restaurants and impacts on storm drainage would be equivalent.

*Criterion 6*

The Commission can find that Criterion 6 is met. The Applicant's findings address the Conditional Use Permit Criteria of the Medford Land Development Code for the implementation of a Medical Office Use within the light industrial zone district and within 200 feet of the PUD project boundary.

The Applicant's findings address Criterion 1 of the Section 10.248 which provides the following:

- (1) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is classified as conditional.*

Based upon Applicant's findings addressing the impacts of the medical office use with regard to traffic impacts, right-of-way dedication & improvement, access, noise, lighting & glare, aesthetics, signage and air pollution, staff finds there is no evidence suggesting the medical office building will cause significant adverse impact on the liability, value or appropriate development of abutting property when compact to impacts of permitted development in the light industrial zoning district.

#### *Criterion 7*

The Commission can find that Criterion 7 is not applicable to the subject PUD Revision. At the present time, a tentative plat for land division of the property has not been submitted with the PUD Revision; therefore, Criterion 7 is not applicable. The applicant does intends to submit a tentative plat for the division of property following an anticipated approval of the forthcoming, fourth PUD Revision.

#### Conclusions

The application for the revision to the Preliminary PUD Plan of Stewart Meadows Village meets each of the relevant approval criteria provided in Section 10.235 (D) of the Medford Land Development Code. Staff has reviewed the applicant's findings and conclusions (Exhibit B) and recommends the Commission adopt the applicant's findings, and all exhibits contained therein, as presented.

#### **RECOMMENDED ACTION**

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval per the staff report dated June 2, 2016, including Exhibits A through F. Additionally, delegate authority to the Site Plan and Architectural Commission to consider and approve in the Planning Commission's name the Revised Design Guidelines document for Stewart Meadows Village Planned Unit Development and all subsequent architectural and site plans submitted for the development.

#### **EXHIBITS**

- A Conditions of Approval  
B Applicant's Findings of Fact and Conclusions of Law, received March 18, 2016 including:
- Revised Preliminary PUD Plan for Stewart Meadows Village PUD
  - Revised Preliminary Plan Detail of the Medical Office/General Office Site

- Preliminary Plan showing building use and area revisions
  - Revised Phasing Plan
  - Table of revised uses and building size
  - Landscape Plan
  - Landscape Plan Detail of medical office building site.
  - Landscape Plan identifying Conceptual Storm Water Plan
  - Jackson County Assessor Map with proposed PUD boundary
  - Aerial Photo identifying PUD boundary and adjacent uses
  - Existing approved Preliminary PUD Plan for Stewart Meadows Village (2009)
  - Existing Zoning Map of Stewart Meadows Village PUD
  - Existing Phasing Plan for Stewart Meadows Village
  - Letter from RVTB dated February 16, 2016
  - Neighborhood Meeting materials
- C Public Works Staff Report, received May 11, 2016
- D Medford Water Commission Memo, received May 11, 2016
- E Fire Department Report, prepared May 5, 2016
- F E-mail correspondence from the Oregon Department of Aviation, received May 3, 2016
- Vicinity map

**PLANNING COMMISSION AGENDA:**

**JUNE 9, 2016**

**EXHIBIT A**  
**Conditions of Approval**

PUD-16-037  
Stewart Meadows Village PUD Revision  
June 2, 2016

*All conditions from the March 26, 2009 approval shall remain in effect except as amended within the exhibits listed below:*

**CODE REQUIREMENTS**

1. Prior to final plat approval or issuance of building permits, whichever comes first, the applicant shall:
  - a. Comply with the report from the Public Works Department, dated May 11, 2016 (Exhibit C);
  - b. Comply with the report from the Medford Water Commission, dated May 11, 2016 (Exhibit D);
  - c. Comply with the memorandum from the Medford Fire Department, prepared May 5, 2016 (Exhibit E);
  - d. The applicant shall receive approval of the Revised Design Guidelines document for Stewart Meadows Village Planned Unit Development by the Site Plan and Architectural Commission.

CITY OF MEDFORD  
EXHIBIT #     A      
File # PUD-16-037  
1 of 1

RECEIVED

MAR 18 2016

PLANNING DEPT.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW  
including a  
WRITTEN NARRATIVE**

**BEFORE THE CITY OF MEDFORD  
PLANNING COMMISSION**

**IN THE MATTER OF AN APPLICATION FOR A  
REVISION TO THE PRELIMINARY PUD PLAN  
FOR STEWART MEADOWS VILLAGE PUD.**

**APPLICANT'S  
EXHIBIT  
"1"**

**APPLICATION:** A revision to the approved Preliminary PUD Plan for Stewart Meadows Village Planned Unit Development, including the addition of property, located on a resulting approximate 77-acre site bounded generally by Stewart Avenue, South Pacific Highway, Garfield Avenue, and Myers Lane, within an SFR-6/PD, SFR-10/PD, C-C/PD, I-L/PD (Planned Unit Development Overlay) zoning district and a I-G (General Industrial) zoning district.

**APPLICANT** KOGAP Enterprises, Inc.  
P.O. Box 1608  
Medford, OR 97501

**OWNER:** KOGAP Enterprises, Inc., and  
KOGAP Manufacturing Co.  
P.O. Box 1608  
Medford, OR 97501

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

**A. BACKGROUND AND GENERAL INFORMATION**

On November 29, 2007 the Planning Commission approved the original Preliminary Plan for Stewart Meadows Village Planned Unit Development, a mixed-use commercial and residential community on the old KOGAP mill site (File: PUD-06-141), and on March 26, 2009 the Planning Commission approving an application for a minor revision to that approved Preliminary PUD Plan that included the addition of two new tax lots into the development and reconfigured the internal public street system (Exhibit "10").

A Final PUD Plan for the development and landscaping of the realigned Hansen Creek restoration work, running through the PUD was approved by the Planning Director in May 2012, which is now identified as Phase 1A. The Hansen Creek restoration work was completed in 2015 and will not be affected by the proposed revision.

In 2013 the Planning Commission approved a revision to allow for modifications to the public rights-of-ways within the project, including the widening of the vehicle travel lanes; increasing the width of the public sidewalks; and alternating the on-street parking with the landscaped planter strips. The street-side planter strips will be utilized to treat and detain the storm water from the adjacent rights-of-way.

In June 2014 the Planning Director approved the Final PUD Plan for Phase 1 that included essentially all of the proposed development west of Hansen Creek, and also included the architectural and landscape guidelines for the project. Work commenced in 2015 for the installation of the Phase 1 public infrastructure, including the realignment and improvement of Myers Lane.

No buildings have yet been constructed in the Stewart Meadows Village PUD.

## **B. SCOPE, PURPOSE, AND OVERVIEW OF THE APPLICATION**

The purpose of this application is to make revisions to the Preliminary PUD Plan, approved in 2009 and revised in 2013. The applicant has filed a separate application for approval of the Final PUD Plan for the medical office building site - Phase 1B.

The scope of this application is delimited to the specific revisions and how those revisions relate to the remainder of the approved PUD.

The proposed revision consists of the following elements.

### **1. Change the size, configuration, and uses in several buildings.**

The table below shows the changes to buildings and uses for the 2009 approval and the proposed revision. All other building and uses will remain the same in size and use.

**Table 1  
Proposed Use and Building Size Changes**

Building Number	2009 Approval			Proposed Revision		
	Use	Building Sq. Ft.	Building Stories	Use	Building Sq. Ft.	Building Stories
10	Office	15,540	2	Office	22,400	2
11	Office	15,540	2	Office	38,400	2
12	Office	39,630	2	Medical Office	66,837	3
13	Office	30,400	2	Eliminated		
31	Retail	7,245	2	Office	7,245	2
32	Retail	21,150	2	Office	21,150	2
35	Retail	13,300	2	Office	13,300	2
36	Retail	18,540	2	Office	13,675	2
47	Retail	5,700	2	Office	9,300	2
48	Retail	23,330	1	Furniture	23,330	1
49	Retail	3,600	2	Eliminated		
50	Retail	4,800	2	Eliminated		
<b>Total</b>		<b>198,775</b>			<b>215,637</b>	

The primary building and use change is the addition of the 66,837 square foot medical office building (Building No. 12) to the PUD. In conjunction with the addition of the medical office building, as well as several other amenities, the applicant has submitted a separate zone change application to revise conditions of the 2009 approval regarding traffic mitigation. In order to balance the traffic generation so as not to exceed the 2009 traffic generation rate, the other adjustments shown in Table 1 were made. A major revision to increase the commercial intensity and the residential density, as well as the addition of uses has been incorporated into another PUD application that will follow on the heels of the subject application.

2. Include medical office uses within one of the buildings.

As mentioned above, the prime purpose of the revision application is to add the medical office building and medical use to the PUD. Its location adjacent to the Stewart Avenue/Highway 99 intersection will be an important initial use for the development that will provide a base for the future supporting businesses and residences. Because the medical office building is located in a I-L zone where it is not ordinarily a permitted use, the applicant has addressed required provisions within this document that allows for its use.

An application for the Site Plan and Architectural Commission (SPAC) review of the proposed medical office building site (Phase 1B) has been submitted to the City, and although Section 10.230(F) provides that PUDs are exempt from SPAC review, the applicant requests that the Planning Commission under Section 10.230(G) delegate its authority to the SPAC to approve the medical office building site elements in its name.

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3. Include two adjoining parcels into the Stewart Meadows Village PUD.

As shown on the Assessor's Map and Revised Preliminary PUD Plan, two adjacent parcels totaling approximately 1.6 acres that were previously owned by the Grange Co-Operative Supply Association will be incorporated into the development as a common open space area.

4. Allow the height of the buildings within the PUD to be regulated by the standards of the Land Development Code.

The 2009 approval included stipulations made by the applicant regarding the maximum height of each building type. The applicant in the proposed revision has included the number of building stories, but requests that the maximum height of those buildings be regulated by the building height standards of the Land Development Code for the underlying zone. The maximum building height for the Single-Family Residential zones are 35 feet, and 85 feet in the Community Commercial and Light Industrial zones, except within the commercial and industrial zone there is a maximum height of 35 feet if the structure is within 150 feet of a residential zone.

5. Eliminate Ingmar Drive.

The short public street will be eliminated and replaced with vehicular access driveways.

6. Modify the design of the Stewart Avenue sidewalk and landscape strip.

The existing Stewart Avenue sidewalk, which is presently adjacent to the curb will be replaced with a design that includes a 15-foot wide sidewalk separated from the curb by an approximate 15-foot landscaped planter strip.

7. Modification of the Stewart Meadows Village site design standards.

The applicant proposes to modify the Stewart Meadows Village design guidelines that were approved by the Site Plan and Architectural Commission (SPAC) in 2014. As those design guidelines were originally approved by the SPAC, the applicant requests that the Planning Commission, as provided for in Section 10.230(F), delegate the authority to approve those design guideline modifications to the SPAC. An application for approval of the medical office building and site has been submitted for their review and approval that includes the design guideline modifications.

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8. Include a pedestrian promenade along South Pacific Highway.

The Revised Preliminary PUD Plan and Landscape Plan illustrate the addition of the pedestrian promenade design running from the Stewart Avenue sidewalk, south between the medical office building and the railroad right-of-way to the new open space area, and will eventually extend to the southern portion of the development.

9. Change the phasing plan.

The applicant proposes a phasing plan to divide the existing Phase 1 into several sub phases as shown on the Revised Phasing Plan (Exhibit "4") of this document.

**C. PROCEDURE AND SUBMITTAL REQUIREMENTS - FINDINGS OF FACT AND CONCLUSIONS OF LAW**

**PRELIMINARY PUD PLAN APPLICATION PROCEDURES - SECTION 10.235**

A. *Neighborhood Meeting Requirement. To ensure neighborhood knowledge of proposed development and to provide an opportunity for direct communication, the applicant shall present the development proposal at a neighborhood meeting prior to submitting the land use application to the City Planning Department. The applicant shall arrange and conduct the neighborhood meeting. City staff need not attend. Attendees shall be asked to sign a signature sheet and provide their mailing address. Attendance at the neighborhood meeting does not give an attendee legal standing for appeal.*

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

a. *A map depicting the location of the subject property proposed for development; and,*

b. *A visual description of the project including a tentative site plan, tentative subdivision plan and elevation drawings of any structures, if applicable; and,*

c. *A description of the nature of the proposed uses and physical characteristics, including but not limited to, sizes and heights of structures, proposed lot sizes, density; and,*

d. *A description of requested modifications to code standards.*

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

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2. *It shall be the responsibility of the applicant to schedule the neighborhood meeting and provide adequate notification of the meeting. The applicant shall send mailed notice of the neighborhood meeting to the owners of no less than seventy-five (75) of the nearest tax lots regarding the neighborhood meeting. If seventy-five (75) tax lots are not located within two-hundred (200) feet of the exterior boundary of the PUD, the notification area shall be extended by successive fifty (50) foot increments, until a minimum of seventy-five (75) tax lots are included in the notification area. The owners of all tax lots within the extended notification shall receive written notice; therefore, noticing of more than seventy-five (75) tax lots may be required. In addition to the affected property owners, the applicant shall also provide notice to the City Planning Department. The applicant shall use the Jackson County Tax Assessor's property owner list from the most recent property tax assessment roll. The notice shall be mailed a minimum of fifteen (15) days prior to the neighborhood meeting which shall be held in Medford on a weekday evening. A certificate of mailing attesting to the date of mailing and the name and signature of the agent responsible for mailing said notices shall be prepared and submitted to the Planning Department in accordance with the materials identified in Section 10.235 (B)(7). The notice for PUD neighborhood meeting shall include:*

- a. Date, time and location of the neighborhood meeting; and,*
- b. A brief written description of the proposal; and,*
- c. The location of the subject property, including address (if applicable), nearest cross streets and any other easily understood geographical reference, and a map (such as a tax assessor's map) which depicts the subject property.*

#### Findings of Fact

The required neighborhood meeting was held at the KOGAP Enterprises, Inc. conference room located on the 2<sup>nd</sup> floor at 115 Stewart Avenue on Wednesday, March 16, 2016 at 6:00 p.m. Materials were sent in advance to the requisite group of property owners as specified in Section 10.235(A) of the Land Development Code.

Copies of all material required to be submitted including meeting records have been identified as Exhibit "14".

#### Conclusions of Law

The Planning Commission concludes that the requisite neighborhood meeting was held in conformance with the standards of Section 10.235(A), and the requirements for a neighborhood meeting have been met.

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REVISION OR TERMINATION OF A PUD – SECTION 10.245  
 - RELEVANT PROVISIONS

- A. *Revision of a Preliminary or Final PUD Plan: The expansion or modification of a PUD approved under earlier PUD ordinances of the City or the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:*
1. *Applicant for Revision; Filing Materials; Procedures: An application to revise an approved PUD Plan shall be on forms supplied by the City. The application form shall bear the signature of the owner(s) who control a majority interest in more than fifty percent (50%) of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than fifty percent (50%) of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.235(B) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.*

Findings of Fact

The subject application includes the signatures of an authorized representative of KOGAP Manufacturing Company and KOGAP Enterprises, Inc., as evidenced by the signatures on the Property Owner Consent Forms (Exhibit "15"). As shown in Table 2 below, those two entities own approximately 73 acres of vacant real property, representing 100 percent of the vacant land within the Stewart Meadows Village PUD.

**Table 2**  
**Summary of Vacant Acreage Within Stewart Meadows Village PUD**  
 (revised boundary with newly created lots shown in *italics*)

Vacant Tax Lots	Owner	Vacant Acreage	Value of Vacant Acreage (RMV)
200	KOGAP Manufacturing Co.	2.50	\$657,490
1000	KOGAP Enterprises, Inc.	7.25	390,090
1001	KOGAP Enterprises, Inc.	4.22	227,060
2000	KOGAP Manufacturing Co.	0.98	206,580
2190	KOGAP Enterprises, Inc.	0.17	55,070
2300	KOGAP Enterprises, Inc.	0.63	141,260
2501	KOGAP Enterprises, Inc.	5.44	1,352,860
2500	KOGAP Enterprises, Inc.	13.65	474,950
2800	KOGAP Enterprises, Inc.	3.52	740,590
2802	KOGAP Enterprises, Inc.	8.54	1,573,970
4000	KOGAP Enterprises, Inc.	24.79	4,188,190
2100	KOGAP Enterprises, Inc.	1.21	254,580
2200	KOGAP Enterprises, Inc.	0.39	96,460
<b>Totals</b>		<b>73.29</b>	<b>\$10,359,150</b>

*Jackson County Assessor Map Acreages & 2015/16 RMV Values*

~B" 7 of 65

Those signatures also represent ownership of land within the currently approved PUD boundaries representing, as shown on Table 3, a value of \$11,324,430 of vacant and improved property. That value is 109 percent of the value of the current vacant acreage within the PUD's boundary.

**Table 3**  
**Summary of Land and Improvement Valuation Within All Parcels Within**  
**Stewart Meadows Village PUD**  
*(revised boundary with newly created lots shown in italics)*

Tax Lot	Owner	Value of Vacant and Improved Land (RMV)
200	KOGAP Manufacturing Co.	\$657,490
900	KOGAP Enterprises, Inc.	447,170
1000	KOGAP Manufacturing Co	390,090
1001	KOGAP Enterprises, Inc.	227,060
2000	KOGAP Manufacturing Co	206,580
2190	KOGAP Enterprises, Inc.	55,070
2300	KOGAP Enterprises, Inc.	141,270
2500	KOGAP Enterprises, Inc.	474,950
2501	KOGAP Enterprises, Inc.	1,352,860
2800	KOGAP Enterprises, Inc.	740,950
2802	KOGAP Enterprises, Inc.	1,573,970
3900	KOGAP Enterprises, Inc.	517,740
4000	KOGAP Enterprises, Inc.	4,188,190
<i>2100</i>	<i>KOGAP Enterprises, Inc</i>	<i>254,580</i>
<i>2200</i>	<i>KOGAP Enterprises, Inc.</i>	<i>96,460</i>
<b>Total</b>		<b>\$11,324,430</b>

*Jackson County Assessor 2015/16 RMV Values*

### Conclusion of Law

The Planning Commission concludes that the subject application includes the signatures of owners who control a majority interest in more than fifty percent (50%) of the vacant land covered by the approved PUD. The Planning Commission also concludes that the signatures represent the owners of land and improvements within the PUD which constitute more than fifty percent (50%) of the total assessed value of vacant portion of the PUD and, therefore the application for revisions to the Stewart Meadows Village PUD can be accepted and reviewed by the City.

The applicant understands the proposed revision is not considered as a de minimus revision since it is not small or miniscule, and includes at least one modification of a standard of the Code. Accordingly, the subject application includes all necessary material required of a Preliminary PUD application, including Findings of Fact and Conclusions of Law, which address the decisional criteria in Section 10.235(D), subject to the Planning Director's discretion to limit or waive materials that are unnecessary.

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

#### Findings of Fact

The applicant has not included a request for a consolidated Final PUD Plan approval. An application for the Final PUD Phase 1B will be submitted separately.

#### Conclusion of Law

The Planning Commission concludes that a Final PUD application is not being made with this application and therefore, findings have not been submitted addressing the approval criteria of Section 10.240(G).

3. *Burden of Proof; Criteria for Revisions: The burden of proof and supporting findings of fact and conclusions of law for the criteria in Subsections 10.235(D) or 10.240(G), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Subsection 10.235(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.*

#### Findings of Fact

The Findings of Fact and Conclusions of Law addresses the criteria for a Preliminary PUD Plan in Section "G" below.

The following Findings of Fact and Conclusions of Law address the specific revision to the Stewart Meadows Village PUD, and will be strictly limited to the specific nature and magnitude of the proposed revision. The design and developmental aspects of the whole PUD will be relied upon in reaching findings of fact and conclusions of law for the criterion at Section 10.235(D)(5). The Planning Commission further concludes that it will determine that the proposed revision is compatible with existing portions of the whole PUD in Section "G" of this document.

### **D. WRITTEN NARRATIVE FOR THE PUD**

Section 10.235(B)(3) of the Land Development Code requires that a rationale description of the PUD be submitted, including the following six aspects.

a. The rationale for planning Stewart Meadows Village as a PUD.

The rationale for planning Stewart Meadows Village as a Planned Unit Development has not changed from the original 2007 application and the subsequent 2009 approval by the Planning Commission. The primary purpose has been, and remains to be one that establishes a pedestrian-oriented development with a mix of residential and commercial uses, providing a variety of residential housing types, including commercial offices and retail uses to serve its neighborhoods. The purpose and intent statement found in Section 10.230(A) for Planned Unit Developments underscores the PUD's approach to provide for the flexibility and imaginative urban development that would otherwise not be possible under the strict provisions of the Code. The language continues to emphasize the PUD's ability "to promote more efficient use of urban land and urban services while protecting natural features creating common open space, promoting the development of transit-oriented design along designated transit corridors and within designated transit-oriented development (TOD) areas, and encouraging a mixture of land uses and housing types that are thoughtfully planned and integrated."

The proposed revision will add benefit to the already-approved plan by adding a large medical office building that is strategically located to promote its use near an adjacent future transit stop on Stewart Avenue. The Rogue Valley Transit District has recommended that a bus stop be provided along the Stewart Avenue frontage that will further the availability of the PUD development to transit participants (Exhibit "13"). An additional bus stop facility has been planned along Garfield Avenue.

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

An important tract of land within Stewart Meadows Village PUD that will be left in a "natural state" consists of the area that includes and is adjacent to Hansen Creek. This area, which has been restored by the applicant, will be retained as common area and will be perpetually maintained in a natural or near-natural state by an association of property owners.

An approximate one-acre open space is being included with the new property being added to the PUD that will be developed as a small landscaped park area. In addition, the medical office building promenade provides a wide public pedestrian walk connecting the Stewart Avenue sidewalk with the park area and the southern reaches of the development.

Other extensive open areas throughout the PUD will be maintained either by an association of property owners, or by individual property owners.

The proposed revision will not change the nature, planned use, ownership, or maintenance of any of the open or common spaces.

- c. Listing of all modified applications of the Code that are proposed, with a brief explanation which covers the nature of, extent of, and reason for each modification.

The specific standards of the Code that are being proposed to be modified are listed below with a brief explanation and reason for each the modifications. A more, complete discussion follows in Section "G".

1. Allow Medical Office uses within the I-L-zoned portion of the PUD, as shown on the Revised Preliminary PUD Plan, as a part of the provision that up to 20 percent of the gross area of the PUD may be occupied by uses not permitted in the underlying zoning district. [10.230(D)(7c)].

The current Preliminary PUD Plan approval includes an approximate 40,000 square foot, 2-story general office building (Building No. 12) at the Stewart Avenue/Highway 99 intersection. The reason for the proposed request is to allow the medical office use that is appropriate and compatible within the multi-use development. Its location at the intersection of two Major Arterial streets will provide a pedestrian access to a proposed transit stop near the intersection. The applicant has addressed the requisite conditional use permit findings in Section "G" of these findings.

2. Allow the property that is newly added to the PUD to not have frontage on a street. [10.230(D)(4)].

The two adjacent parcels that are being incorporated into the PUD are proposed to be developed as a common open space area that may be located on a separate tax lot once a tentative plat has been submitted and approved. Because of the location of Bower Lane, it is impossible, or extremely awkward to provide the required 70 feet of the frontage on a public street. Adequate access by vehicles, pedestrians and bicycles will be sufficiently provided, without having to provide actual right-of-way frontage.

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

The applicant intends to submit a sign program for the PUD as part of a future application. All signs within the PUD which require a permit will abide by standards of the Land Development Code until such a sign plan is approved.

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

The anticipated development schedule for Stewart Meadows Village PUD, is shown below, with the phase boundaries shown on Exhibit "4". The applicant proposes that as a phased PUD, the expiration of the Preliminary PUD Plan be administered as provided for in Section 10.240 of the Land Development Code.

**Table 4**  
**Development Schedule for Stewart Meadows Village PUD**

PUD Phase	Developmental Phase	Type of Development	Approximate Completion Date
1A	1	Hansen Creek Realignment and Restoration	2015
1	2	West Side* Street/Utility Construction	2016
1B	3	Medical Office Building	2017
2	4	East Side* Street/Utility Construction	2018
1C, 1D	4	Office Development	2018
2	5	Common Open Space Area	2018
1E, 1F	6	Residential / Commercial Development	2018
1G, 1H	7	Residential Development	2019
1I	8	Residential / Commercial Development	2019
1J	9	Lifestyle West (retail/residential/office/retail)	2020
2	10	Lifestyle East (retail/office)	2021
2	11	Office Development	2022
2	12	Fountain Court Shops (retail)	2024

\* west and east sides of Hansen Creek

- f. The gross acreage devoted to the various land uses and housing types.

**Table 5**  
**Proposed Land Uses and Housing Types - Approximate Gross Acreages**

Land Use/Housing Type	2009 Approval	Proposed Revision
Senior Multi-Family Apartments	2.6	2.6
Senior Multi-Family - Cluster Cottages	13.1	13.1
Ground Floor Retail with Residential Above	3.9	3.9
Ground Floor Retail with Offices Above	6.6	6.6
Office Buildings	18.5	12.8
Ground Floor Offices with Residential Above	5.8	5.8
In-Line Retail	26.8	26.8

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Community Spaces	3.5	3.5
Medical Office Buildings	0	5.7
Common Open Space Areas	6.3	8.5

**E. RELEVANT APPROVAL CRITERIA FOR PRELIMINARY PUD PLAN REVISION**

**REVISION OR TERMINATION OF A PUD - SECTION 10.245**

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

**APPROVAL CRITERIA FOR PRELIMINARY PUD PLAN - SECTION 10.235**

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

*1. The proposed PUD:*

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

*2. The proposed PUD complies with the applicable requirements of this Code, or*

- a. the proposed modified applications of the Code are related specifically to the implementation of the rationale for the PUD as described in Section 10.235(B)(3)(a), and*
- b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and*
- c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.*

*3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:*

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- a. *Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.*
  - b. *Public Facilities Strategy pursuant to ORS 197.768 as amended.*
  - c. *Limited Service Area adopted as part of the Medford Comprehensive Plan.*
4. *The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.*
5. *If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.230(D)(7)(c), the applicant shall alternatively demonstrate that either: 1) demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or 2) the property can be supplied by the time of development with the following Category "A" public facilities which can be supplied in sufficient condition and capacity to support development of the proposed use:*
- a. *Public sanitary sewerage collection and treatment facilities.*
  - b. *Public domestic water distribution and treatment facilities.*
  - c. *Storm drainage facilities.*
  - d. *Public streets.*

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

6. *If the Preliminary PUD Plan includes uses proposed under Subsection 10.230(D)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.248.*
7. *If approval of the PUD application includes the division of land or the approval of other concurrent development permits applications as authorized in Subsection 10.230(C), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional development applications.*

## **F. APPLICANT'S SUBMITTALS**

- Exhibit 1 Findings of Fact and Conclusions of Law, including Written Narrative
- Exhibit 2 Revised Preliminary PUD Plan for Stewart Meadows Village PUD
- Exhibit 2.1 Revised Preliminary Plan Detail of Medical Office/Office Site

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- Exhibit 3 Preliminary Plan showing Building Use and Area Revisions
- Exhibit 4 Revised Phasing Plan
- Exhibit 5 Table of Revised Uses and Building Sizes
- Exhibit 6 Landscape Plan
- Exhibit 6.1 Landscape Plan Detail of Medical Office Building Site
- Exhibit 7 Landscape Plan showing Conceptual Storm Water Plan
- Exhibit 8 Jackson County Assessor Map showing the PUD boundary and parcels being added to the PUD
- Exhibit 9 Aerial Photo showing PUD and Adjacent Uses
- Exhibit 10 Existing (2009) Preliminary PUD Plan for Stewart Meadows Village PUD
- Exhibit 11 Existing (2009) Zoning Map of Stewart Meadows Village PUD
- Exhibit 12 Existing (2009) Phasing Plan for Stewart Meadows Village
- Exhibit 13 Letter from RVTD dated February 16, 2016
- Exhibit 14 Neighborhood Meeting Materials
  - Certificate of Mailing
  - Verification of Neighborhood Meeting Form
  - Set of Neighborhood Notification Materials
  - Signature Sheet from Neighborhood Meeting
- Exhibit 15 Owner Application Consent Forms

**G. FINDINGS OF FACT AND CONCLUSIONS OF LAW ADDRESSING RELEVANT APPROVAL CRITERIA**

This section includes findings, showing how the proposal meets the decisional criteria of Sections 10.235 and 10.245.

The Planning Commission has considered the following facts, which are fundamental in making their decision regarding the subject application.

**RELEVANT DECISIONAL CRITERIA**

**APPROVAL CRITERIA FOR PRELIMINARY PUD PLAN - SECTION 10.235**

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

**Criterion No. 1**

*1. The proposed PUD:*

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

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### Findings of Fact

- a. Years ago, Hansen Creek, a natural, seasonal tributary of Crooked Creek was placed underground for a portion of its traverse through the KOGAP mill facility. As part of the PUD development, plans were prepared by the property owner for the realignment, restoration, and rehabilitation of Hansen Creek from its entry point into the PUD along Garfield Avenue, to its exit point at the Grange Co-op property near the northeast corner of the development.

The Planning Commission and the Site Plan and Architectural Commission approved the extensive rehabilitation, and after a long agency review, the creek restoration, including landscaping and irrigation was completed in 2015.

- b. The revised Preliminary PUD plan includes 242 residential dwelling units, with 62 of those dwelling units being in mixed-use buildings with either offices or retail uses. The PUD also includes approximately 500,000 square feet of commercial uses and 13,500 square feet of community use buildings. The proposed revision will continue to include both the residential and commercial land uses.
- c. Stewart Meadows Village PUD provides a mix of housing types, including senior multi-family apartments and cluster cottages, as shown on Exhibits "2" and "5", in addition to the 62 dwelling units that share buildings with retail and office uses.
- d. Stewart Meadows Village PUD includes Hansen Creek and its riparian corridor common area that will include pedestrian and bicycle pathways for use by the public. A one-acre open space common area is proposed adjacent to the Central Oregon and Pacific Railroad (CORP) right-of-way, just south of the medical office building includes the promenade and other pathways and sidewalks. The Hansen Creek greenway, the promenade area, the Stewart Avenue plaza, and the small park area being included into the PUD, comprise approximately 8.5 acres of open space area.

### Conclusion of Law

The Planning Commission concludes that Stewart Meadows Village PUD, with the proposed revision, continues to include Hansen Creek as an important natural feature of the land; continues to include a mixture of residential and commercial land uses; continues to include a mixture of housing types in the residential areas; and includes open spaces and common areas intended for common use. As only one of the items (a-e) within Criterion No. 1 need to be fulfilled, and since the Stewart Meadows

Village PUD continues to satisfy 4 of the 5 items above, the Planning Commission concludes that Criterion No. 1 has been met.

#### Criterion No. 2

2. *The proposed PUD complies with the applicable requirements of this Code, or*
- a. *the proposed modified applications of the Code are related specifically to the implementation of the rationale for the PUD as described in Section 10.235(B)(3)(a), and*
  - b. *the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and*
  - c. *the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.*

#### Findings of Fact

The proposed revision meets all other standards of the Land Development Code, other than those discussed below.

Medford's PUD ordinance allows for modifications to the strict Code standards to allow flexibility to produce a creative and imaginative urban development that would otherwise not be possible.

The Stewart Meadows Village Preliminary PUD Plan currently remains without a significant change since its approval in 2009, where the only modification to Code standards was for several uses that were not permitted in the PUD's underlying zones. As discussed below, Section 10.230(D)(7c) of the Code allows that within a PUD, up to 20 percent of the PUD's gross area can be used for uses that are not permitted in the underlying zone.

The subject revision application includes two new modifications to Code standards.

The first modification proposed is an expansion of the modification approved by the Planning Commission with the original PUD approval. The proposed revision includes a three-story medical office building adjacent to the Stewart Avenue/Highway 99 intersection in an area of the PUD that is zoned I-L (Light Industrial). Because Section 10.337 of the MLDC shows that Offices of Doctors of Medicine are not a permitted use in the I-L zone, a modification is requested under the previously mentioned Section 10.230(D)(7c). Conditional Use Permit criteria, which

are addressed under Criterion No. 6, are required to be met, as the use is within 200 feet of the PUD's exterior boundary.

Table 6 below shows the gross area calculation of the PUD, with a total of 87.1 acres. A table submitted with the application (Exhibit "5") shows the PUD's various uses, acreages, and building square footages.

According to the Medford Zoning Map, the South Pacific Highway right-of-way separates the Stewart Meadows Village PUD's I-L zoning from the C-R zoning on the opposite (east) side of the highway. Therefore, the applicant has included half of the South Pacific Highway right-of-way into the gross acreage calculation, including the intervening railroad right-of-way.

Exhibit "5" shows that with the medical office building, the area of the PUD containing uses not permitted in the underlying zone is 17.34 acres, resulting in 19.9 percent of the gross area of the PUD.

**Table 6**  
**Gross Acreages of Stewart Meadows Village PUD**

Approved 2009 Boundary (net)	76.874
Parcels Being Added	+1.359
Half of Abutting Street R-O-Ws	+3.831
Abutting RR R-O-W	+2.824
Half of Hwy 99 R-O-W	+2.212
<b>Total Gross Acres</b>	<b>87.100</b>

square footage calculations provided by Richard Bath, Hardey Engineering, March 2015

One of the primary planning purposes of Stewart Meadows Village PUD is to create a mixed-use character of residential, office, retail and community uses. Another important aspect of the PUD is to create a pedestrian-oriented development that promotes easy movement throughout the development. The medical office building at approximately 67,000 square feet will strengthen the PUD's mixed-use nature with a substantial number of employees and clients that may choose to live, work and shop within the same development. The medical office building has been designed to provide a plaza adjacent to the Stewart Avenue frontage of the medical office building that extends west along Stewart Avenue approximately 270 feet to the office building (Building No. 11). A bus stop has been requested by the Rogue Valley Transit District on the Stewart Avenue frontage for future service, which the applicant will provide.

The addition of the medical office building to the Stewart Meadows Village development will provide an attractive and viable business

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addition to the PUD, which will add to the importance of Stewart Meadows Village as a unique development in Medford.

The second modification proposed, is to allow future parcels that do not technically front on a public or private street

The applicant expects to submit a tentative plat application later this year to establish tax lots within the Stewart Meadows PUD, but presently the property consists of the property's historic tax lots.

Section 10.702 of the Land Development Code, Lots and Dimensions, states that *"each lot shall have ... a frontage ... consistent with that prescribed in the Article for the ... industrial district, in which the development ... is situated."* That section continues to allow that within a PUD, the Planning Commission may permit tax lots and common areas that do not meet areas, frontage, or dimensions of the Land Development Code.

In the underlying General Industrial zoning district, a minimum of 70 feet of lot frontage on a street is required.

The newly added property shown on Exhibit "8" was purchased by KOGAP Enterprises, Inc. from the Grange Co-Operative Supply Association in 2011 and is separated from Highway 99 (South Riverside Avenue) by CORP right-of-way. The applicant will include the two parcels into the PUD development to be utilized as a small open space area as shown on the plans. Redesigning the public street system to bring public right-of-way to the two parcels is not necessary as the parcels will only contain an open space facility.

The open space's lack of frontage on a public right-of-way is not a material concern as it can be reached by pedestrians from the promenade and from the Hansen Creek pathways over necessary easements. Adjacent parking spaces will be accessible from driveways on the north and south sides of the park.

The applicant anticipates that based on the previous tentative plat approval, the request would only apply to a single lot incorporating the newly added Grange Co-op property, but wishes to have the Planning Commission allow more than one lot that may not meet Code standards.

The PUD's vehicular and pedestrian system will be unaffected by the proposed modifications.

An examination of the parking throughout the PUD shows two important points. Firstly, the revised medical office/general office building area

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consisting of Buildings No. 10, 11 and 12 meets the parking requirements of Section 10.743, providing 486 spaces with a minimum requirement of 478 spaces. Secondly, the remainder of the PUD, based on the parking ratios used by ORW Architects in their 2009 submittal, results in a parking requirement reduction of 220 parking spaces because of the proposed revisions.

#### Conclusion of Law

The Planning Commission concludes that proposed revision meets all standards of the Land Development Code, other than two modifications that are related specifically to the implementation of the applicant's PUD rationale statement; that the modifications enhance the development as a whole, resulting in a more creative and desirable project, and will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

The Planning Commission further then concludes that the proposed modifications meet Criterion No. 2.

#### Criterion No. 3

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

#### Findings of Fact

A review of the relevant documents shows that Stewart Meadows Village PUD is not subject to a moratorium on construction or land development pursuant to ORS 197.505 through 197.540, as amended; is not subject to a Public Facilities Strategy pursuant to ORS 197.768 as amended; or is not subject to a Limited Service Area as adopted as part of the Medford Comprehensive Plan.

#### Conclusion of Law

The Planning Commission concludes, therefore that Criterion No. 3 has been met.

#### Criterion No. 4

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

#### Findings of Fact

The location, size, shape and character of the currently approved common elements of the 2009 PUD approval will not be changed from their original approval.

As discussed above, the land within Stewart Meadows Village PUD that will be left in a "natural state" consists primarily of the area that includes and is adjacent to Hansen Creek. This area will be retained as common area and will be perpetually maintained in a natural or near-natural state by an association of property owners in accordance with the Stewart Meadows Village Covenants, Conditions, and Restrictions (CCR's).

The proposed PUD revision includes an additional 8,500 square foot open space area located along the CORP right-of-way adjacent to the medical office building and Hansen Creek. The open space area is connected to the pedestrian promenade from the medical office building and from the pedestrian pathways along both sides of Hansen Creek. The open space, the promenade, and the Hansen Creek greenway are intended to provide an area for walking and relaxing for resident, shoppers and the public at large.

The Hansen Creek greenway area, the promenade area, the Stewart Avenue plaza, and the small open park area comprise approximately 8.5 acres.

#### Conclusion of Law

The Planning Commission concludes that as the location, size, shape and character of all of the common elements in the PUD are appropriate for their intended use and function, Criterion No. 4 has been met.

#### Criterion No. 5

5. *If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.230(D)(7)(c), the applicant shall alternatively demonstrate that either: 1) demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or 2) the property can be supplied by the time of development with the following Category "A" public facilities which can be supplied in sufficient condition and capacity to support development of the proposed use:*

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- a. *Public sanitary sewerage collection and treatment facilities.*
- b. *Public domestic water distribution and treatment facilities.*
- c. *Storm drainage facilities.*
- d. *Public streets.*

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

### Findings of Fact

The only use proposed within the revision that is not a permitted use within its underlying zoning district, is the medical office building in the I-L zoned portion of the PUD, located at the PUD's Stewart Avenue and Highway 99 intersection.

Following the requirements of Criterion No. 5, the section below analyzes the demands for the Category "A" public facilities from the proposed medical office use, and another use that, according to Section 10.337, is permitted in the I-L zone - an Eating and Drinking Place without entertainment (SIC 5815). The analysis compares the demands of each of the Category "A" public services of the subject medical office, and specifically, a high-turnover (sit down) restaurant. An examination of the medical office site defined by Stewart Avenue, Highway 99, Hansen Creek, Bower Drive and the "shared entry drive" encloses an area of approximately 5.7 acres. In order to compare the Category "A" demands for the two uses, it is necessary to establish the degree of alternative development on the medical office site. Table 7 below shows seven representative high-turnover (sit down) restaurants in Medford that were studied in the analysis.

The code-required minimum number of parking spaces, together with the building and adjacent required landscaping, defines the restaurant site acreage for those restaurants that often occupy a portion of a larger development with other businesses. The table below establishes a ratio between the size of a restaurant site and the minimum number of parking spaces required for the building. That average ratio is 0.184 acres/space.

**Table 7  
Existing High-Turnover (Sit Down) Restaurants in Medford**

	Restaurant Name/Address	Building Size	Required Parking Spaces	Restaurant Site Acreage	Ratio-Site Acreage/Req. Parking Spaces
1	Olive Garden 3125 Crater Lake Ave.	9,268	83	1.6	.0193
2	Roadhouse 2699 W. Main St.	7,248	65	1.1	.0169
3	Red Robin 499 Medford Center	7,200	65	1.2	.0185
4	Outback Steakhouse 3613 Crater Lake Hwy.	6,259	56	1.1	.0196
5	Applebee's 1388 Biddle Rd.	6,113	55	0.9	.0163
6	Shari's 71 Stewart Ave.	4,298	39	0.8	.0197
7	Red Lobster 2200 Crater Lake Hwy.	8,300	75	1.4	.0187
	<b>Average</b>				<b>.0184</b>

Section 10.822 of the Land Development Code requires that eating places cannot exceed 6,000 square feet within is the underlying I-L zoning district. Therefore, a 6,000 square foot restaurant that by Code will require a minimum of 54 parking spaces, results in a site size of approximately 0.99 acres (54 parking spaces x .0184 acres/space). With a 5.7-acre site, it is reasonable to assume that at least four high-turnover (sit down) restaurants could be located on that same site. The analysis below is based on the comparison of one 66,837 square foot medical office building and four 6,000 square foot high-turnover (sit down) restaurants.

With respect to each of the above Category "A" public facilities, the Planning Commission considers the following facts:

**A. Public Streets**

According to the ITE Trip Generation Manual, 7<sup>th</sup> Edition, the 66,837 square foot medical office building is expected to generate approximately 2,415 Average Daily Trips (ADT).<sup>1</sup> The manual also shows that the medical office building would correspondingly generate approximately 239 pm peak hour trips.<sup>2</sup> The Trip Generation Manual also shows that the four 6,000 square foot high-turnover (sit down) restaurants capable of being situated on the medical office site are

<sup>1</sup> 66.837 x 36.13 ADT/msf

<sup>2</sup> 66.837 x 3.58 pm peak hour trips/msf

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expected to generate approximately 3,126 ADT<sup>3</sup> and 268 pm peak hour trips.<sup>4</sup>

**B. Public Domestic Water Distribution and Treatment Facilities**

An analysis of the water usage of high turnover (sit down) restaurants was performed by the applicant. The study period ran from July 2013 through May 2015, utilizing data supplied by the Medford Water Commission.

**Table 8  
Water Usage - High Turnover (Sit Down) Restaurants  
July 2013 - May 2015**

Name	Building Size (sf)	Water Usage mgal/month
Olive Garden	9,268	465
Roadhouse	7,248	65
Red Robin	7,200	172
Outback Steakhouse	6,259	196
Applebee's	6,113	156
Shari's	4,298	147
Red Lobster	8,300	158
<b>Average</b>	<b>6,434</b>	<b>166 mgal/month</b>

The data above shows that the results of that water usage analysis, it can be seen that the Olive Garden and the Roadhouse restaurants have extremely abnormal rates, and because the two restaurants include extremely high and a low amounts, they have both been eliminated from the calculated average water usage. The table shows that the average high turnover restaurant uses approximately 166 thousand gallons of water per month, or approximately 25.8 thousand gallons per 1,000 square feet per month. Based on a 6,000 square foot maximum restaurant size in the underlying I-L zoning district, the four high turnover restaurants will have a water usage of 619 thousand gallons per month (24msf x 25.8 mgal/mo/msf).

A comparable analysis of the water usage for several existing medical offices in Medford resulting in data that was impossible to interpret. The applicant determined that a comparable medical office use is the 31,820 square foot Providence Medical Group facility in Central Point that will have very similar uses. The City of Central Point Public Works Department provided water usage figures from May 2008 to February 2016. The data shows that the existing medical office building used an average of approximately 33,377 gallons per month (1,510mgal/95 months). Extrapolating that usage to the 66,837

<sup>3</sup> 24 x 130.24 ADT/msf

<sup>4</sup> 24 x 11.15 pm peak hour trips/msf

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proposed medical office building, results in an estimated water usage of approximately 70,100 gallons per month.

The restaurant water use of 619 mgal/mo compared to the proposed medical office building use of 70.1 mgal/mo, results in a restaurant/medical office building ration of about 9:1.

Because the area of landscaping for the four restaurants and the medical office building are comparable, the amount of irrigation water used for the two uses is expected to be about the same.

The Medford Water Commission states that there would be no difference between its distribution and treatment of the domestic water of equal amounts of water generated by the two uses.

C. Public Sanitary Sewerage Collection and Treatment Facilities

As nearly all of the water drawn within the buildings exits through the sanitary sewer system, it follows that the 9:1 restaurant/medical office building water generation rate is the same ratio of water that enters the public sanitary sewer system - a ratio, again, or approximately 9:1.

D. Storm Drainage Facilities

Storm water will be treated and detained onsite. Because the impervious areas of both the restaurants and medical office buildings would be essentially the same and have the same rate of discharge, there is not a difference regarding storm drainage facilities between the restaurant and medical office uses.

Conclusion of Law

The Planning Commission concludes that the proposed medical office building will generate 29 fewer pm peak hour trips and 711 fewer Average Daily Trips than the high turnover (sit down) restaurant's use; the impact on the public water distribution and treatment facilities will be approximately 9 times less than the high turnover restaurant use; the impact on the public sanitary sewerage collection and treatment facilities will be no greater; and the impact on the storm drainage facilities will be the same. The Planning Commission, therefore, concludes that the demands for the Category "A" public facilities for the medical office building are equivalent to or less than for a permitted use in the underlying I-L zone, and therefore, Criterion No. 5 has been met.

Criterion No. 6

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6. *If the Preliminary PUD Plan includes uses proposed under Subsection 10.230(D)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.248.*

### Findings of Fact

As discussed earlier, Section 10.230(D)(7)(c) of the MLDC provides that up to 20 percent of the gross area of a PUD can contain uses not permitted in the underlying zone. The code provision also states that if any portion of the use, including its parking, is located nearer than 200 feet from the exterior boundary of the PUD, then the use shall be considered to be a conditional use and may be approved subject to compliance with the Conditional Use Permit criteria. The medical office building is not a permitted use within the underlying I-L zone, but is allowed under the 20 percent provision of Section 10.230(D)(7)(c), as discussed above.

The medical office building is located closer than 200 feet from the northern boundary of the PUD, and as required, the applicant has included findings below providing evidence that the medical office building meets the Conditional Use Permit criteria found in Section 10.248.

### CONDITIONAL USE PERMIT CRITERIA – SECTION 10.248

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

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

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

- (1) *Limit the manner in which the use is conducted, including restricting the time an activity may take place, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.*
- (2) *Establish a special yard or other open space or lot area or dimension requirement.*
- (3) *Limit the height, size, or location of a building or other structure.*

- (4) *Designate the size, number, location, or nature of vehicle access points.*
- (5) *Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.*
- (6) *Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.*
- (7) *Limit or otherwise designate the number, size, location, height, or lighting of signs.*
- (8) *Limit the location and intensity of outdoor lighting, or require its shielding.*
- (9) *Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.*
- (10) *Designate the size, height, location, or materials for a fence.*
- (11) *Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.*

#### ADJACENT USES

The Aerial Photo (Exhibit "9") shows the following adjacent uses.

North – To the north of the medical office building site is the approximate 90-foot wide Stewart Avenue right-of-way and beyond that to the north is the S.O.S. commercial fruit packing facility, fruit stand, and offices; the office of a veterinarian; and the CORP railroad right-of-way, all within a General Industrial (I-G) zoning district. To the northeast is the Stewart Avenue/Highway 99 right-of-way intersection and beyond that is a commercial shopping center with Regional Commercial (C-R) zoning. The existing businesses include Arby's Restaurant, Grocery Outlet, Goodwill Industries, Staples, Big 5, and other small retail businesses.

East – To the east is the CORP railroad right-of-way and the abutting Highway 99 right-of-way, having a combined width varying from approximately 170 feet to over 200 feet. Farther to the east is Veteran's Park, and beyond that the Comfort Inn and Holiday Inn Express hotels, and the Oregon National Guard Armory. Medical offices are a permitted use in the C-R zoning district.

South – To the south is the Stewart Meadows Village PUD development. Immediately to the south within the PUD is the open-space park area, the Hansen Creek greenway, and the Bower Drive right-of-way. Further south,

approximately 700 feet away are planned mixed office/residential buildings and the PUD's market/event center facility.

West – Immediately to the west are two office buildings within the Stewart Meadows Village development and the Myers Lane right-of-way. Further to the west is the Lausmann Office Center development with a C-C zoning district. Medical office uses are a permitted use in the C-C zoning district.

#### Findings of Fact

The Medford Planning Commission has considered the following facts that are pertinent to the relevant approval criteria as it applies to the subject medical office building.

As stated above, Section 10.230(D)(7)(c) of the Land Development Code requires that the Planning Commission finds that the medical office building and its use meets the Conditional Use Permit criteria of Section 10.248. That criterion includes two independent standards, one of which must be met for the Conditional Use Permit criteria to be approved.

Criterion #1, (Section 10.248[1]) requires the Planning Commission to find that the medical office will cause no significant adverse impact on the surrounding area when compared to the impacts of permitted development that is not classified as conditional.

The Planning Commission could also, in the alternative, approve the application by finding that the application meets Criterion No. 2 (Section 10.248[2]), in that the medical office is in the public interest, and although there may be some adverse impacts created by the building and its use, conditions have been included that will create a balance between the public benefit of the medical office, and the interests of those in the surrounding area.

The applicant addresses Criteria #1 in the findings, which follow, and provides findings to allow the Planning Commission to conclude that the establishment and operation of the medical office building and its use will not cause any significant adverse impacts when it is compared to those impacts that are typically created by development that is permitted outright in the I-L zoning district.

#### CRITERION #1

*(1) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the*

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surrounding area when compared to the impacts of permitted development that is not classified as conditional.

According to Medford's Land Development Code, the Light Industrial (I-L) zoning district provides land for warehouse, office, and low intensity uses in areas near residential and commercial zones. The findings below compare the potential impacts of the medical offices upon the surrounding area with the impacts of several representative uses that are permitted in the I-L zone to show that no significant adverse impacts will be caused by the medical office use over the impacts of the permitted uses.

Findings of Fact

1. Traffic Impacts

The table below shows vehicular trip projections found in *Trip Generation*, ITE 6<sup>th</sup> Edition. According to Section 10.337 of the Land Development Code, a fast food restaurant with a drive through window is a permitted use in the underlying I-L zoning district. An analysis of ten fast food restaurants in Medford, shows that an average building size is approximately 3,337 square feet, with an average site size of 0.79 acres. Based on the 5.7-acre size of the medical office building site, at least five fast food restaurants could potentially be located on the medical office building site. The table below shows the expected traffic generated by the medical office building and two restaurant uses - four high turnover restaurants and five individual fast food restaurants, either use which could be located on the medical office building site.

**Table 9**  
**Trip Generation by Use showing the Medical Office Building Use and Two Uses Permitted in the I-L Zone**

Use	Average Daily Trips		PM Peak Hour Trips	
	Trip Generation Rates (per msf)	Total Average Daily Trips	Trip Generation Rates (per msf)	Total PM Peak Hour Trips
Medical Office Building (66,837 sf)	36.13	2,415 ADT	3.57	239 trips
Fast Food Restaurants w/window (16,685 sf)*	496.12	8,278	33.84	565 "
High-Turnover Restaurants (24,000 sf)**	130.34	3,128	11.15	267 "

\* 3,337sf x 5 = 16,685sf  
 \*\* 6,000sf x 4 = 24,000sf

The table shows more PM peak hour trips generated by the high turnover restaurant over the medical office building and over two times as many PM peak hour trips generated by the fast food restaurant.

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## 2. Right-of-Way Dedication/Improvements

In 2009, the Planning Commission approved the Preliminary PUD Plan for Stewart Meadows Village PUD, including a zone change that assessed the PUD's impacts upon the City's Category "A" public facilities. The applicant submitted a Traffic Impact Analysis as part of its application that addressed intersections that were significantly impacted by the entire development, and as a result, several mitigations were imposed as part of the Planning Commission's approval. In order to incorporate the proposed medical office use into the PUD revision, the applicant in consultation with the Public Works Department, has made alterations to the PUD's design to accommodate the medical office building's higher traffic generation over that generated by the approved general offices that are being replaced. As a result of those alterations, the net PM peak traffic generation from the entire Stewart Meadows PUD remains the same at 974 PM peak hour trips, with the same required intersection improvements remaining as conditions, unless they are modified by another traffic study. Therefore, the 66,837 medical office building, together with the rest of the buildings and uses shown on the Revised PUD Plan (Exhibit "2") will cause no significant adverse impacts upon the transportation system or upon the adjacent properties.

## 3. Access

Vehicular access to the medical office building will be off of driveways that connect with Myers Lane and Bowers Lane, with no direct access from Stewart Avenue, Garfield Avenue or South Pacific Highway. Additionally, pedestrian access will come from Stewart Avenue as well as from the rest of the PUD. Another business on the medical office building site would take its access from the same points.

## 4. Noise

Typically, a medical office building does not produce as much noise as industrial businesses, such as heavy construction contractors, structural metal products manufacturers, machinery manufacturers, auto repair businesses, and trucking and warehousing businesses that are permitted uses in the I-L zone.

## 5. Lighting/Glare

The lighting designed for the medical office building will be comparable to other permitted uses such as general office buildings. It is expected that lighting will be less than that produced by commercial sports fields, gasoline service stations, and airports that are permitted uses in the I-L zone.

6. Building Structure/Aesthetics

The medical office building elevations show an attractive façade on both the Stewart Avenue and Highway 99 frontages. Other businesses that are permitted in the I-L zone include heavy construction contractors, trucking and warehousing, and fuel dealers. The medical office building height is approximately 62 feet. A building with a permitted use in the I-L zone could have a building height of 85 feet.

Other than fencing around a trash enclosure area, there is no part of the medical office building site that contains an unattractive use that needs to be screened from public view,

7. Signage

The signs that will be utilized for the medical office building will be regulated by the sign standards of the Land Development Code. All potential uses that are permitted in the I-L zone would have to comply with those same standards.

8. Air Pollution

The medical office building will not produce any air pollutants. Some of the businesses that are permitted in the I-L zone are crematories, agricultural crops, meat processing, furniture manufacturing, railroads, and airports.

Conclusion of Law

Based upon the above Findings of Fact, the Planning Commission concludes that there is no evidence to show that the medical office building and its operation will cause a significant adverse impact on the livability, value, or appropriate development of abutting property, when compared to the impacts of other development types permitted in the I-L zoning district. The Planning Commission concludes that potential impacts from traffic, lighting, aesthetics, noise, air pollution, etc., are significantly less than those from uses that are permitted in the I-L zone. The Planning Commission concludes therefore that the medical office building meets Conditional Use Permit Criterion No. 1 of Section 10.248, and consequently further concludes that the medical office building meets Criterion No. 6 of the Preliminary PUD Plan Section 10.235(D).

Criterion No. 7

*7. If approval of the PUD application includes the division of land or the approval of other concurrent development permits applications as authorized in Subsection 10.230(C), approval of the PUD shall also be subject to*

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*compliance with the substantive approval criteria in Article II for each of the additional development applications.*

### Findings of Fact

The Planned Unit Development revision application does not include the division of land or the approval of other concurrent development permit applications, although an application to the SPAC for their approval of the medical office building and site including revision to the design guidelines, a Final PUD Plan application for Phase 1B, and a zone change application, have been submitted in separate applications. The applicant expects to submit a Tentative Plat application to create a division of land within the PUD following the approval of the PUD revision application.

### Conclusion of Law

The Planning Commission concludes that the proposed revision does not include an application for a land division or other concurrent development permit, other than separately filed applications that will be individually required to comply with the substantive approval criteria in Article II for each application. The Planning Commission therefore concludes that Criterion No. 7 has been satisfied.

## **H. ULTIMATE CONCLUSION**

The Planning Commission concludes that based upon the findings included above, the application for a revision to the Preliminary PUD Plan for Stewart Meadows Village meets each and all of the relevant approval criteria found in Section 10.235 (D) of the Medford Land Development Code, and in accordance with that provision, the Planning Commission approves the subject application for a revision to the Preliminary PUD for Stewart Meadows Village PUD.

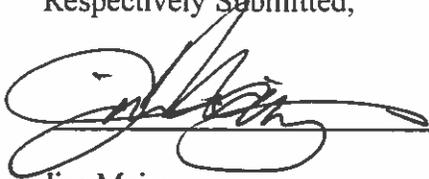
The Planning Commission therefore recognizes and approves the following elements of the Revised Preliminary PUD Plan for Stewart Meadows Village PUD.

1. The change to the size, configuration and uses in the PUD's buildings according to submitted plans and documents.
2. The inclusion of a medical office use into Building No. 12.
3. The inclusion of two parcels (approximately 1.6 acres) into the PUD boundary.

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4. The provision that the height of the PUD's buildings be regulated by the height standards of the Land Development Code.
5. The elimination of Ingmar Drive from the PUD.
6. The modification of the Stewart Avenue sidewalk and curbside landscape planter strip.
7. The modification of the Stewart Meadows Village PUD's site design standards as approved by the Site Plan and Architectural Commission.
8. The inclusion of a pedestrian promenade along the CORP railroad right-of-way.
9. The inclusion of a new phasing plan for the PUD.

Respectively Submitted,



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Jim Maize  
Maize & Associates, Inc.

agent for applicant, KOGAP Enterprises, Inc.

Dated: March 18, 2016

WRITTEN NARRATIVE FOR STEWART MEADOWS VILLAGE PUD

PLANNING DEPT.

Section 10.235(B)(3) of the Land Development Code requires that a rationale description of the PUD be submitted, including the following six aspects.

a. The rationale for planning Stewart Meadows Village as a PUD.

The rationale for planning Stewart Meadows Village as a Planned Unit Development has not changed from the original 2007 application and the subsequent 2009 approval by the Planning Commission. The primary purpose has been, and remains to be one that establishes a pedestrian-oriented development with a mix of residential and commercial uses, providing a variety of residential housing types, including commercial offices and retail uses to serve its neighborhoods. The purpose and intent statement found in Section 10.230(A) for Planned Unit Developments underscores the PUD’s approach to provide for the flexibility and imaginative urban development that would otherwise not be possible under the strict provisions of the Code. The language continues to emphasize the PUD’s ability “to promote more efficient use of urban land and urban services while protecting natural features creating common open space, promoting the development of transit-oriented design along designated transit corridors and within designated transit-oriented development (TOD) areas, and encouraging a mixture of land uses and housing types that are thoughtfully planned and integrated.”

The proposed revision will add benefit to the already-approved plan by adding a large medical office building that is strategically located to promote its use near an adjacent future transit stop on Stewart Avenue. The Rogue Valley Transit District has recommended that a bus stop be provided along the Stewart Avenue frontage that will further the availability of the PUD development to transit participants. An additional bus stop facility has been planned along Garfield Avenue.

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

An important tract of land within Stewart Meadows Village PUD that will be left in a “natural state” consists of the area that includes and is adjacent to Hansen Creek. This area, which has been restored by the applicant, will be retained as common area and will be perpetually maintained in a natural or near-natural state by an association of property owners.

An approximate one-acre open space is being included with the new property being added to the PUD that will be developed as a small landscaped park area. In addition, the medical office building promenade provides a wide public pedestrian walk connecting the Stewart Avenue sidewalk with the park area and the southern reaches of the development.

Other extensive open areas throughout the PUD will be maintained either by an association of property owners, or by individual property owners.

The proposed revision will not change the nature, planned use, ownership, or maintenance of any of the open or common spaces.

c. Listing of all modified applications of the Code that are proposed, with a brief explanation which covers the nature of, extent of, and reason for each modification.

The specific standards of the Code that are being proposed to be modified are listed below with a brief explanation and reason for each the modifications. A more, complete discussion follows in Section "G".

1. Allow Medical Office uses within the I-L-zoned portion of the PUD, as shown on the Revised Preliminary PUD Plan, as a part of the provision that up to 20 percent of the gross area of the PUD may be occupied by uses not permitted in the underlying zoning district. [10.230(D)(7c)].

The current Preliminary PUD Plan approval includes an approximate 40,000 square foot, 2-story general office building (Building No. 12) at the Stewart Avenue/Highway 99 intersection. The reason for the proposed request is to allow the medical office use that is appropriate and compatible within the multi-use development. Its location at the intersection of two Major Arterial streets will provide a pedestrian access to a proposed transit stop near the intersection. The applicant has addressed the requisite conditional use permit findings in Section "G" of these findings.

2. Allow the property that is newly added to the PUD to not have frontage on a street. [10.230(D)(4)].

The two adjacent parcels that are being incorporated into the PUD are proposed to be developed as a common open space area that may be located on a separate tax lot once a tentative plat has been submitted and approved. Because of the location of Bower Lane, it is impossible, or extremely awkward to provide the required 70 feet of the frontage on a public street. Adequate access by vehicles, pedestrians and bicycles will be sufficiently provided, without having to provide actual right-of-way frontage.

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

The applicant intends to submit a sign program for the PUD as part of a future application. All signs within the PUD which require a permit will abide by standards of the Land Development Code until such a sign plan is approved.

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

The anticipated development schedule for Stewart Meadows Village PUD, is shown below, with the phase boundaries shown on Exhibit "3". The applicant proposes that as a phased PUD, the expiration of the Preliminary PUD Plan be administered as provided for in Section 10.240 of the Land Development Code.

**Table 4  
Development Schedule for Stewart Meadows Village PUD**

PUD Phase	Developmental Phase	Type of Development	Approximate Completion Date
1A	1	Hansen Creek Realignment and Restoration	2015
1	2	West Side* Street/Utility Construction	2016
1B	3	Medical Office Building	2017
2	5	East Side* Street/Utility Construction	2018
1C, 1D	4	Office Development	2018
2	4	Common Open Space Area	2018
1E, 1F	6	Residential / Commercial Development	2018
1G, 1H	7	Residential Development	2019
1I	8	Residential / Commercial Development	2019
1J	9	Lifestyle West (retail/residential/office/retail)	2020
2	10	Lifestyle East (retail/office)	2021
2	11	Office Development	2022
2	12	Fountain Court Shops (retail)	2024

\* west and east sides of Hansen Creek

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f. The gross acreage devoted to the various land uses and housing types.

**Table 5**  
**Proposed Land Uses and Housing Types - Approximate Gross Acreages**

<b>Land Use/Housing Type</b>	<b>2009 Approval</b>	<b>Proposed Revision</b>
Senior Multi-Family Apartments	2.6	2.6
Senior Multi-Family - Cluster Cottages	13.1	13.1
Ground Floor Retail with Residential Above	3.9	3.9
Ground Floor Retail with Offices Above	6.6	6.6
Office Buildings	18.5	12.8
Ground Floor Offices with Residential Above	5.8	5.8
In-Line Retail	26.8	26.8
Community Spaces	3.5	3.5
Medical Office Buildings	0	5.7
Common Open Space Areas	6.3	8.5

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**PRELIMINARY PLAN PUD REVISION APPLICATION - SUBMITTAL NOTES**

1. Conceptual Grading Plan

A conceptual grading plan was submitted with the original application in 2009. A land division is not being proposed as part of the subject application and the area of the PUD being revised does not abut any existing developed lots. Therefore, a Conceptual Grading Plan has not been submitted with this application. An application to subdivide the Stewart Meadows Village will be submitted later this year, which will include such a plan.

2. Proposed CC&Rs

The applicant consummated an *Operation & Maintenance Agreement for Hansen Creek in Stewart Meadows Village* with the City of Medford in July 2014 to establish the maintenance responsibilities for Hansen Creek within the development. Proposed CC&Rs were also submitted in 2014 as part of the Final Plat approval for Phase 1.

The property owner, KOGAP Enterprises, Inc. anticipates submitting a Tentative Plat and Final Plat applications for the PUD in 2016 to establish individual lots that can be sold. Until that time, KOGAP Enterprises, Inc. as the property owner, is responsible for the only developed common open space area of the PUD. As other open spaces are previously developed, CC&Rs will be submitted with each Final PUD Plan application for the establishment of subdivision lots.

3. Agricultural Impact Analysis

As Stewart Meadows Village does not abut and have a common lot line with other land, which is zoned Exclusive Farm Use (EFU), the agricultural buffering provisions of the Code do not apply to this application. Also, the provisions do not apply since Section 10.801(B) only requires a demonstration of compliance with the first Planned Unit Development, Land Division, or Site Plan and Architectural Review application. This is the sixth such application for the subject property.

4. Traffic Impact Analysis Form

The subject application does not include a request for a change to any of the zoning boundaries within the PUD. However, as a PUD, a Traffic Impact Analysis was submitted with the 2009 PUD approval, which included a trip generation from the various uses within the Stewart Meadows Village PUD of 974 peak hour trips.

Several modifications to building sizes and uses have been included with this PUD revision application, however, the modifications have been structured so that the resulting trip generation does not exceed the 974 trip level, as discussed at a meeting with City staff on February 12, 2016. The table below illustrates the proposed changes.

**Table 1  
Proposed Use and Building Size Changes**

Building Number	2009 Approval			Proposed Revision		
	Use	Building Sq. Ft.	Building Stories	Use	Building Sq. Ft.	Building Stories
10	Office	15,540	2	Office	22,400	2
11	Office	15,540	2	Office	38,400	2
12	Office	39,630	2	Medical Office	66,837	3
13	Office	30,400	2	Eliminated		
31	Retail	7,245	2	Office	7,245	
32	Retail	21,150	2	Office	21,150	2
35	Retail	13,300	2	Office	13,300	2
36	Retail	18,540	2	Office	13,675	2
47	Retail	5,700	2	Office	9,300	
48	Retail	23,330	2	Furniture	23,330	1
49	Retail	3,600	2	Eliminated		
50	Retail	4,800	2	Eliminated		
<b>Total</b>		<b>198,775</b>			<b>215,637</b>	

A Traffic Impact Analysis will soon be submitted as part of a separately filed Zone Change application that will analyze these revised changes. A TIA form with the above information was submitted to the Medford Public Works Department on March 15, 2016, requesting their confirmation that a TIA is not required with this application.

5. Hillside Ordinance

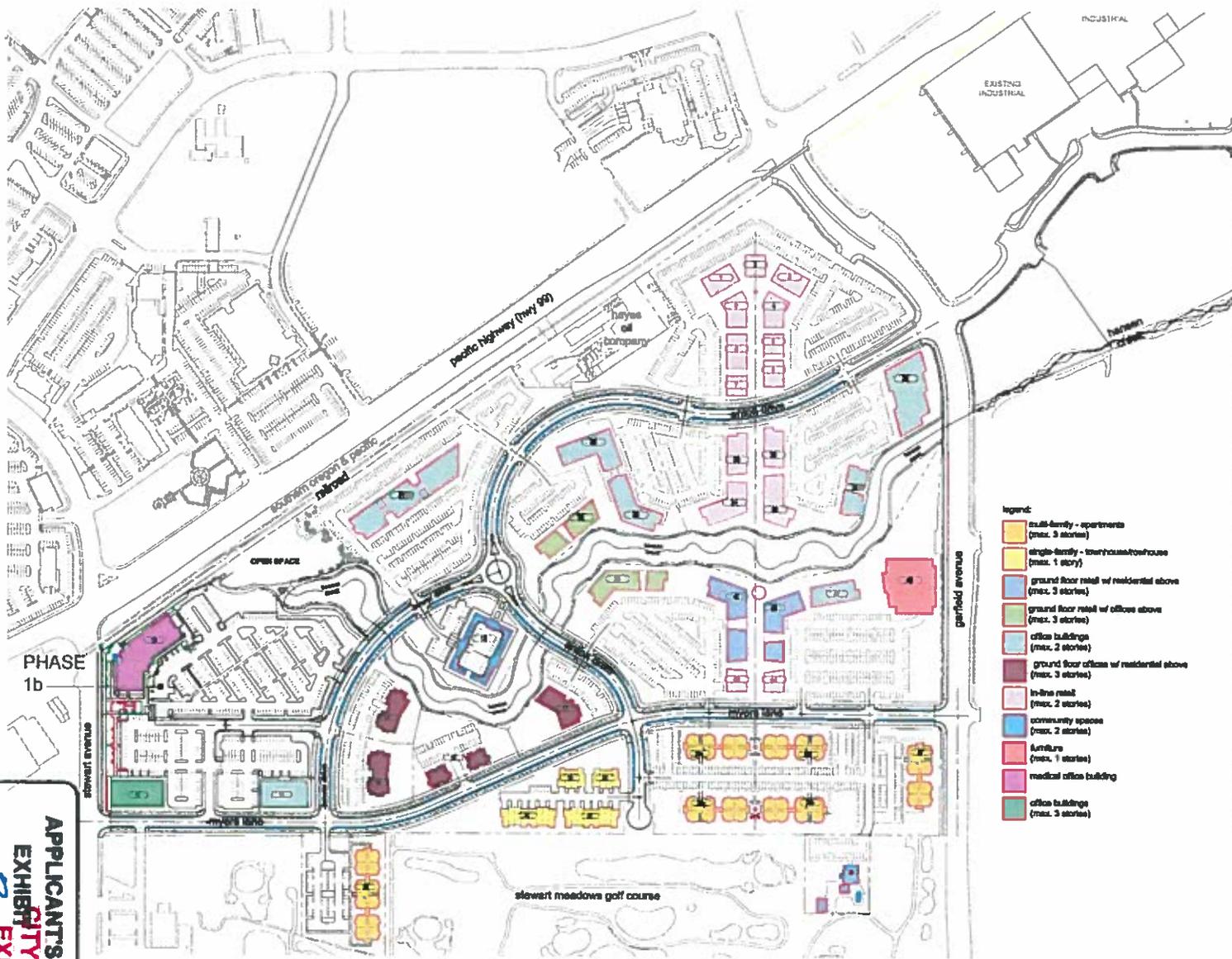
As there is no development proposed on land that has slopes greater than 15 percent, the Hillside Ordinance provisions of the Code do not apply to this application.

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**MAR 18 2016**  
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**F. APPLICANT'S SUBMITTALS**

- Exhibit 1 Findings of Fact and Conclusions of Law, including Written Narrative
- Exhibit 2 Revised Preliminary PUD Plan for Stewart Meadows Village PUD
  - Exhibit 2.1 Revised Preliminary Plan Detail of Medical Office/Office Site
- Exhibit 3 Preliminary Plan showing Building Use and Area Revisions
- Exhibit 4 Revised Phasing Plan
- Exhibit 5 Table of Revised Uses and Building Sizes
- Exhibit 6 Landscape Plan
  - Exhibit 6.1 Landscape Plan Detail of Medical Office Building Site
- Exhibit 7 Landscape Plan showing Conceptual Storm Water Plan
- Exhibit 8 Jackson County Assessor Map showing the PUD boundary and parcels being added to the PUD
- Exhibit 9 Aerial Photo showing PUD and Adjacent Uses
- Exhibit 10 Existing (2009) Preliminary PUD Plan for Stewart Meadows Village PUD
- Exhibit 11 Existing (2009) Zoning Map of Stewart Meadows Village PUD
- Exhibit 12 Existing (2009) Phasing Plan for Stewart Meadows Village
- Exhibit 13 Letter from RVTD dated February 16, 2016
- Exhibit 14 Neighborhood Meeting Materials
  - Certificate of Mailing
  - Verification of Neighborhood Meeting Form
  - Set of Neighborhood Notification Materials
  - Signature Sheet from Neighborhood Meeting
- Exhibit 15 Owner Application Consent Forms



- Legend:
- multi-family - apartments (max. 3 stories)
  - single-family - townhomes/townhouse (max. 1 story)
  - ground floor retail of residential above (max. 3 stories)
  - ground floor retail of offices above (max. 3 stories)
  - office buildings (max. 2 stories)
  - ground floor offices of residential above (max. 3 stories)
  - in-line retail (max. 2 stories)
  - community spaces (max. 2 stories)
  - furniture (max. 1 stories)
  - medical office (building)
  - office buildings (max. 3 stories)

LINE NO.	LINE	BUILDING NUMBER	SQ. FT. FLOOR AND USE AREA	TOTAL SQ. FT.	REMARKS
1	OFFICE BUILDING		6,000		
2	OFFICE BUILDING		1,000		
3	OFFICE BUILDING		6,250		
4	OFFICE BUILDING		4,000		
5	OFFICE BUILDING		6,750		
6	OFFICE BUILDING		6,000		
7	OFFICE BUILDING		1,000		
8	OFFICE BUILDING		22,000		
9	OFFICE BUILDING		30,000		
10	OFFICE BUILDING		10,000		
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66	OFFICE BUILDING		10,000		
67	OFFICE BUILDING		10,000		
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93	OFFICE BUILDING		10,000		
94	OFFICE BUILDING		10,000		
95	OFFICE BUILDING		10,000		
96	OFFICE BUILDING		10,000		
97	OFFICE BUILDING		10,000		
98	OFFICE BUILDING		10,000		
99	OFFICE BUILDING		10,000		
100	OFFICE BUILDING		10,000		
TOTAL (653)			804,827		

USAGE	SQ. FT.
OFFICE	214,000
RETAIL	1,000
COMMUNITY	1,000
RECREATION	1,000
INDUSTRIAL	1,000
RESIDENTIAL	1,000
OPEN SPACE	1,000
TOTAL	804,827

APPLICANTS  
 CITY OF MEDFORD  
 EXHIBIT # 2  
 EXHIBIT # 418  
 File # PUD-16-037

STEWART MEADOWS VILLAGE - REVISED PRELIMINARY PUD PLAN : REVISED MASTER PLAN

Developer: Kogap Enterprises



SCALE 1" = 500'

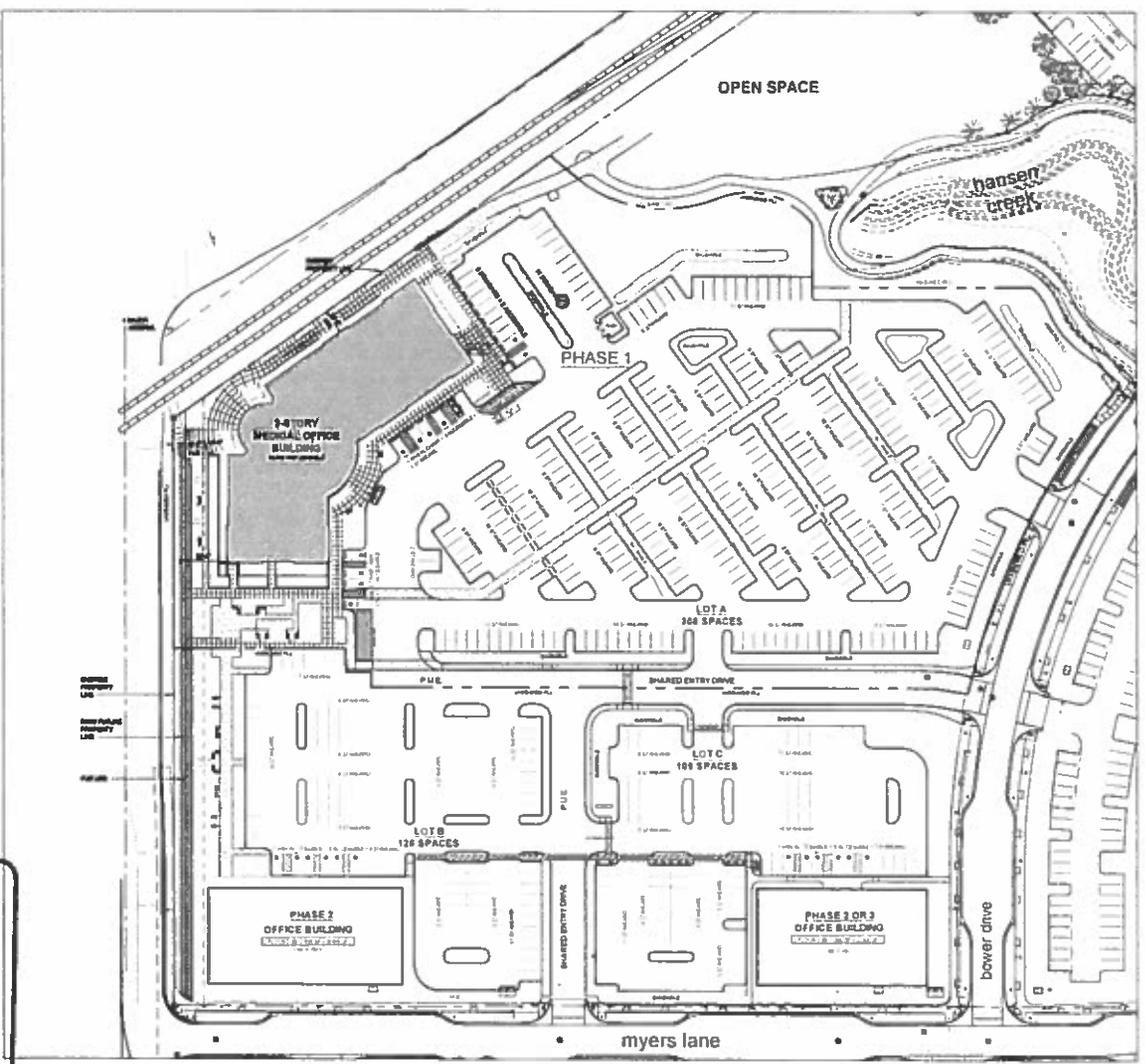
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 MAR 18 2016  
 PLANNING DEPT.  
 MARCH 18, 2016

RECEIVED  
MAR 18 2016  
PLANNING DEPT.

MARCH 18, 2016



SCALE 1" = 40'



STEWART MEADOWS VILLAGE - REVISED PRELIMINARY PUD PLAN : MOB SITE PLAN

Developer: Kogap Enterprises

APPLICANT'S CITY OF MEDFORD  
EXHIBIT # 2.1  
EXHIBIT # 545  
File # PUD-16-037

21  
15  
42  
of



APPLYING TO NEED FOR  
EXHIBIT # 18-0016  
FILE # PUD-16-037



STEWART MEADOWS VILLAGE - REVISED PRELIMINARY PUD PLAN : PHASE PLAN

Developer: Kogap Enterprises

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MARCH 18, 2016



18-0016  
105

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MAR 18 2016

PLANNING DEPT.

ZONING	BLDG NO	RETAIL				OFFICE				RESIDENTIAL				COMMUNITY	MEDICAL OFFICE				BUILDING			SQ. FOOTAGE			ACREAGE	BLDG NO.
		1st Floor	2nd Floor	3rd Floor	Retail Total	1st Floor	2nd Floor	3rd Floor	Office Total	1st Floor	2nd Floor	3rd Floor	Res. Total		1st Floor	2nd Floor	3rd Floor	Total	TOTAL SF	Permitted	Non-permitted	Non-permitted*				
I-L	1	6,000			6,000														6,000		6,000					1
I-L	2	3,970			3,970														3,970		3,970					2
I-L	3	6,000			6,000														6,000		6,000					3
I-L	4	6,220			6,220														6,220		6,220					4
I-L	5	3,600			3,600														3,600		3,600					5
I-L	6	4,790			4,790														4,790		4,790					6
I-L	7	3,600			3,600														3,600		3,600					7
I-L	8	6,450			6,450														6,450		6,450					8
I-L	9	6,220			6,220														6,220		6,220			8.21		9
I-L	10					11,200	11,200		22,400										22,400		22,400					10
I-L	11					12,800	12,800		12,800	12,800									38,400		38,400					11
I-L	12														22,279	22,279	22,279	66,837	66,837		66,837			5.75		12
SFR-10	14					7,818			7,818		7,008		7,008					14,826	7,008	7,818		0.51			14	
SFR-10	15					7,962			7,962		6,674		6,674					14,636	6,674	7,962		0.61			15	
SFR-10	16					6,266			6,266		5,848		5,848					12,114	5,848	6,266		0.63			16	
SFR-10	17					8,870			8,870		8,470		8,470					17,340	8,470	8,870		0.63			17	
I-L	18													10,584				10,584		10,584						18
SFR-10	19										8,930	3,070	12,000					12,000		12,000						19
SFR-10	20										8,930	3,070	12,000					12,000		12,000						20
SFR-10	21										8,930	3,070	12,000					12,000		12,000						21
SFR-10	22										8,930	3,070	12,000					12,000		12,000						22
SFR-10	25a										12,208	12,208	24,416					24,416		24,416						25a
SFR-10	25b										12,208	12,208	24,416					24,416		24,416						25b
SFR-10	26a										12,208	12,208	24,416					24,416		24,416						26a
SFR-10	26b										12,208	12,208	24,416					24,416		24,416						26b
SFR-10	27										12,208	12,208	24,416					24,416		24,416						27
C-C	29	6,600			6,600													6,600		6,600						29
C-C	30	10,320			10,320													10,320		10,320						30
C-C	31					7,245			7,245									7,245		7,245						31
C-C	32					21,150			21,150									21,150		21,150						32
C-C	33	6,990			6,990													6,990		6,990						33
C-C	34	10,620			10,620													10,620		10,620						34
I-L	35					13,300			13,300									13,300		13,300						35
I-L	36					13,675			13,675									13,675		13,675						36
I-L	38	11,305			11,305		12,655		12,655									23,960		12,655	11,305	1.00				38
C-C	39	13,300			13,300		14,500		14,500									27,800		27,800						39
C-C	41	15,120			15,120					14,340	14,340	28,680						43,000		43,000						41
C-C	43	4,600			4,600													4,600		4,600						43
C-C	44	3,865			3,865													3,865		3,865						44
C-C	45	13,170			13,170					11,940	11,940	23,880						37,050		37,050						45
C-C	47	9,300			9,300													9,300		9,300						47
C-C	48	23,330			23,330													23,330		23,330						48
I-L	51					28,290	27,250	27,250	82,790									82,790		82,790						51
SFR-6	52									17,472	17,472	5,992	40,936					40,936		40,936						52
SFR-6	53													2,929				2,929		2,929						53
Total	175,370				175,370	138,576	78,405	40,050	257,031	114,232	145,072	518,608	291,576	13,513	22,279	22,279	22,279	66,837	804,127	613,974	155,908	17.34	Totals			

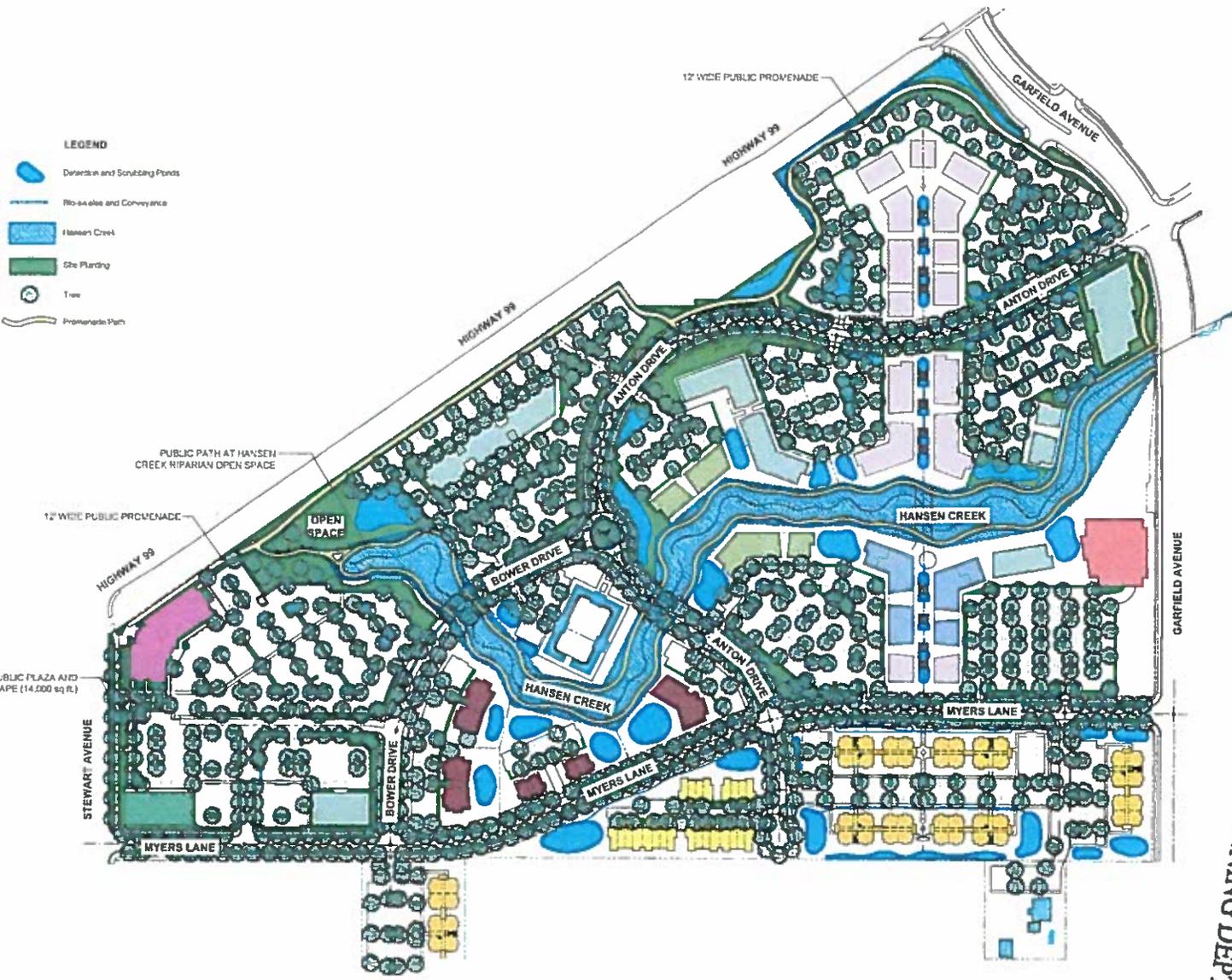
Percentage of PUD Gross Area  
\*Based on 2009 Tentative Plat Lot Acreages

REVISED PRELIMINARY PUD PLAN FOR STEWART MEADOWS VILLAGE

March 18, 2016

APPLICANT'S  
EXHIBIT  
" 5 "

CITY OF MEDFORD  
EXHIBIT # 5  
File # PUD-16-037  
458  
105



**APPLICANTS**  
**EXHIBIT**  
**CITY OF MEDFORD**  
**EXHIBIT #**

File # PUD-16-037

*ple*  
*65*

**RECEIVED**  
**MAR 18 2016**  
**PLANNING DEPT.**

STEWART MEADOWS VILLAGE REVISED PRELIMINARY PUD PLAN : OVERALL LANDSCAPE PLAN

Developer: Kogap Enterprises



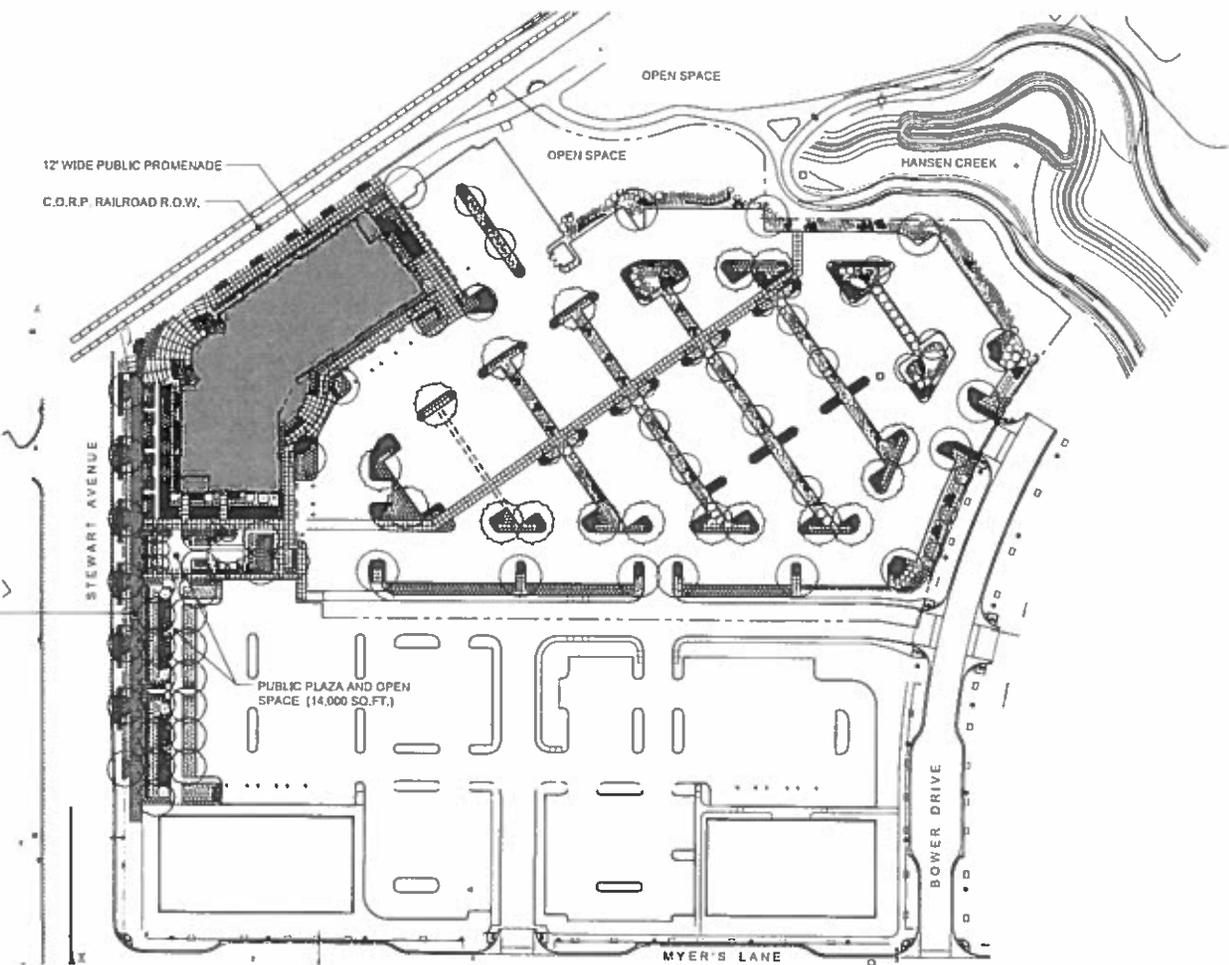
MARCH 18, 2016

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MAR 18 2016

PLANNING DEPT.

MARCH 18, 2016



STEWART MEADOWS VILLAGE REVISED PRELIMINARY PUD PLAN : MOB LANDSCAPE PLAN

Developer: Kogap Enterprises

**APPLICANT'S**  
**EXHIBIT**  
 "0.1"  
**CITY OF MEDFORD**  
**EXHIBIT #**  
**FILE # PUD-16-037**

Handwritten initials and numbers: 475, 105, 2

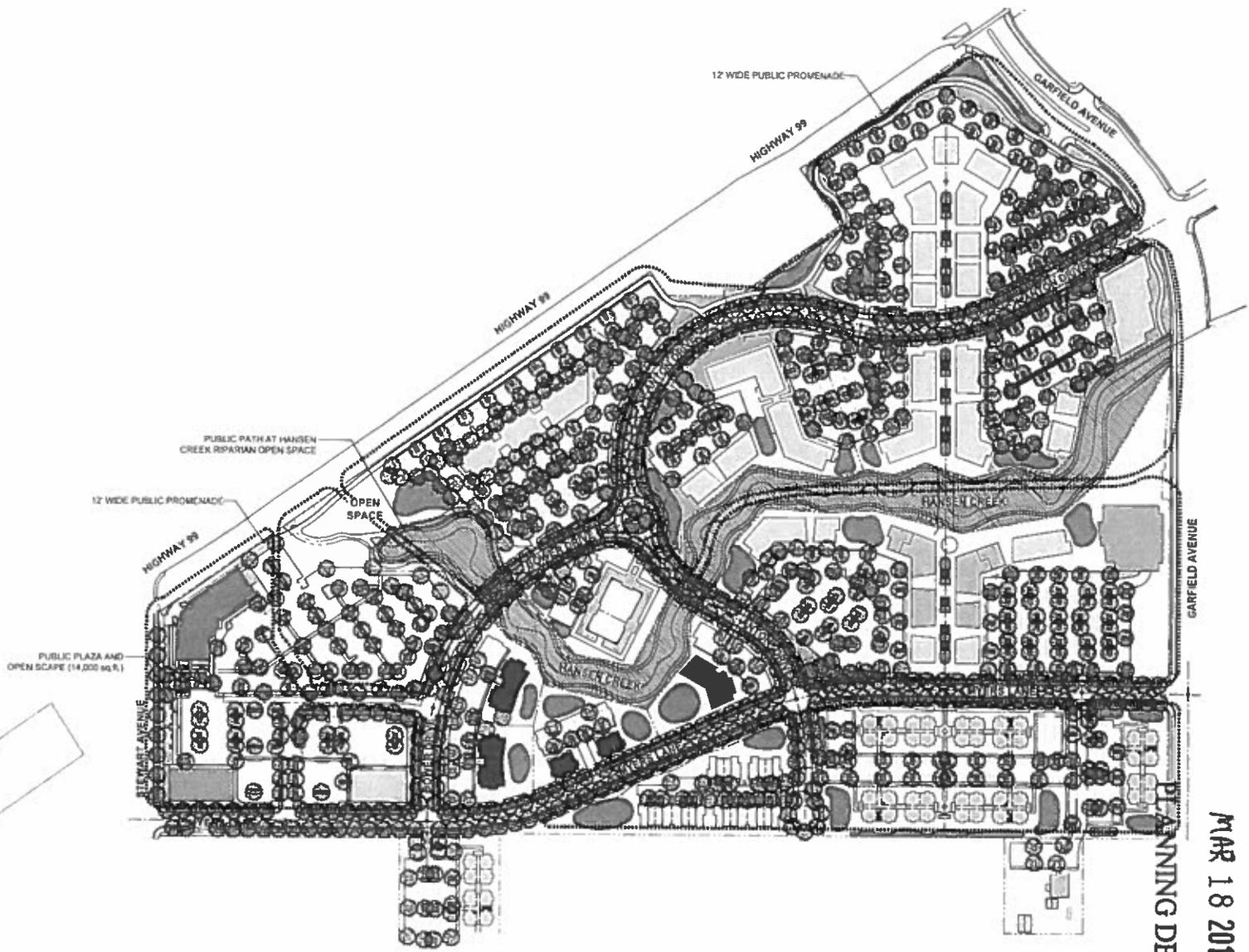
# STORMWATER NOTES

**Roof Water Collection and Treatment**  
 Stormwater is collected and directed via down spouts to detaining "rain gardens" that are interwoven into the building landscape design. Landscape planners are designed to accumulate detail and then discharge into the wide conveyance systems.

**Parking Lot Strategy**  
 All landscape islands in parking lots incorporating this strategy are depressed, allowing them to fill with and convey stormwater to swales and small detention ponds. Stormwater reaches the islands through sloped curbs, and is transferred from one cell to the next with mechanized catch basins and small weirs. Stormwater is treated as well as detained throughout the system. Each larger swale has a catch basin to control flows and direct them off the lot.

Anson Drive has the primary underground stormwater conveyance flowing to the primary Hansen Creek detention site. Other proposed City streets will have curbs and gutters leading to swales and surface detention facilities.

- LEGEND**
-  Detention and Scrubbing Ponds
  -  Swales and Conveyance
  -  Hansen Creek
  -  Basin Boundaries



Page 123

**APPLICANTS**  
 1 XHIBIT CITY OF MEDFORD  
 7 EXHIBIT # 2  
 File # PUD-16-037

## WART MEADOWS VILLAGE REVISED PRELIMINARY PUD PLAN : OVERALL LANDSCAPE PLAN

Developer: Kogap Enterprises



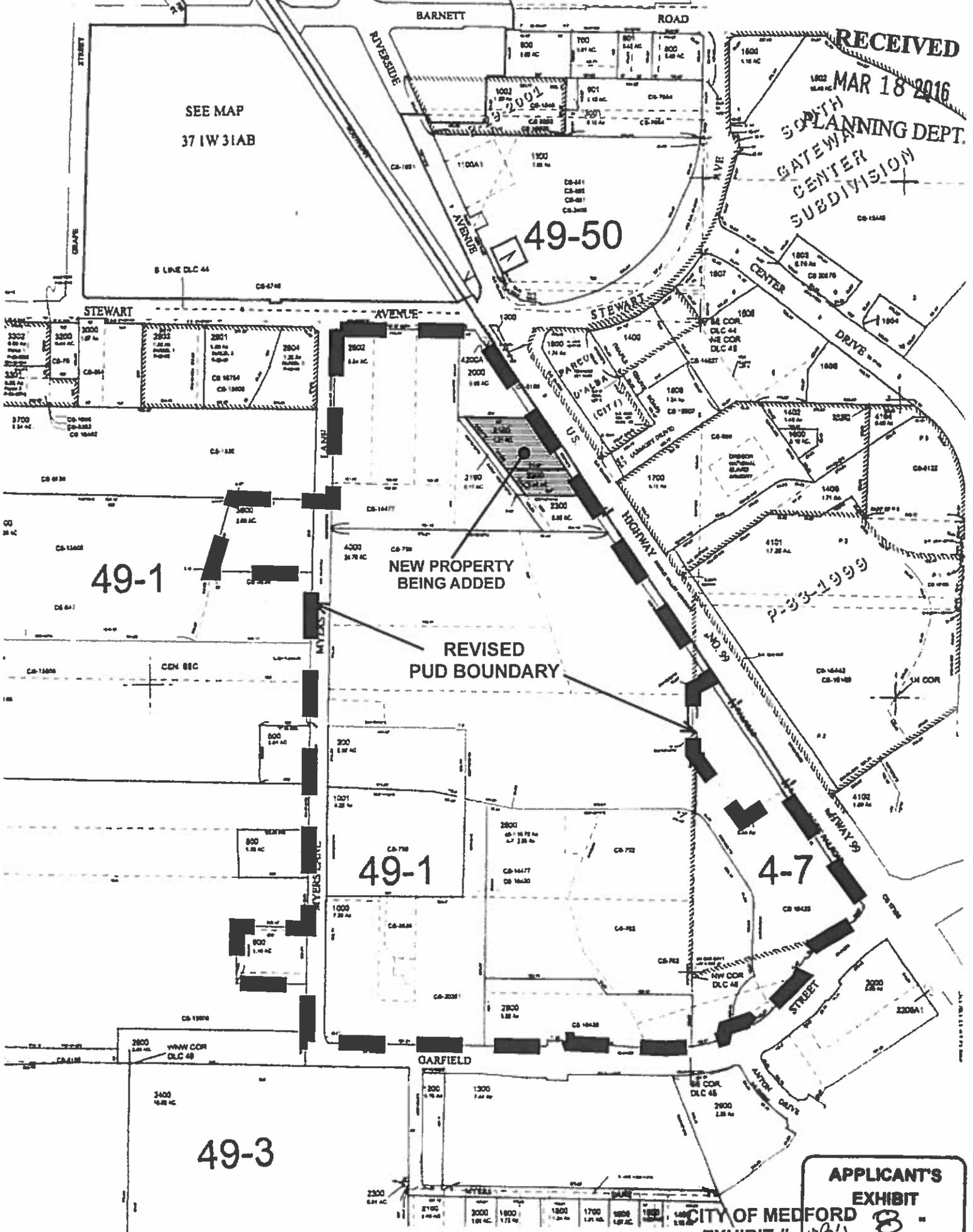
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MARCH 18, 2016

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MAR 18 2016  
SOUTH PLANNING DEPT.  
GATEWAY CENTER  
SUBDIVISION



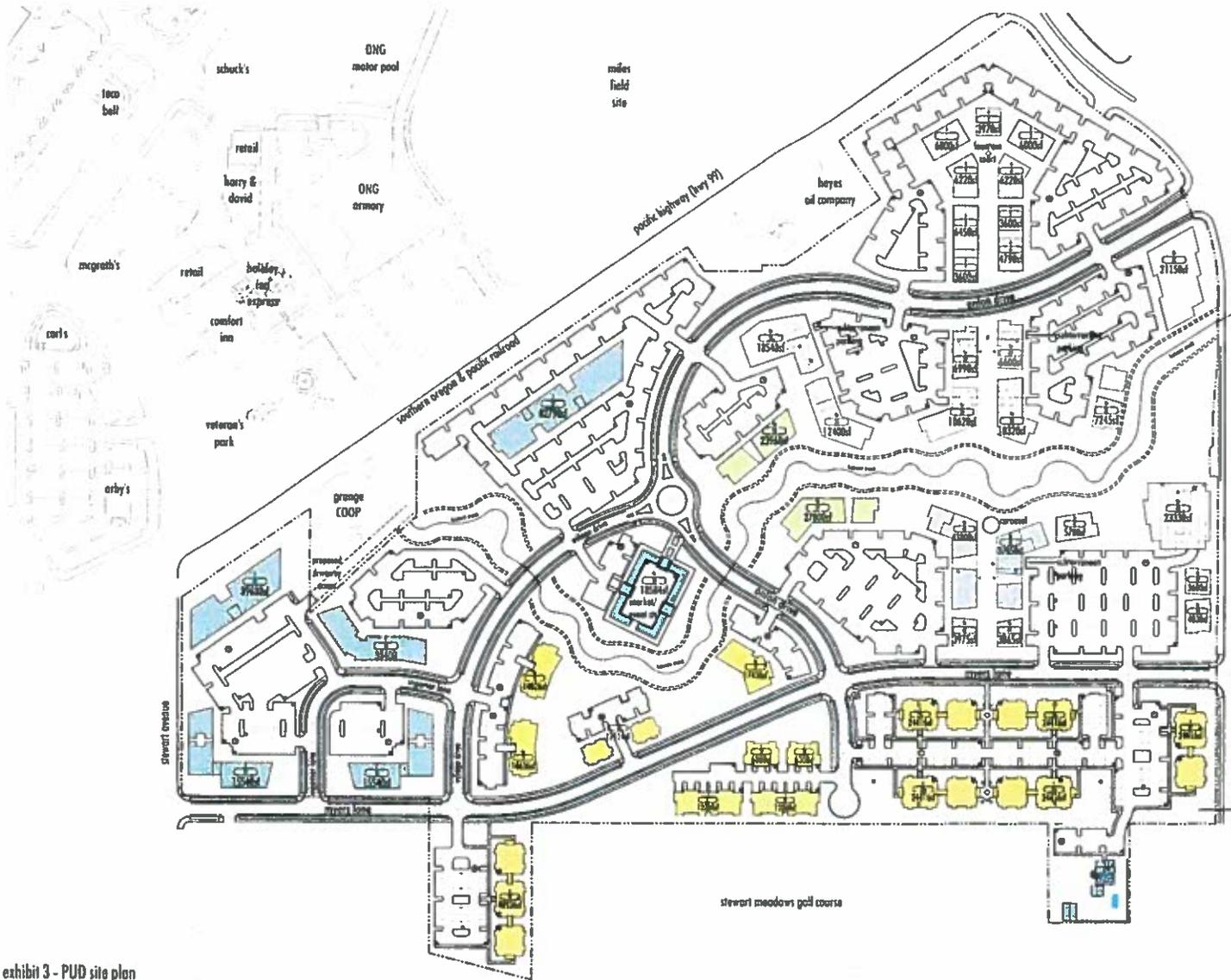
APPLICANT'S  
EXHIBIT  
8

CITY OF MEDFORD  
EXHIBIT # 8  
FILE # PUD-16-037 49 of 65



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MAR 18 2016  
PLANNING DEPT.

11-6" 51065



- Legend
- multi family - apartments  
(max. 3 stories & max. 35 height)
  - single family - townhomes/townhouse  
(max. 1 story & max. 24 height)
  - ground floor retail w/ residential above  
(max. 3 stories & max. 45 height)
  - ground floor retail w/ offices above  
(max. 3 stories & max. 45 height)
  - office buildings  
(max. 2 stories & max. 35 height)
  - ground floor offices w/ residential above  
(max. 3 stories & max. 45 height)
  - at site retail  
(max. 2 stories & max. 45 height)
  - accessory space  
(max. 2 stories & max. 45 height)



APPLICANT'S  
EXHIBIT  
" 10 "

exhibit 3 - PUD site plan  
sch. 1-12-F  
**KOGAP enterprises - master plan for stewart meadows village**  
nw corner garfield and pacific highway; medford, oregon  
17 october, 2008

KOGAP Enterprises



Ogden R. Roemer III  
**CITY OF MEDFORD**  
EXHIBIT #  
File # **PUD-16-037**

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MAR 18 2016

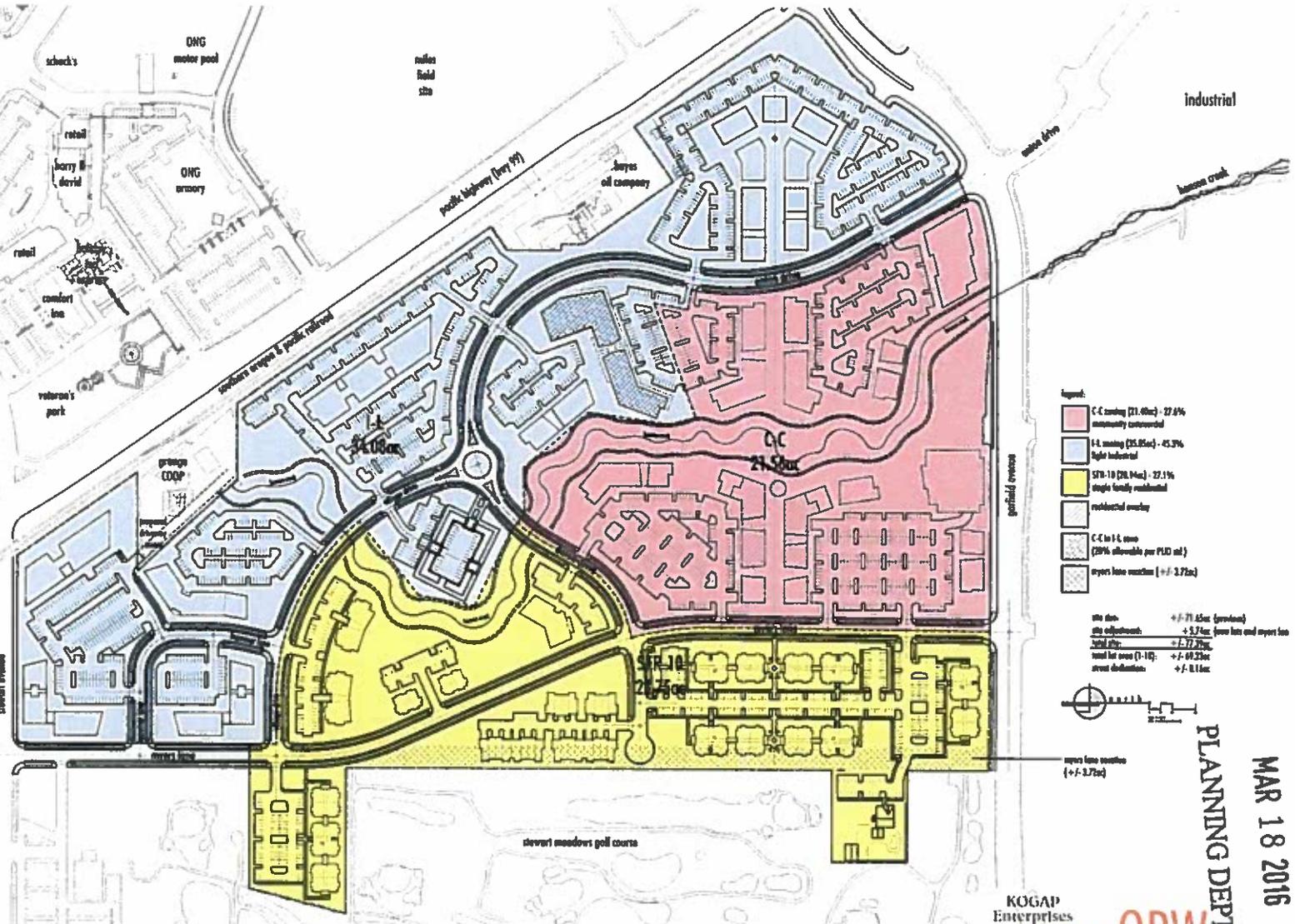
PLANNING DEPT.

KOGAP Enterprises



Ogden Research & Design

COLLABORATIVE APPROACH FOREST DESIGN



Legend:

- C-C zoning (21.40ac) - 27.6% community commercial
- I-I zoning (25.85ac) - 45.3% light industrial
- SFR-10 (21.04ac) - 27.1% single family residential
- residential overlay
- C-C to I-I zone (20% allowable per PLD rd)
- eyes line variation (+/- 3.72ac)

site area	+/- 71.65ac (gross)
site adjustments	+5.72ac (eyes line and eyes line)
total site	+/- 77.37ac
total lot area (I-10)	+/- 69.25ac
street dedication	+/- 8.12ac



eyes line variation (+/- 3.72ac)

APPLICANTS EXHIBIT

CITY OF MEDFORD EXHIBIT # 16-037

KOGAP enterprises - master plan for stewart meadows village corner garfield and pacific highway; medford, oregon

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MAR 18 2016

PLANNING DEPT

ORW  
Ogden Rasmussen

COLLABORATIVE APPROACH HONEST DESIGN

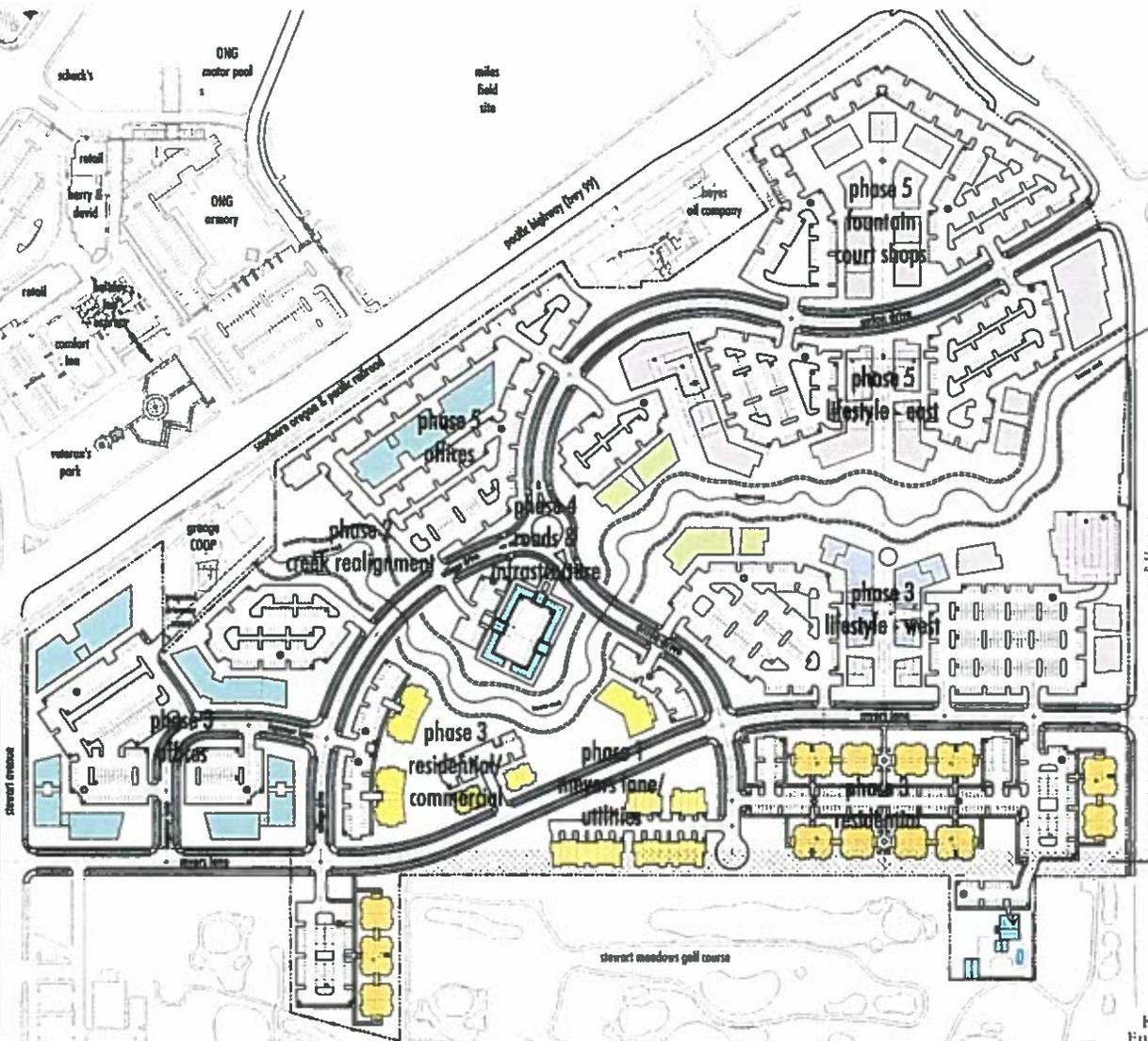
KOGAP Enterprises



1/4" = 100' (±1.27m)

- planting notes:
- 1) 100' west of bottom creek are included in phase 3, rest of bottom creek to phase 5
  - 2) development of lots in phases 3 and 5 are planned on a lot by lot basis - east sequentially
  - 3) sites of entire drive and village drive west of bottom creek may occur as part of phase 2 work, with most infrastructure east of the creek occurring as part of phase 4.

phase 1 creek permitting



APPLICANT'S EXHIBIT "12"

CITY OF MEDFORD  
 EXHIBIT # 536  
 File # PUD-16-037

KOGAP enterprises - master plan for stewart meadows village  
 corner garfield and pacific highway; medford, oregon  
 7/2008

Exhibit B - phasing diagram



**Rogue Valley Transportation District**

From the Desk of Paige Townsend, Senior Planner

3200 Crater Lake Avenue • Medford, Oregon 97504-9075

Phone (541) 608-2429 • Fax (541) 773-2877

Visit our website at: [www.rvtd.org](http://www.rvtd.org)

**RECEIVED**

**MAR 18 2016**

**PLANNING DEPT.**

February 16, 2016

Josh Harlan,

Thank you for considering transit facilities as part of the Stewart Meadows development. RVTD currently has service planned to travel east along Stewart Ave. and would like to request accommodations for a bus stop. The ideal location would be 50 feet east of Myers Lane. This will allow the transit vehicle to clear the intersection and avoid congesting the right turn movements to Hwy 99.

The typical transit facility requires a concrete pad that is 8 feet from back of sidewalk and 18 feet wide. RVTD will supply the bus shelter, trash receptacle and bicycle rack once complete and service is available.

If you have any questions do not hesitate to contact myself or Tim D'Alessandro.

Thank you,

APPLICANT'S  
EXHIBIT  
" 13 "

CITY OF MEDFORD  
EXHIBIT # 40 54 of  
File # PUD-16-037 65

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MAR 18 2016

PLANNING DEPT.

NEIGHBORHOOD MEETING CERTIFICATE OF MAILING FORM

JIM MAIZE of  
I, MAIZE+ASSOC, the ~~property owner~~ (or authorized agent) of Tax Lot(s)  
(SEE ATTACHED) of Jackson County Assessor Map (SEE ATTACHED) acknowledge that I  
have read Medford Land Development Code Section 10.235(A)(2), which specifies the mailing  
requirements for PUD Neighborhood Meetings.

I further attest that on MARCH 1, 2016, in accordance with Section  
10.235(A)(2), the required notifications to affected property owners were placed in the U.S. mail.

A copy of the mailing labels containing the names and addresses of affected property  
owners has been attached to this acknowledgement.

Signed: [Signature]

Print Name: JIM MAIZE

I am the  Property Owner  Authorized Agent

Dated: MARCH 1, 2016

APPLICANT'S  
EXHIBIT  
" 14 "

**TAX LOTS COMPRISING REVISION TO STEWART MEADOWS VILLAGE PUD**  
**Jackson County Tax Assessor Map and Tax Lots**

37-1W-31A

2000  
2100  
2190  
2200  
2300  
2802  
3900  
4000

37-1W31D

200  
900  
1000  
1001  
2500  
2501  
2800

"B" 56 of 65

371W31A 1100 ✓ **(1)**  
READ INVESTMENTS  
2000 FIFTH ST  
BERKELEY CA 94710

371W31A 2100 ✓ **PUD**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31A 3700 ✓ **(15)**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31A 1100 ✓ **(2)**  
READ INVESTMENTS ET AL  
2025 FOURTH ST  
BERKELEY CA 94555

371W31A 2190 ✓ **PUD**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31A 3800 ✓ **(16)**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31A 1400 ✓ **(3)**  
MEDFORD HOSPITALITY LLC  
6202 CAMELLIA CIR  
ROCKLIN CA 95765 -5871

371W31A 2200 ✓ **PUD**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31A 3900 ✓ **PUD**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31A 1406 ✓ **(4)**  
WAL-MART REAL ESTATE BUSINESS TRUST  
WAL-MART STORES, INC  
PO BOX 8050

371W31A 3300 ✓ **PUD**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31A 4000 ✓ **PUD**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

**BENTONVILLE AR 72712**

371W31A 1506 ✓ **(5)**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31A 2801 ✓ **(10)**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31A 4101 ✓ **(17)**  
WAL-MART REAL ESTATE BUSINESS TRUST  
WAL-MART STORES, INC  
PO BOX 8050

**BENTONVILLE AR 72712**

371W31A 1508 ✓ **(6)**  
MEHTA INNS LLC  
VINOD MEHTA  
4522 PINNACLE DR  
**MEDFORD OR 97504**

371W31A 2802 ✓ **PUD**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31AB 800 ✓ **(18)**  
TINSLEY CARL TRUSTEE ET AL  
2570 MEADOW CREEK DR  
MEDFORD OR 97504 -3664

371W31A 1700 ✓ **(7)**  
OREGON STATE OF  
**NO ADDRESS**

371W31A 2803 ✓ **(11)**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31AB 900 ✓ **(19)**  
4M REAL ESTATE LLC  
14829 SOURDOUGH  
SISTERS OR 97759

371W31A 1800 ✓ **(8)**  
MEDFORD CITY OF  
CITY HALL  
MEDFORD OR 97501

371W31A 2804 ✓ **(12)**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31AB 1000 ✓ **(20)**  
THOMPSON THOR  
PO BOX 1184  
EAGLE POINT OR 97524 -1184

371W31A 1900 ✓ **(9)**  
OREGON STATE OF  
**NO ADDRESS**

371W31A 3000 ✓ **(13)**  
ASANTE  
REAL PROPERTY ASSETS MGR  
2650 SISKIYOU BLVD  
**MEDFORD OR 97504**

371W31AB 1100 ✓ **(21)**  
DAVI MARILYN TRUST  
2707 MONTARA DR  
MEDFORD OR 97504 -2134

371W31A 2000 ✓ **PUD**  
KOGAP ENTERPRISES, INC  
PO BOX 1608  
MEDFORD OR 97501

371W31A 3301 ✓ **(14)**  
CF2 LLC  
1125 HOLLY ST S  
MEDFORD OR 97501

371W31AB 1200 ✓ **(22)**  
GENERAL PROPERTY GROUP LLC GENERAL  
PO BOX 8158  
MEDFORD OR 97501

**"B" 57 of 65** **(30)**

371W31AB 1300 ✓ **(23)**  
GENERAL PROPERTY GROUP LLC GENERAL  
PO BOX 8158  
MEDFORD OR 97501

371W31D 500 ✓ **(32)**  
KOGAP ENTERPRISES, INC  
PO BOX 1608  
MEDFORD OR 97501

371W31AB 1400 ✓ **(24)**  
SINNER DWIGHT/JAN  
100 STEWART AVE  
MEDFORD OR 97501

371W31D 800 ✓ **(33)**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31AB 1401 ✓ **(25)**  
DESIMONE MICHAEL S/DAWNE A  
PO BOX 1166  
MEDFORD OR 97501

371W31D 1000 ✓ **PWD**  
KOGAP ENTERPRISES, INC  
PO BOX 1608  
MEDFORD OR 97501

371W31AB 1500 ✓ **(26)**  
DESIMONE MICHAEL S/DAWNE A  
PO BOX 1166  
MEDFORD OR 97501

371W31D 1001 ✓ **PWD**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31AB 1600 ✓ **(27)**  
DESIMONE MICHAEL S/DAWNE A  
PO BOX 1166  
MEDFORD OR 97501

371W31D 2500 ✓ **PWD**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

371W31AB 1700 ✓ **(28)**  
PACIFIC POWER/LIGHT CO  
PROPERTY TAX DEPT  
825 NE MULTNOMAH ST 1900

371W31D 2601 ✓ **PWD**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

**PORTLAND OR 97232**

371W31AB 2600 ✓ **(29)**  
READ INVESTMENTS ET AL  
2025 FOURTH ST  
BERKELEY CA 94555

371W32B 4900 ✓ **(34)**  
ROGUE FEDERAL CREDIT UNION  
PO BOX 4550  
MEDFORD OR 97501

371W31D 200 ✓ **PWD**  
KOGAP ENTERPRISES, INC  
PO BOX 1608  
MEDFORD OR 97501

371W32C 5700 ✓ **(35)**  
HAYS OIL PROPERTIES LLC  
PO BOX 1220  
MEDFORD OR 97501

371W31D 400 ✓ **(30)**  
KOGAP ENTERPRISES, INC  
PO BOX 1608  
MEDFORD OR 97501

371W31D 401 ✓ **(31)**  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

18  
15  
30  
13  

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76  
internal - 15  

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61  
need **(14)** m

8  
7  
15

"B" 58 of 65

**APPLICANT'S  
EXHIBIT  
" 14 "**

**(18)**

~~371W31A 1406  
WAL-MART REAL ESTATE BUSINESS TRUST  
WAL-MART STORES, INC  
PO BOX 8050~~

~~371W31D 800  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501~~

~~371W31D 1800  
GETTLING WILLIAM W TRUSTEE ET AL  
1902 MYERS LN  
MEDFORD OR 97501~~ (42)

~~371W31A 1700  
OREGON STATE OF~~

~~371W31D 900  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501~~ PUD

~~371W31D 1900  
DAVIS KATHRYN LORRAINE  
1868 MYERS LN  
MEDFORD OR 97501~~ (43)

~~371W31A 3800  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501~~

~~371W31D 1000  
KOGAP ENTERPRISES, INC  
PO BOX 1608  
MEDFORD OR 97501~~

~~371W31D 2000  
STERN DAVID S/CARROL A  
1850 MYERS LN  
MEDFORD OR 97501~~ (44)

~~371W31A 3900  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501~~

~~371W31D 1001  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501~~

~~371W31D 2100  
JAUREGUI SYLVIA B/JAUREGUI SAMUEL L  
1802 MYERS LN  
MEDFORD OR 97501~~ (45)

~~371W31A 4000  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501~~

~~371W31D 1200  
AHUMADA MARIA GUADALUPE  
1781 MYERS LN  
MEDFORD OR 97501~~ (36)

~~371W31D 2300  
MURPHY DENNIS J/PAMELA M  
1798 MYERS LN  
MEDFORD OR 97501~~ (46)

~~371W31A 4101  
WAL-MART REAL ESTATE BUSINESS TRUST  
WAL-MART STORES, INC  
PO BOX 8050~~

~~371W31D 1300  
WILKINS STEVEN C TRUSTEE ET AL  
3438 VIEWPOINT DR  
MEDFORD OR 97504~~ (37)

~~371W31D 2400  
AYALA DIANA R TRUSTEE ET AL  
3171 OLD STAGE RD  
CENTRAL POINT OR 97502~~ (47)

~~371W31D 200  
KOGAP ENTERPRISES, INC  
PO BOX 1608  
MEDFORD OR 97501~~

~~371W31D 1400  
DORNER GERALD GORDON TRUSTEE ET AL  
23023 MARIANO ST  
WOODLAND HILLS CA 91367~~ (38)

~~371W31D 2500  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501~~

~~371W31D 400  
KOGAP ENTERPRISES, INC  
PO BOX 1608  
MEDFORD OR 97501~~

~~371W31D 1500  
SWASER LOIS V  
1980 MYERS LN  
MEDFORD OR 97501~~ (39)

~~371W31D 2501  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501~~

~~371W31D 401  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501~~

~~371W31D 1600  
ROSENDAUL GARY S/SHAUNA J  
1948 MEYERS LN  
MEDFORD OR 97501~~ (40)

~~371W31D 2600  
MEDFORD CITY OF  
BARNES JERRY  
411 WEST 8TH ST~~ (48)

MEDFORD OR 97501

~~371W31D 500  
KOGAP ENTERPRISES, INC  
PO BOX 1608  
MEDFORD OR 97501~~

~~371W31D 1700  
LEEK DARRELL TRUSTEE ET AL  
1924 MYERS LN  
MEDFORD OR 97501~~ (41)

~~371W31D 2700  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501~~ (49)

"B" 59 of 65

Easy Peel® Labels  
Use Avery® Template 5160®

Feed Paper

Bend along line to  
expose Pop-up Edge™

SMITH



AVERY® 5160®

371W31D 2800  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

PUD

371W32C 600  
SKINNER JOHN A  
2177 S PACIFIC HWY  
MEDFORD OR 97501

59

371W31D 2900  
KOGAP ENTERPRISES INC  
P O BOX 1608  
MEDFORD OR 97501

50

371W32C 5400  
KOGAP ENTERPRISES INC  
P O BOX 1608  
MEDFORD OR 97501

60

371W31D 3000  
KOGAP ENTERPRISES INC  
P O BOX 1608  
MEDFORD OR 97501

51

371W32C 5503  
KOGAP ENTERPRISES INC  
PO BOX 1608  
MEDFORD OR 97501

61

371W32B 4705  
CFT DEVELOPMENTS LLC  
1683 WALNUT GROVE AVE  
ROSEMEAD CA 91770

52

371W32C 5700  
HAYS OIL PROPERTIES LLC  
PO BOX 1220  
MEDFORD OR 97501

371W32B 4800  
ROGUE FEDERAL CREDIT UNION  
1370 CENTER DR  
MEDFORD OR 97501

53

371W32B 4900  
ROGUE FEDERAL CREDIT UNION  
PO BOX 4550  
MEDFORD OR 97501

54

371W32C 500  
SKINNER JOHN A  
2177 S PACIFIC HWY  
MEDFORD OR 97501

55

371W32C 501  
PACIFIC POWER/LIGHT CO  
PROPERTY TAX DEPT  
825 NE MULTNOMAH ST 1900

56

371W32C 502  
SKINNER JOHN A  
2177 SOUTH PACIFIC HWY  
MEDFORD OR 97501

PORTLAND 97232

57

371W32C 503  
SKINNER JOHN A  
2177 SOUTH PACIFIC HWY  
MEDFORD OR 97501

58

"B" of 65

APPLICANT'S  
EXHIBIT  
" 14 "

13

371W31A 3000

REAL PROPERTY ASSETS MGR  
2650 SISKIYOU BLVD  
MEDFORD OR 97504

371W31A 3200

LAIR WALKER LLC  
2949 WINTER NELL CIR  
MEDFORD OR 97504

371W31A 3301

CF2 LLC  
1125 HOLLY ST S  
MEDFORD OR 97501

371W31A 3302

HAWKINS DANIEL P TRUST ET AL  
545 ROSSANLEY DR A  
MEDFORD OR 97501

371W31A 600

RAAPKE INVESTMENTS LLC ET AL/6755 DESERT  
BLOSSOM RD  
LAS CRUCES NM 88007

371W31A 700

L & B HOLDINGS LLC  
2960 MAYWOOD DR 10  
KLAMATH FALLS OR 97603

371W31A 800

DT BARNETT LLC  
515 W PICKETT CIR 400  
SALT LAKE CITY UT 84115

371W31A 801

RPM PROPERTIES LLC  
C/O HENSELMAN REALTY & MANAGEMENT 107 E  
MAIN ST STE 23  
MEDFORD OR 97501

371W31A 901

WARD ANDREW F TRUSTEE ET AL  
81 DEER CT  
SEQUIM WA 98382

371W31A 1001

WARD ANDREW F TRUSTEE ET AL  
81 DEER CT  
SEQUIM WA 98382

371W31AB 2300

DAGIAN VENTURES LLC  
250 E BARNETT RD  
MEDFORD OR 97501

371W31AB 700

FIRST INTERSTATE BANK/OR NA  
C/O THOMSON PROPERTY TAX SERVICES  
P O BOX 2609  
CARLSBAD CA 92018

371W31AB 600

ABRE L LC  
ABBYS INC/ROBERTS LEONE  
2722 STEPHENS ST NE  
ROSEBURG OR 97470

371W31A 4104

OREGON STATE OF OREGON NATIONAL GUARD  
1776 MILITIA WAY  
SALEM OR 97309-5047

371W31A 1505

ALLEN ROBERT MARSHALL TRUSTEE ET AL C/O  
PFAFF JUDITH ALLEN  
1519 PEREGRINO WAY  
SAN JOSE CA 95125

371W31A 1402

OREGON STATE OF  
2150 FAIRGROUNDS RD NE  
SALEM OR 97310

371W31AB 2500

WARD ANDREW F TRUSTEE ET AL  
81 DEER CT  
SEQUIM WA 98382

371W31AB 2400

W G INVESTMENTS LLC ET AL  
C/O WALGREEN CO ATTN TAX DEPT  
PO BOX 1159  
DEERFIELD IL 60015

371W31AB 2300

DAGIAN VENTURES LLC  
250 E BARNETT RD  
MEDFORD OR 97501

371W31A 1002

WARD ANDREW F TRUSTEE ET AL  
81 DEER CT  
SEQUIM WA 98382

70

71

72

73

74

75

76

77

78

79

371W31AB 2400

W G INVESTMENTS LLC ET AL  
C/O WALGREEN CO ATTN TAX DEPT  
PO BOX 1159

371W31AB 2500

WARD ANDREW F TRUSTEE ET AL  
81 DEER CT  
SEQUIM WA 98382

371W32C 200

KOLLN MICHAEL T TRUSTEE ET AL  
240 W ST JAMES PL  
LONGVIEW WA 98632-9547

371W32C 700

HABITAT HUMANITY ROGUE VALLEY  
2233 SOUTH PACIFIC HWY  
MEDFORD OR 97501

371W31D 2700

KOGAP ENTERPRISES, INC.  
PO BOX 1608  
MEDFORD OR 97501

371W31D 2200

MURPHY DENNIS J/PAMELA M  
1798 MYERS LN  
MEDFORD OR 97501

80

81

82

83

84

"B" 60 of 65

APPLICANT'S  
EXHIBIT  
"14"

NEIGHBORHOOD MEETING VERIFICATION FORM

I, JIM MAIZE, the ~~property owner~~ (of authorized agent) of Tax Lot(s) SEE ATTACHED of Jackson County Assessor Map 11, acknowledge that on MARCH 16, 2016, a neighborhood meeting was held at 115 STEWART AVE., MEDFORD (location), at 6:00 PM. I have read Medford Land Development Code Section 10.235(A)(1), which specifies the presentation requirements of a neighborhood meeting and acknowledge that the meeting presentation included the following:

- A map depicting the location of the subject property proposed for development; and
- A visual description of the project including a tentative site plan, tentative subdivision and elevation drawings of any structures, if applicable; and
- A description of the nature of proposed uses and physical characteristics, including but not limited to sizes and heights of structures, proposed lot sizes and project density; and
- A description of requested modifications to code standards.
- Notification that attendance at the neighborhood meeting does not give legal standing to appeal to the City Council, the Land Use Board of Appeals, or Circuit Court.

Signed: [Signature]

Print Name: JIM MAIZE

I am the  Property Owner  Authorized Agent

Dated: MARCH 18, 2016

"B" 61 of 65

APPLICANT'S EXHIBIT "14"

**TAX LOTS COMPRISING REVISION TO STEWART MEADOWS VILLAGE PUD**  
**Jackson County Tax Assessor Map and Tax Lots**

37-1W-31A

2000  
2100  
2190  
2200  
2300  
2802  
3900  
4000

37-1W31D

200  
900  
1000  
1001  
2500  
2501  
2800

"B" lot of  
lot

**LIST OF MODIFICATIONS TO CODE STANDARDS FOR THE  
REVISIONS TO  
STEWART MEADOWS VILLAGE PUD**

1. Allow Medical Office uses within the I-L-zoned portion of the PUD, as shown on the Revised Preliminary PUD Plan, as a part of the provision that up to 20 percent of the gross area of the PUD may be occupied by uses not permitted in the underlying zoning district. [10.230(D)(7c)].

The current Preliminary PUD Plan approval includes an approximate 40,000 square foot, 2-story general office building (Building No. 12) at the Stewart Avenue/Highway 99 intersection. The reason for the proposed request is to allow the medical office use that is appropriate and compatible within the multi-use development. Its location at the intersection of two Major Arterial streets will provide a pedestrian access to a proposed transit stop near the intersection.

2. Allow the property that is newly added to the PUD to not have frontage on a street. [10.230(D)(4)].

The two adjacent parcels that are being incorporated into the PUD are proposed to be developed as a common open space area that may be located on a separate tax lot once a tentative plat has been submitted and approved. Because of the location of Bower Lane, it is impossible, or extremely awkward to provide the required 70 feet of the frontage on a public street. Adequate access by vehicles, pedestrians and bicycles will be sufficiently provided, without having to provide actual right-of-way frontage.



**LIST OF REVISIONS TO THE 2009 APPROVAL OF  
STEWART MEADOWS VILLAGE**

1. Change the size, configuration, and uses in several buildings.

Building Number	2009 Approval			Proposed Revision		
	Use	Building Sq. Ft.	Building Stories	Use	Building Sq. Ft.	Building Stories
10	Office	15,540	2	Office	22,400	2
11	Office	15,540	2	Office	38,400	2
12	Office	39,630	2	Medical Office	66,837	3
13	Office	30,400	2	Eliminated		
31	Retail	7,245	2	Office	7,245	2
32	Retail	21,150	2	Office	21,150	2
35	Retail	13,300	2	Office	13,300	2
36	Retail	18,540	2	Office	13,675	2
47	Retail	5,700	2	Office	9,300	2
48	Retail	23,330	1	Furniture	23,330	1
49	Retail	3,600	2	Eliminated		
50	Retail	4,800	2	Eliminated		
<b>Total</b>		<b>198,775</b>			<b>215,637</b>	

2. Include medical office uses within one of the buildings.
3. Include two adjoining parcels into the Stewart Meadows Village PUD.
4. Allow the height of the buildings within the PUD to be regulated by the standards of the Land Development Code.
5. Eliminate Ingmar Drive.
6. Modify the design of the Stewart Avenue sidewalk and landscape strip.
7. Modification of the Stewart Meadows Village site design standards.
8. Include a pedestrian promenade along South Pacific Highway.
9. Change the phasing plan.

**IT IS IMPORTANT TO NOTE THAT ATTENDANCE AT THIS NEIGHBORHOOD MEETING DOES NOT GIVE LEGAL STANDING TO APPEAL TO THE CITY COUNCIL, THE LAND USE BOARD OF APPEALS, OR CIRCUIT COURT.**

*"B" 64 of 65*

**APPLICANT'S  
EXHIBIT  
" 14 "**

NAME

MAILING ADDRESS

Steve Wilkins

3438 Viewpoint

Doreen Wilkins

FREDERICK CARPENTER

1839 MYERS LANE

Alan Sillings Bell

1902 MYERS LN

ETRY ROSENDALE

1948 MYERS LN

Sharon Rosendale

1948 MYERS LANE

"B" 65 of 65

APPLICANT'S EXHIBIT "14"



Continuous Improvement Customer Service

## CITY OF MEDFORD

LD Date: 5/11/2016

File Number: PUD-16-037

(Reference: PUD-06-141/LDS-08-016/AC-09-005/AC-12-012/AC-14-009)

### **PUBLIC WORKS DEPARTMENT STAFF REPORT** **Stewart Meadows Village – PUD REVISION**

**Project:** Consideration of a revision to the approved Preliminary PUD Plan for Stewart Meadows Village, including the incorporation of additional property into the PUD boundary which will result in an overall PUD area of approximately 77 acres.

**Location:** The subject site is generally bounded by Stewart Avenue, South Pacific Highway, Garfield Avenue and Myers Lane and zoned SFR-6 (Single Family Residential, 6 dwelling units per gross acre), SFR-10 (Single Family Residential, 10 dwelling units per gross acre), C-C (Community Commercial), I-L (Light Industrial) and I-G (General Industrial) with the PD (Planned Unit Development) overlay.

**Applicant:** KOGAP Enterprises, Inc., Applicant (Maize & Associates, Inc., Agent).  
Desmond McGeough, Planner.

**Applicability:** The Medford Public Works Department's conditions of Preliminary Plan Approval for Stewart Meadows Village Planned Unit Development (PUD) were adopted by Order of the Medford Planning Commission on November 29, 2007 (PUD-06-141) and received a minor revision on March 26, 2009 by the Planning Commission, to include two new tax lots into the development and reconfigured the internal public street system. A Final PUD Plan for the development and landscaping of the realigned Hansen Creek restoration work, running through the PUD was approved by the Planning Director in May 2012 (Phase 1A). In 2013 the Planning Commission approved a revision to allow for modifications to the public rights-of-ways within the project. In 2014, the Planning Director approved the Final PUD Plan for Phase 1 that included essentially all of the proposed development west of Hansen Creek, which also included the architectural and landscape guidelines for the project. The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.

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

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P:\Staff Reports\PUD\2016\PUD-16-037 Stewart Meadows Village PUD Revision\PUD-16-037 Staff Report - Revision-DB.docx Page 1

PUBLIC WORKS DEPARTMENT  
ENGINEERING & DEVELOPMENT DIVISION

200 S. IVY STREET  
MEDFORD, OREGON 97501  
[www.ci.medford.or.us](http://www.ci.medford.or.us)

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

CITY OF MEDFORD  
EXHIBIT # 11  
File # PUD-16-037  
105-8

## REVISION REQUESTS

- **Change the size, configuration, and uses in several buildings.**
- **Include medical office uses within one of the buildings.**
- **Include two adjoining parcels into the Stewart Meadows Village PUD.**
- **Allow the height of the buildings within the PUD to be regulated by the standards of the Land Development Code.**
- **Eliminate Ingmar Drive.**
- **Modify the design of the Stewart Avenue sidewalk and landscape strip.**
- **Modification of the Stewart Meadows Village site design standards.**
- **Include a pedestrian promenade along South Pacific Highway.**
- **Change the phasing plan.**

The Public Works Department has no objections to the revision request stated above for the portion of Stewart Meadows Village PUD. They are described in more detail below as needed.

### **A. STREETS**

#### **1. Dedications**

**Ingmar Drive** – The Developer has proposed the elimination of this public street from the PUD, which will be replaced with vehicular access driveways (private). If approved, no right-of-way dedications will be required by Public Works as Ingmar Drive will become privately maintained driveways.

**South Pacific Highway** (Highway 99) is under the jurisdiction of the Oregon Department of Transportation (ODOT). The Developer shall contact ODOT to see if additional right-of-way is required.

The Developer is proposing a modification to the existing **Stewart Avenue** sidewalk, which is presently adjacent to the curb, to be replaced with a design that includes 15-foot wide sidewalk separated from the curb by an approximate 15-foot landscaped planter strip. A minimum width of 5-feet of this sidewalk shall be within the proposed 50-foot half width of right-of-way or the Developer shall grant a public pedestrian easement so that a 5-foot wide minimum portion of the sidewalk is within either an easement or a combination of an easement and right-of-way. **The Developers surveyor shall verify the amount of additional dedications required.**

Streets as shown on the Tentative Plat in which any portion terminates at the boundary line of a phase of this 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 per MLDC 10.439.

In accordance with MLDC, Section 10.471, the property owner shall **dedicate 10 foot wide Public Utility Easements (PUEs)** adjoining all lot lines abutting a street.

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

**Ingmar Drive** – The Developer has proposed the elimination of this public street from the PUD, which will be replaced with vehicular access driveways (private). If approved, no public improvements will be required by Public Works as Ingmar Drive will become privately maintained driveways.

**Highway 99** is under the jurisdiction of the ODOT. The Developer shall contact ODOT to see if any additional improvements are required.

Public Works has no objection to these requests, however all modifications shall be shown on the public improvements plans.

### b. Street Lights and Signing

The Developer shall provide and install in compliance with MLDC Section 10.495. Based on the preliminary plan submitted, the following number of street lights/signs will be required:

- A. 30 – 100W HPS street lights
- B. 2 – Base Mounted Cabinets (BMCs)
- C. 6 – Street Name signs
- D. 1 – Stop Sign

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

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

### c. Pavement Moratoriums

There is a pavement cutting moratorium currently in effect along this frontage to Garfield Street which is set to expire July 31<sup>st</sup> 2020. No pavement moratoriums are currently in effect along the other street frontages to this development.

Pavement maintenance for Highway 99 is under the jurisdiction of ODOT. The developer shall be responsible to obtain information from ODOT as to pavement cutting moratoriums that may be currently in effect.

### 3. Access and Circulation

The Public Works Department has no objection to the request to eliminate the Ingmar Drive from this PUD and replacing with vehicular access driveways (private).

### 4. Transportation System

Public Works received a Traffic Impact Analysis from Sandow Engineering dated March 14, 2016. Public Works provided comments dated March 28, 2016. Sandow Engineering provided responses to Public Works comments dated April 10, 2016; received May 4, 2016.

The primary intent of the TIA is to support modification of the PUD master Plan to allow for a 66,837 sq. ft. medical office building to be substituted for proposed office space in the northeast quadrant of the site.

The substitution of the proposed medical office building is not expected to increase the 974 vehicle trips to and from the site that were originally approved for the site. According to the report, all intersections under the City of Medford's jurisdiction, except Myers Ln and Garfield Street, will operate acceptably under the proposed scenario through the planning horizon year of 2023.

Mitigation, consisting of the signalization, of the intersection of Myers Lane and Garfield Street will be required when trips from the site exceed 940 PM peak hour trips, if the connection of Anton Drive to the internal circulation roads is not made. If all the internal circulation roads are constructed and connected to Anton Drive at Garfield Street, no mitigation will be required.

## B. SANITARY SEWERS

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

## C. STORM DRAINAGE

### 1. Hydrology

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

improvement plans for approval by the Engineering Division.

## 2. Stormwater Detention and Water Quality Treatment

This development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual. Since this development is larger than five acres, Section 10.486 requires that the development set aside a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

Upon completion of the project, the Engineer of Record 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 approval of the Final Plat.

## 3. Grading

The Engineer of Record shall submit for approval with the public improvement plans a comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision. 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

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

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

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

## 5. Erosion Control

Subdivisions/P.U.D.'s 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. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

##### **3. Phasing**

The Preliminary PUD Plan shows that this development will be developed in phases. The public improvements corresponding to a particular phase shall be constructed at the time such phase is being developed, and the public improvements that are not included within the geometric boundaries of any phase being developed, but are needed to serve each respective phase, shall be constructed with each phase as needed.

"C"  
6078

#### 4. 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.

#### 5. 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.

#### 6. 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.

Excavation and private plumbing shall require a separate permit from the Building Department.

#### 7. System Development Charges (SDCs)

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

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

Developments in which Collector and/or Arterial streets are being dedicated are eligible for Street SDC credits in accordance with MMC 3.815.

Prepared by: Doug Burroughs

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P:\Staff Reports\PUD\2016\PUD-16-037 Stewart Meadows Village PUD Revision\PUD-16-037 Staff Report - Revision-DB.docx Page 7

PUBLIC WORKS DEPARTMENT  
ENGINEERING & DEVELOPMENT DIVISION

200 S. IVY STREET  
MEDFORD, OREGON 97501  
[www.ci.medford.or.us](http://www.ci.medford.or.us)

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

"C"  
7 of 8

**SUMMARY CONDITIONS OF APPROVAL**  
**Stewart Meadows Village – PUD REVISION**  
PUD 16-037

**NOTE: Applicability of previously adopted conditions of approval remains in effect. See full report(s).**

**A. Streets**

**1. Street Dedications to the Public:**

- **Ingmar Drive** – Eliminated as a public street from the PUD.
- **Highway 99** – Contact Oregon Department of Transportation (ODOT).
- Provide additional right-of-way or pedestrian easement for sidewalk on Stewart Ave.
- Dedicate 10 foot public utility easements (PUE).

**2. Improvements:**

**a. Public Streets**

- **Ingmar Drive** – Eliminated as a public street from the PUD.
- **Highway 99** – Contact Oregon Department of Transportation (ODOT).

**b. Lighting and Signing**

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

**c. Other**

- Provide pavement moratorium letters.
- Provide soils report.

**B. Sanitary Sewer:**

- Provide a private lateral to each lot.

**C. Storm Drainage**

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

**D. Survey Monumentation**

- Provide all survey monumentation.

**E. General Conditions**

- Provide public improvement plans and drafts of the final plat.
- Building permits will not be issued until after final plat approval.

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.

"C"  
8 of 8



BOARD OF WATER COMMISSIONERS

**Staff Memo**

**TO:** Planning Department, City of Medford

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

**SUBJECT:** PUD-16-037

**PARCEL ID:** 371W31A: TL's: 2000,2100,2190,2200,2300,2802,3900,4000  
371W31D: TL's: 1000, 1001, 200, 2500, 2501, 2800, 900

**PROJECT:** Consideration of a revision to the approved Preliminary PUD Plan for Stewart Meadows Village, including the incorporation of additional property into the PUD boundary which will result in an overall PUD area of approximately 77 acres. The subject site is generally bounded by Stewart Avenue, South Pacific Highway, Garfield Avenue and Myers Lane and zoned SFR-6 (Single Family Residential, 6 dwelling units per gross acre), SFR-10 (Single Family Residential, 10 dwelling units per gross acre), C-C (Community Commercial), I-L (Light Industrial) and I-G (General Industrial) with the PD (Planned Unit Development) overlay; KOGAP Enterprises, Inc., Applicant (Maize & Associates, Inc., Agent). Desmond McGeough, Planner.

**DATE:** May 11, 2016

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

**CONDITIONS**

1. See previous Conditions per MWC Staff Memo for PUD-06-41 Revised on July 15, 2013.

**COMMENTS**

1. See previous Comments per MWC Staff Memo for PUD-06-41 Revised on July 15, 2013.

CITY OF MEDFORD  
EXHIBIT # 10  
File # PUD-16-037

1 of 4



BOARD OF WATER COMMISSIONERS

**Staff Memo**

**TO:** Planning Department, City of Medford

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

**SUBJECT:** PUD-06-14 (Revised)

**PARCEL ID:** 371W31A TL's 2000, 2100, 2190, 2200, 2802, 2300, 3900 and 4000, along with 371W31D TL's 200, 900, 1000, 2500, 2501, and 2800.

**PROJECT:** Consideration of a request for a revision to the approved Preliminary PUD Plan for the Stewart Meadows Planned Unit Development (PUD), located on an approximate 78.5-acre site bounded generally by Stewart Avenue, South Pacific Highway, Garfield Avenue, and Myers Lane, and comprised of SFR-6/PD, SFR-10/PD, C-C/PD, and I-L/PD zoning districts (Single Family Residential-6 and 10 units per acre, Community Commercial, and Light Industrial/Planned Unit Development Overlay). The requested revision pertains to the design of the facilities within the public streets; KOGAP Enterprises, Inc., Applicant (Maize & Associates, Inc., Agent). Sandra Johnson, Planner

**DATE:** July 15, 2013

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. Coordinate with Medford Fire Department for fire hydrant locations prior to meeting with MWC Engineering staff for pre-design meeting.
4. A pre-design meeting between the applicants Civil Engineer and MWC Engineering staff is required prior to initial site design process begins.
5. Dedication of a 10 foot wide access and maintenance easements to MWC over all water facilities located outside of public right-of-way is required. Easements are to be submitted to MWC for review and recordation prior to construction.
6. Installation of MWC approved backflow device is required for all commercial, industrial, municipal, and multi-family developments.

*Continued to next page*

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2 of 4



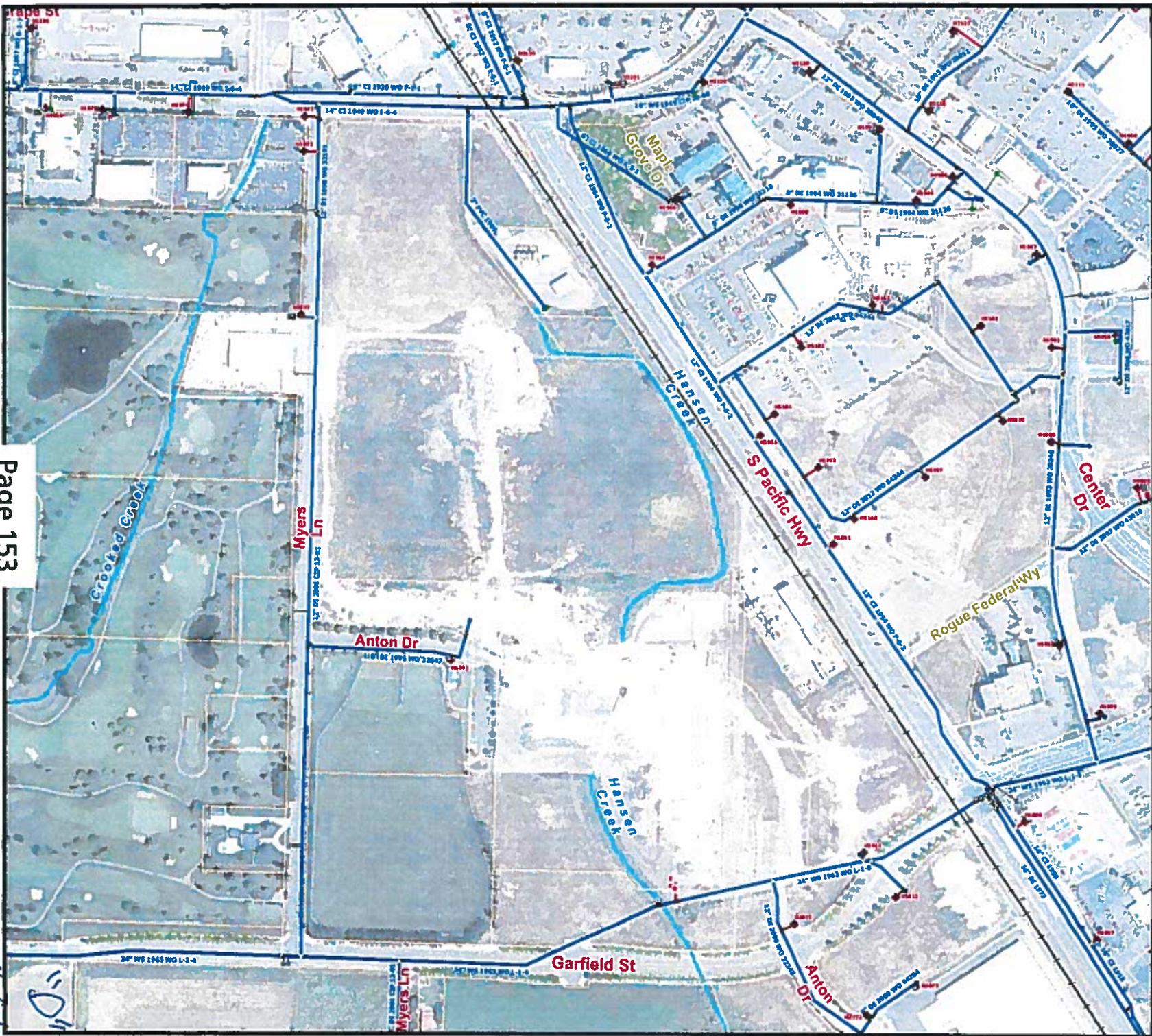
## Staff Memo

7. All proposed streets will require the installation of new 12" water lines. All water lines are required to be installed in a paved section of the street or parking lot travel lanes. Water lines are not allowed to be installed through landscape islands, or under curbs, gutters, sidewalks or driveways.
8. The existing 35' to 60' easement over the existing 24" transmission lines is required to be shown on the proposed site plan. This 24" transmission line is a critical water facility and shall be protected at all times during construction. No vertical construction is allowed within this easement.

### COMMENTS

1. The MWC system does have adequate capacity to serve this property.
2. Off-site water line installation is not required.
3. On-site water facility construction is required. (See above Conditions)
4. MWC-metered water service does exist to this property (Listed below):
  - A 1" water meter is located in Anton Drive that serves the existing Stewart Meadows Driving Range
  - A 1" water meter is located on the west side of Myers Lane that serves the existing home at 1626 Meyers Lane.
  - A ¾" water meter for the Stewart Meadows Golf Course is adjacent to the meter at 1626 Meyers Lane.
  - A ¾" meter that serves the Stewart Meadows Golf Course is located along Meyers Lane just north of the existing Anton Drive intersection.
  - A 2" water meter is located at the old Medford Irrigation District building along Meyers Lane.
  - A 1" water meter that serves the Stewart Meadows Golf Course is located along Meyers Lane at the northeast corner of the golf course.
  - There is two (2) ¾" water meters located on the Grange Coop properties along Hwy 99 that area served by a 2" PVC water line which extends southerly from Stewart Avenue across Kogap Enterprises Inc property.
5. Access to MWC water lines is available. A 12" water line is located in Meyers Lane between Stewart Avenue and Garfield Street. A 24" transmission line is located in Garfield Street and through a portion of private property north of Garfield Street with in 35'-60' recorded easement per OR 530-1. A 10" water line is located on Anton Drive.

11/10/11  
3054



### Water Facility Map For Union Park

#### Legend

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



This map is made in a digital application created by Robert Gray Corporation. Aerial photography is provided by the Medford Water Commission. All other data is provided by the Medford Water Commission. This map is not a warranty of any kind. © 2010 Medford Water Commission. All rights reserved.



# Medford Fire Department

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

## LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 05/11/2016

From: Greg Kleinberg

Report Prepared: 05/05/2016

Applicant: KOGAP Enterprises, Inc., Applicant (Maize & Associates, Inc., Agent)

File #: PUD - 16 - 37

### Site Name/Description: Stewart Meadows Village

Consideration of a revision to the approved Preliminary PUD Plan for Stewart Meadows Village, including the incorporation of additional property into the PUD boundary which will result in an overall PUD area of approximately 77 acres. The subject site is generally bounded by Stewart Avenue, South Pacific Highway, Garfield Avenue and Myers Lane and zoned SFR-6 (Single Family Residential, 6 dwelling units per gross acre), SFR-10 (Single Family Residential, 10 dwelling units per gross acre), C-C (Community Commercial), I-L (Light Industrial) and I-G (General Industrial) with the PD (Planned Unit Development) overlay; KOGAP Enterprises, Inc., Applicant (Maize & Associates, Inc., Agent).  
Desmond McGeough, Planner

DESCRIPTION OF CORRECTIONS	REFERENCE
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Requirement	ADDITIONAL REQUIREMENTS/COMMENTS	MEDFORD	OTHER
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Same requirements as PUD-06-141.

Requirement	FIRE DEPARTMENT TURN-AROUND	OFC	503.2.5
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Required for area at buildings 19-22.

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.

Requirement	AERIAL APPARATUS ACCESS	OFC	D105
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Several of the 3-story buildings do not appear to have the code required aerial access along one entire side of the building. See the requirements below.

### SECTION D105-AERIAL FIRE APPARATUS ACCESS ROADS

D105.1 Where required. Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

CITY OF MEDFORD  
EXHIBIT # 151  
File # PUD-16-037  
1 of 2



# Medford Fire Department

200 S. Ivy Street, Room #180  
Medford, OR 97501  
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## LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 05/11/2016

From: Greg Kleinberg

Report Prepared: 05/05/2016

Applicant: KOGAP Enterprises, Inc., Applicant (Maize & Associates, Inc., Agent)

File #: PUD - 16 - 37

Site Name/Description: Stewart Meadows Village

D105.2 Width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

**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.**

ME''  
2 of 2

**Desmond M. McGeough**

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**From:** CAINES Jeff <Jeff.CAINES@aviation.state.or.us>  
**Sent:** Tuesday, May 03, 2016 11:30 AM  
**To:** Desmond M. McGeough  
**Subject:** PUD-06-141/LDS-08-016/ZC-09-005/AC-12-012/AC-14-009 - ODA Comments

Desmond:

The Oregon Department of Aviation has reviewed the proposed PUD located between Hwy 99 and Steward Ave in the north and Garfield to the south and have prepared the following comments.

The proposed development is approximately 3.6 miles south of the Rogue Valley Int'l airport. There are existing developments between the project site and the airport. The maximum proposed heights of the structures is 45-feet above ground level.

Therefore, due to the site distance, existing developments and proposed elevation no FAA form 7460-1 will be required to be submitted to ODA or the FAA.

If you have any questions please feel free to contact me.

Jeff

**Jeff Caines, AICP**  
**Oregon Department of Aviation**  
Aviation Planner / SCIP Coordinator  
3040 25th St. SE | Salem, OR 97302  
Office: 503.378.2529  
Cell / Text: 503.507.6965  
Email: [Jeff.Caines@aviation.state.or.us](mailto:Jeff.Caines@aviation.state.or.us)

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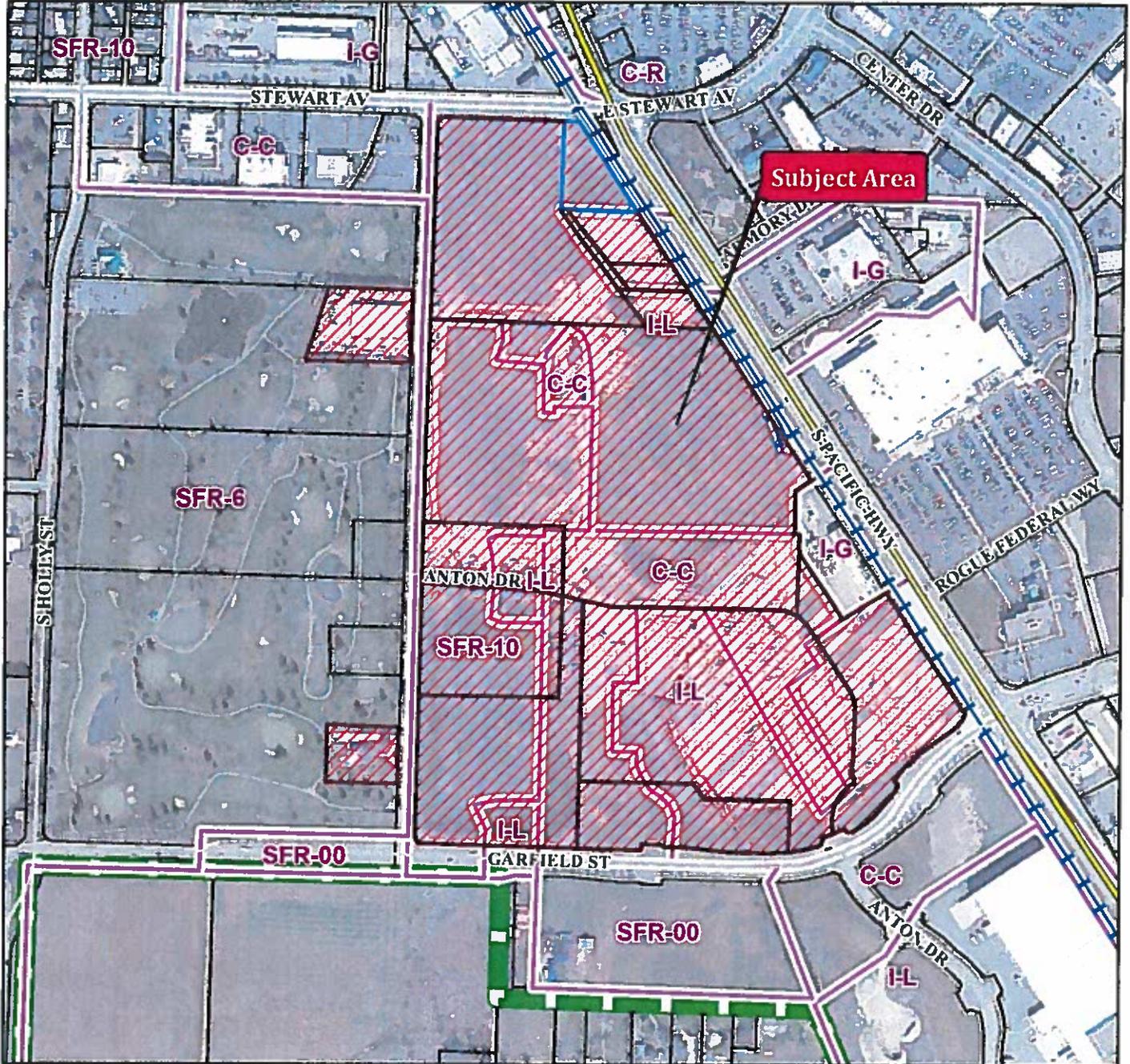
CITY OF MEDFORD  
EXHIBIT #   E    
File # PUD-16-037  
1 of 1



City of Medford  
**Planning Department**

Vicinity  
**Map**

File Number:  
**PUD 16-037**



Project Name:

**Stewart Meadows Village**

Map/Taxlot:

371W31A

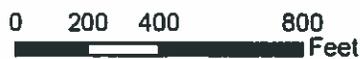
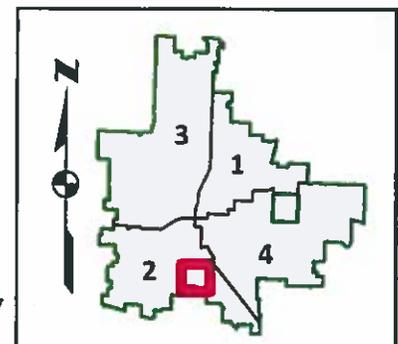
TLs 2000, 2100, 2190, 2200, 2300, 2802, 3900, 4000

371W31D

TLs 1000, 1001, 200, 2500, 2501, 2800, 900

**Legend**

-  Tax Lots selection
-  Medford Zoning
-  Tax Lots
-  Streets
-  Urban Growth Boundary



03/24/16